



Agenda

PUBLIC PROTECTION COMMITTEE

December 2, 2019

10:30 A.M.

651 Pine Street, Room 101, Martinez

Supervisor John Gioia, Chair
Supervisor Federal D. Glover, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. APPROVE Record of Action from the November 4, 2019 meeting. **(Page 4)**
4. CONSIDER the applicants for the vacant victims' representative seat on the Community Corrections Partnership; CONDUCT interviews; and NOMINATE an individual to the Board of Supervisors to fill the vacancy. **(Ramsey AlQaisi, Senior Management Analyst) (Page 7)**
5. CONSIDER accepting an update on the implementation of the moratorium on the collection of certain criminal justice fees assessed by the County and provide direction to staff regarding next steps. **(Paul Reyes, Senior Deputy County Administrator) (Page 35)**
6. PROVIDE input and direction to staff on the Draft Racial Equity Action Plan 2019-2024. **(Lara DeLaney & Donte Blue, Office of Reentry and Justice) (Page 83)**
7. RECEIVE a presentation on Contra Costa County - A Place to Thrive and PROVIDE direction to staff. **(Devorah Levine, EHSD & Ali Saidi, Public Defender's Office) (Page 120)**
8. CONSIDER review panel recommendation to award \$300,000 to Rubicon Program, Inc. for an innovative reentry program, and PROVIDE direction on the use of Local Innovation Fund revenue. **(Donte Blue, ORJ) (Page 147)**
9. The next meeting is to be determined.
10. Adjourn

The Public Protection Committee will provide reasonable accommodations for persons with disabilities planning to attend Public Protection Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Public Protection Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

Paul Reyes, Committee Staff
Phone (925) 335-1096, Fax (925) 646-1353
paul.reyes@cao.cccounty.us

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB	Assembly Bill	HIPAA	Health Insurance Portability and Accountability Act
ABAG	Association of Bay Area Governments	HIV	Human Immunodeficiency Syndrome
ACA	Assembly Constitutional Amendment	HOV	High Occupancy Vehicle
ADA	Americans with Disabilities Act of 1990	HR	Human Resources
AFSCME	American Federation of State County and Municipal Employees	HUD	United States Department of Housing and Urban Development
AICP	American Institute of Certified Planners	Inc.	Incorporated
AIDS	Acquired Immunodeficiency Syndrome	IOC	Internal Operations Committee
ALUC	Airport Land Use Commission	ISO	Industrial Safety Ordinance
AOD	Alcohol and Other Drugs	JPA	Joint (exercise of) Powers Authority or Agreement
BAAQMD	Bay Area Air Quality Management District	Lamorinda	Lafayette-Moraga-Orinda Area
BART	Bay Area Rapid Transit District	LAFCo	Local Agency Formation Commission
BCDC	Bay Conservation & Development Commission	LLC	Limited Liability Company
BGO	Better Government Ordinance	LLP	Limited Liability Partnership
BOS	Board of Supervisors	Local 1	Public Employees Union Local 1
CALTRANS	California Department of Transportation	LVN	Licensed Vocational Nurse
CalWIN	California Works Information Network	MAC	Municipal Advisory Council
CalWORKS	California Work Opportunity and Responsibility to Kids	MBE	Minority Business Enterprise
CAER	Community Awareness Emergency Response	M.D.	Medical Doctor
CAO	County Administrative Officer or Office	M.F.T.	Marriage and Family Therapist
CCCFPD	(ConFire) Contra Costa County Fire Protection District	MIS	Management Information System
CCHP	Contra Costa Health Plan	MOE	Maintenance of Effort
CCTA	Contra Costa Transportation Authority	MOU	Memorandum of Understanding
CDBG	Community Development Block Grant	MTC	Metropolitan Transportation Commission
CEQA	California Environmental Quality Act	NACo	National Association of Counties
CIO	Chief Information Officer	OB-GYN	Obstetrics and Gynecology
COLA	Cost of living adjustment	O.D.	Doctor of Optometry
ConFire	(CCCFPD) Contra Costa County Fire Protection District	OES-EOC	Office of Emergency Services-Emergency Operations Center
CPA	Certified Public Accountant	OSHA	Occupational Safety and Health Administration
CPI	Consumer Price Index	Psy.D.	Doctor of Psychology
CSA	County Service Area	RDA	Redevelopment Agency
CSAC	California State Association of Counties	RFI	Request For Information
CTC	California Transportation Commission	RFP	Request For Proposal
dba	doing business as	RFQ	Request For Qualifications
EBMUD	East Bay Municipal Utility District	RN	Registered Nurse
ECCFPD	East Contra Costa Fire Protection District	SB	Senate Bill
ECCRPC	East Contra Costa Regional Planning Commission	SBE	Small Business Enterprise
EIR	Environmental Impact Report	SRVRPC	San Ramon Valley Regional Planning Commission
EIS	Environmental Impact Statement	SWAT	Southwest Area Transportation Committee
EMCC	Emergency Medical Care Committee	TRANSPAC	Transportation Partnership & Cooperation (Central)
EMS	Emergency Medical Services	TRANSPLAN	Transportation Planning Committee (East County)
EPSDT	State Early Periodic Screening, Diagnosis and Treatment Program (Mental Health)	TRE or TTE	Trustee
et al.	et alii (and others)	TWIC	Transportation, Water and Infrastructure Committee
FAA	Federal Aviation Administration	VA	Department of Veterans Affairs
FEMA	Federal Emergency Management Agency	vs.	versus (against)
F&HS	Family and Human Services Committee	WAN	Wide Area Network
First 5	First Five Children and Families Commission (Proposition 10)	WBE	Women Business Enterprise
FTE	Full Time Equivalent	WCCTAC	West Contra Costa Transportation Advisory Committee
FY	Fiscal Year		
GHAD	Geologic Hazard Abatement District		
GIS	Geographic Information System		
HCD	(State Dept of) Housing & Community Development		
HHS	Department of Health and Human Services		



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

3.

Meeting Date: 12/02/2019
Subject: RECORD OF ACTION - November 4, 2019
Submitted For: David Twa, County Administrator
Department: County Administrator
Referral No.: N/A
Referral Name: RECORD OF ACTION - November 4, 2019
Presenter: Paul Reyes, Committee Staff **Contact:** Paul Reyes, (925) 335-1096

Referral History:

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Attached for the Committee's consideration is the Record of Action for the Committee's November 4, 2019 meeting.

Recommendation(s)/Next Step(s):

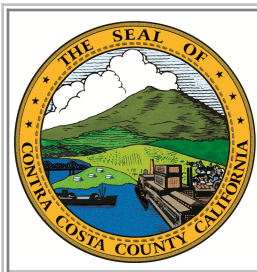
APPROVE Record of Action from the November 4, 2019 meeting.

Fiscal Impact (if any):

No fiscal impact. This item is informational only.

Attachments

Record of Action - Nov 4, 2019



PUBLIC PROTECTION COMMITTEE

RECORD OF ACTION FOR
November 4, 2019

Supervisor John Gioia, Chair
Supervisor Federal D. Glover, Vice Chair

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

Public comment was received.

3. APPROVE Record of Action from the September 30, 2019 meeting.

Approved as presented.

4.
 1. ACCEPT an update on the implementation of a moratorium on the collection and assessment of certain criminal justice fees assessed by the County; and
 2. PROVIDE direction to staff on next steps.

Approved as presented with the following direction provided to staff:

1. ***Staff to convene the workgroup to gather known state and local data and put it together into a summary report in preparation of returning to the Board of Supervisors in December 2019.***
 2. ***County Administrator's Office to authorize the Court to move forward with the necessary work to identify the impacted accounts if it is within the CAO's authority.***
5. The next meeting is currently scheduled for December 2, 2019.
6. Adjourn

Adjourned.

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paul.reyes@cao.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

4.

Meeting Date: 12/02/2019

Subject: Community Corrections Partnership Applicants for Victims' Representative Seat

Submitted For: PUBLIC PROTECTION COMMITTEE,

Department: County Administrator

Referral No.:

Referral Name: COMMUNITY CORRECTIONS PARTNERSHIP VICTIMS' REPRESENTATIVE

Presenter: R. AlQaisi, (925) 335-1089

Contact: R. AlQaisi, (925) 335-1089

Referral History:

In 2011, the California Legislature passed Realignment legislation addressing public safety (AB 109). This law transferred responsibility for supervising and housing individuals convicted of certain low-level felonies to counties and tasked local county government with developing a new approach to reducing future involvement in criminal activity for this population. Among the major changes to the local criminal justice system created by AB 109:

- 1) The incarceration of people convicted of certain low-level felonies (specified nonviolent, non-serious, non-sex offenses) to terms in local county jails, instead of state prisons, possibly followed by a mandatory term of supervision by Probation;
- 2) the local county supervision by Probation, instead of state parole, of people convicted of certain lower-level felonies (non-violent, non-serious, and non-sex offense) after their release from state prison under a new category of supervision called Post-Release Community Supervision (PRCS); and
- 3) the incarceration of individuals in local jails, instead of state prison, for violations and revocations of both parole supervision and PRCS.

AB 109 also created an Executive Committee of the local Community Corrections Partnership and tasked it with recommending a Realignment Plan to the county Board of Supervisors for implementation of the criminal justice realignment. The Community Corrections Partnership is identified in statute as the following:

Community Corrections Partnership

1. Chief Probation Officer (Chair)
2. Presiding Judge (or designee)
3. County supervisor, County Administrative Officer, or a designee of the Board of Supervisors
4. District Attorney
5. Public Defender

6. Sheriff
7. Chief of Police
8. Head of the County department of social services
9. Head of the County department of mental health
10. Head of the County department of employment
11. Head of the County alcohol and substance abuse programs
12. Head of the County Office of Education
13. Community Based Organization representative with experience in rehabilitative services for criminal offenders
14. Victims' representative

Community Corrections Partnership Victims' Representative Vacancy

At the September 30, 2019 PPC meeting, the Board was provided with a report on the victims' representative vacancy on the Community Corrections Partnership board. The PPC then determined to proceed with an 6-week recruitment and selection process for the vacant seat using this timeline:

October 11: issue press release and conduct outreach

November 22: Application Deadline

December 2: PPC Meeting Interviews

December 17: Board of Supervisors' consideration of PPC nominations

This appointment, once made by the BOS, will be effective through December 31, 2020. The County Administrator's Office issued a press release for the vacancy.

Referral Update:

As of close of business on November 22, 2019, four applications for the victims' representative vacancy have been received. The four (4) applications are included in Attachment B, with all addresses, emails, and signatures of applicants redacted. All applicants were notified about the public interviews with the PPC on November 25, 2019.

A summary of the information provided by the applicants is included in Attachment C.

Here are short biographies of the individuals applying to fill the vacant seat:

Glenn Bivens is a resident of Pittsburg and works in Martinez. He is currently a Victim/Witness Assistance Program Specialist with the Contra Costa District Attorney's Office. He completed an Associate Degree in Journalism from Los Angeles City College and complete Criminal Justice courses at Diablo Valley College. Recently, he worked as an Exchange Agent for about 3 years at the Contra Costa County Employment and Human Services Department. He previously worked at the Alameda County Probation Department for around 20 years in roles including Institutional Supervisor and Institutional Officer. Glenn Bivens has volunteer experience with the Contra Costa County Juvenile Justice Commissioner, Black Families Association of Central Contra Costa, Richmond Rescue Mission, and the Darius Jones Foundation.

Mary Knox is a resident of Contra Costa County District 4 and works in Martinez. She had been a Deputy District Attorney in Contra Costa County for 34 years and has handled thousands of cases. She has experience interacting with crime victims and their families. She has a History degree from UCLA and a Law degree from Pepperdine University. She serves on the Walnut

Ana Villalobos is a resident of Pittsburg. She has worked for the Contra Costa County Health Services Department since 2016 as a Health Education Specialist. She has previous experience with Kaiser Permanente in roles including a Healthy Eating and Active Living Manager. This accounts for around 15 years of experience working as a Health Education Specialist supporting and training people to create positive changes in their lives and communities. Ana has a bachelor's degree in Nursing from the University of Mexicali, Baja California. She received her Registered Nurse's license in 1992.

Shannon Mahoney works and lives in Martinez. She is employed as a Victim Witness Program Manager at the Contra Costa County District Attorney's Office. She has worked in the Victim Assistance Program since 2006. She has a bachelor's degree in Psychology from California State University Chico and master's degree in Counseling Psychology.

Recommendation(s)/Next Step(s):

1. CONSIDER applications submitted to the Clerk of the Board for the vacant seat on the Community Corrections Partnership (CCP).
2. INTERVIEW applicants for the vacant victims' representative seat on the CCP.
3. CONSIDER making nominations to the Board of Supervisors at their December 17, 2019 meeting to fill the vacancy on the CCP.

Attachments

Attachment A - 2019 CCP Membership

Attachment B - CCP Victim Representative Applications

Attachment C - CCP Victim Representative Applicant Summary

EXHIBIT A - 2019 COMMUNITY CORRECTIONS PARTNERSHIP

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer (<i>Chair</i>)	Todd Billeci	<i>ex-officio</i>
Presiding Judge (<i>or designee</i>)	Jim Paulsen (<i>designee of Presiding Judge</i>)	<i>ex-officio</i>
County supervisor, CAO, or a designee of the BOS	David J. Twa, County Administrator	December 31, 2019
District Attorney	Diana Becton	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Tamany Brooks, City of Antioch	December 31, 2019
Head of the County department of social services	Kathy Gallagher, Employment and Human Services Director	<i>ex-officio</i>
Head of the County department of mental health	Suzanne Tavano, Director of Behavioral Health Services	<i>ex-officio</i>
Head of the County department of employment	Donna Van Wert, Executive Director-Workforce Development Board	<i>ex-officio</i>
Head of the County alcohol and substance abuse programs	Fatima Matal Sol, Director of Alcohol and Other Drugs	<i>ex-officio</i>
Head of the County Office of Education	Lynn Mackey, County Superintendent of Schools	<i>ex-officio</i>
CBO representative with experience in rehabilitative services for criminal offenders	Patrice Guillory	December 31, 2019
Victim's Representative	Vacant	December 31, 2019

EXHIBIT B - 2019 COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer (<i>Chair</i>)	Todd Billeci	<i>ex-officio</i>
Presiding Judge (<i>or designee</i>)	Jim Paulsen (<i>designee of Presiding Judge</i>)	<i>ex-officio</i>
District Attorney	Diana Becton	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Tamany Brooks, City of Antioch	December 31, 2019
Representative approved by BOS from the following CCP members:	Kathy Gallagher, Employment and Human Services Director	December 31, 2019
*Head of County department of Social Services		
*Head of County department of mental health		
*Head of County department of alcohol and substance abuse programs		



Contra
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Please return completed applications to:

Clerk of the Board of Supervisors

651 Pine St., Room 106

Martinez, CA 94553

or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: Glenn
Last Name: Bivens
Home Address - Street: [REDACTED]
City: Pittsburg
Zip Code: 94565
Phone (best number to reach you): [REDACTED]
Email: [REDACTED]
Resident of Supervisorial District: 5

EDUCATION Check appropriate box if you possess one of the following:
☒ High School Diploma ☐ CA High School Proficiency Certificate ☐ G.E.D. Certificate
Colleges or Universities Attended Course of Study/Major Degree Awarded
Los Angeles City College Journalism ☒ Yes ☐ No
Diablo Valley College Administration of Justice ☐ Yes ☒ No
☐ Yes ☐ No
Other Training Completed: Twenty-eight years of CA Standards of Training for Corrections (Juvenile)

Board, Committee or Commission Name: Contra Costa County Community Corrections Partnership (CCP)
Seat Name: Victim Advocate
Have you ever attended a meeting of the advisory board for which you are applying?
☒ No ☐ Yes If yes, how many? [REDACTED]

Please explain why you would like to serve on this particular board, committee, or commission.
I believe I will bring a 2 pronged analysis of the challenges and opportunities facing the Realignment Commission based on my 28 years with Alameda County Probation and my 2 years working in the crime victim/witness program at Contra Costa District Attorney's Office. I also have the experience of serving Contra Costa as a Juvenile Justice Commissioner.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)
The previous section of the application states my training for working with criminal offenders. The knowledge of policies and procedures is not sufficient for dealing with felons. As an institutional officer my focus was to be an example of living right, evaluating options and considering the more successful path toward being a good citizen. Most of the detainees had not had daily contact with strong role models. I believed that as being in loco parentis we were obligated to give them that exposure. Helping them formulate processes extending beyond their detention period. Hoping to seed into them the basics of living above/beyond the criminal behaviors. I have nearly 2 years experience as a crime victim advocate for Contra Costa County. In this capacity I interview victims of crime, explain the court process to them and accompany them to court as needed. I also seek resources provided through state and local agencies to aid the crime victim in moving forward with their life.

I am including my resume with this application:
Please check one: ☒ Yes ☐ No
I would like to be considered for appointment to other advisory bodies for which I may be qualified.
Please check one: ☐ Yes ☒ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

Please check one: ☒ Yes ☐ No

List any volunteer and community experience, including any boards on which you have served.

Four years served as member of Contra Costa County Juvenile Justice Commission 1998-2002.

Do you have a familial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed below or Resolution no. 2011/55)

Please check one: ☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the county, such as grants, contracts, or other economic relationships?

Please check one: ☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

Employee

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand and agree that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

Signed:

Date:

11/12/19

Submit this application to:

Clerk of the Board of Supervisors
651 Pine St., Room 106
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 335-1900 or by email at ClerkofTheBoard@cob.cccounty.us

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2011/55, a person will not be eligible for appointment if he/she is related to a Board of Supervisors member in any of the following relationships: mother, father, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, great-granddaughter, first-cousin, husband, wife, father-in-law, mother-in-law, daughter-in-law, stepson, stepdaughter, sister-in-law, brother-in-law, spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouses' grandson, registered domestic partner, relatives of a registered domestic partner as listed above.
8. A person will not be eligible to serve if the person shares a financial interest as defined in Government Code §87103 with a Board of Supervisors Member.

GLENN I. BIVENS

OBJECTIVES

I am seeking a career in community support services that would include work with individuals and groups as applicable. I have over 30 years of professional and volunteer experience in corrections, counseling and support services. I also have two years of investigative interviewing for a college newspaper with an All American rating.

EDUCATION

Los Angeles City College

1978 Associate in Arts Degree in Journalism

Recognition:

- Journalism Association of Community Colleges Award Winner 1978
- Editor of Los Angeles Collegian Newspaper 1977-1978, All American Status Publication Award
- Numerous staff awards for page layout, writing and photography

Diablo Valley College

1999 Completed lower division studies Criminal Justice

EXPERIENCE

Contra Costa County (District Attorney Office) | 900 Ward Street Martinez, CA 94553

Victim/Witness Assistance Program Specialist 02/1/2018 – Present

Contact victims and witnesses of crime. Explain the role of the victim/witness advocate. Provide the client with an overview of the prosecution process and their rights under Marsy's Law. Connect the client with restorative services through State Agencies, Cal Victim Compensation Board, and local non-profit agencies. Duties also include court accompaniment, filing restitution claims, safety planning and Criminal Protective Orders. Position also includes making presentations to law enforcement, community centers, schools, community based, government and private organizations about Victim and Witness Services.

Training

- CCVAA Entry Level Advocate Training (40 hours)
- Completion of 100% of OVC TTAC Online Training
- CCVAA Mass Casualty Training
- Online Trainings-Safe at Home,
- Taking Victim Services to the Next Level
- Webinars- Signs of Elder Abuse, Cyberbullying, DV/SA Survivors,

Contra Costa County (EHSD) | 40 Douglas Street, Martinez, CA 94553

Exchange agent 1 07/10/2013 – 11/30/2016

Call center customer service representative. Inform and educate California residents about medical benefits mandated by the Federal Affordable Care Act (ACA). Enroll new customers in ACA and Medi-Cal health plans while assisting individuals through the online customer portals. Report and protect Personally Identifiable Information (PII) and Health Insurance Portability and Accountability Act information.

SKILLS

- Microsoft Office software
- Softphone

Alameda County - Probation | 400 Broadway Oakland, CA 94607

Institutional Supervisor September 2005 – March 2012

Duties include supervision and training of duty peace officers in a custodial institution. Oversee all custodial and educational operations within the 358 bed facility. Job duties included overseeing the intake and releasing process of detainees. I served as juvenile activities program facilitator. Coordinate academics and physical fitness competitions for youth. Developed and co-authored the detention facilities organizational operations manual.

SKILLS

- Microsoft Office software
- Intake (booking) of detained persons
- Trained in weapon scanning, processing of evidence, fingerprinting, DNA collection, use of physical and chemical restraints
- Transportation of detainees

Alameda County (Probation) | 400 Broadway Oakland, CA 94607

Institutional Officer December 1986 – September 2005

Duties included intake and custodial care of juvenile offenders assigned to the facility. I served as a court officer and transporter for Oakland presiding court (5 years) and the Hayward court (3 years). During my period as an institutional officer, I developed and conducted detainee workshops for life skills, citizenship and inter-cultural education. Under direct approval from management, I created a speakers' bureau which included Tuskegee Airmen, local sports figures and community leaders.

VOLUNTEER WORK

1998-2002

Contra Costa County Juvenile Justice Commissioner

1996-2002

Black Families Association of Central Contra Costa

2003-2009

Richmond Rescue Mission (Pastor)

2010-current

Darius Jones Foundation (Board Member)



**Contra
Costa
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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name

Mary Elizabeth

Last Name

Knox

Home Address - Street

City

Martinez

Zip Code

Ca.

Phone (best number to reach you)

Email

Resident of Supervisorial District:

4

EDUCATION

Check appropriate box if you possess one of the following:



High School Diploma



CA High School Proficiency Certificate



G.E.D. Certificate

Colleges or Universities Attended

Course of Study/Major

Degree Awarded

UCLA

History

☒ Yes

☐ No

Pepperdine University School of Law

Law

☒ Yes

☐ No

☐ Yes

☐ No

Other Training Completed:

Board, Committee or Commission Name

Public Protection Committee

Seat Name

Victims' Representative

Have you ever attended a meeting of the advisory board for which you are applying?

☐ No

☒ Yes

If yes, how many?

2

Please explain why you would like to serve on this particular board, committee, or commission.

The CCP is entrusted with making decisions regarding the supervision and rehabilitation of individuals who have been convicted of felonies. These decisions have a significant impact on public safety and on those who have been the victims of the felonious conduct. I would like to ensure that crime victims have a voice in this process

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I have been employed as a deputy district attorney in Contra Costa County for 34 years and handled thousands of felony prosecutions. Throughout my years as a prosecutor, I have had direct interaction with crime victims and their families and the issues they have faced in the criminal justice system.

I am including my resume with this application:

Please check one:

☐ Yes

☒ No

I would like to be considered for appointment to other advisory bodies for which I may be qualified.

Please check one:

☐ Yes

☒ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

Please check one: ☐ Yes ☒ No

List any volunteer and community experience, including any boards on which you have served.

WCEF board, 4 years

Do you have a familial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed below or Resolution no. 2011/55)

Please check one: ☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the county, such as grants, contracts, or other economic relationships?

Please check one: ☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

Employment

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand and agree that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

Signed:

Date: 11/15/2019

Submit this application to:

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8. A person will not be eligible to serve if the person shares a financial interest as defined in Government Code §87103 with a Board of Supervisors Member.



**Contra
Costa
County**

Please return completed applications to:

Clerk of the Board of Supervisors

651 Pine St., Room 106

Martinez, CA 94553

or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name

Shannon

Last Name

Mahoney

Home Address - Street

City

Zip Code

Martinez

94553

Phone (best number to reach you)

Email

Resident of Supervisorial District:

5

EDUCATION

Check appropriate box if you possess one of the following:



High School Diploma



CA High School Proficiency Certificate



G.E.D. Certificate

Colleges or Universities Attended

Course of Study/Major

Degree Awarded

Diablo Valley College

Associates of Arts Degree



Yes



No

California State University, Chico

Bachelor of Arts Degree in Psychology



Yes



No

John F. Kennedy University

Master of Arts Degree in Counseling Psychology



Yes



No

Other Training Completed:

Board, Committee or Commission Name

Seat Name

Contra Costa County Community Corrections Partnership

Victims' Representative

Have you ever attended a meeting of the advisory board for which you are applying?



No



Yes

If yes, how many?

Please explain why you would like to serve on this particular board, committee, or commission.

As the Victim Witness Program Manager for the Contra Costa District Attorney's Office, I am dedicated to serving victims of all crimes in our community. I constantly work to strengthen the victim services response in our county by advocating for victims' rights and ensuring that crime victims have a voice in the criminal justice process. I believe that my experience as an advocate, combined with my passion to make a difference for crime victims, makes me a good candidate to fill the victims' representative seat on this board.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I hold a bachelor's degree in psychology and a master's degree in counseling psychology. Before coming to the DA's Office, I worked with children and parents involved in the foster care system. I saw the impact that trauma has on families. I began as a victim advocate in 2006, working with victims in all areas of the county. I took over as the interim program manager in 2012 and was placed into the permanent position in 2014. I am fortunate to have incredible advocates that provide invaluable services to the most vulnerable members in our community. I use creative victim centered practices to meet the needs of the people we serve. I collaborate with community and law enforcement partners to provide trauma informed, culturally responsive services to crime victims.

I am including my resume with this application:

Please check one:



Yes



No

I would like to be considered for appointment to other advisory bodies for which I may be qualified.

Please check one:



Yes



No

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

Please check one: ☐ Yes ☒ No

List any volunteer and community experience, including any boards on which you have served.

While I have not served on any boards, I am invested in our community and participate in several meetings and collaborative groups with regard to victim services. I was previously a member of the Contra Costa County Human Trafficking Coalition executive team and served on multiple sub-committees.

Do you have a familial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed below or Resolution no. 2011/55)

Please check one: ☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the county, such as grants, contracts, or other economic relationships?

Please check one: ☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

County employee, CCP funds 3 advocates

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand and agree that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

Signed:

[Redacted Signature]

Date: 11-21-19

Submit this application to:

Clerk of the Board of Supervisors
651 Pine St., Room 106
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 335-1900 or by email at ClerkofTheBoard@cob.cccounty.us

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2011/55, a person will not be eligible for appointment if he/she is related to a Board of Supervisors member in any of the following relationships: mother, father, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, great-granddaughter, first-cousin, husband, wife, father-in-law, mother-in-law, daughter-in-law, stepson, stepdaughter, sister-in-law, brother-in-law, spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouses' grandson, registered domestic partner, relatives of a registered domestic partner as listed above.
8. A person will not be eligible to serve if the person shares a financial interest as defined in Government Code §87103 with a Board of Supervisors Member.

THIS FORM IS A PUBLIC DOCUMENT

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

PROFESSIONAL EXPERIENCE

Contra Costa County District Attorney's Office
Victim Assistance Program
Martinez, CA

Victim Witness Program Manager
November 2014 – Present

- Manage the day to day operations of the Victim Witness Assistance Program, consisting of multiple grant funding sources. Train and supervise program staff located at sites throughout the county
- Provide trauma informed and victim centered services to victims of violent crime; including homicide, sexual assault, domestic violence, human trafficking and elder abuse
- Able to adapt to emotionally charged situations and meet the diverse needs of our community. Strong understanding of the dynamics of violence and trauma to support survivors as they heal
- Excellent relationships with District Attorney's Office staff, law enforcement and community organizations to bring together different ideas and approaches
- Assist in strengthening collaborative partnerships with community organizations and justice partners to support a successful response to violence as well as strategies regarding prevention and education
- Knowledge of current trends, legislation and laws. Assist in budget planning and assessing grant needs while staying current on changing regulations and policies
- Program performance evaluation to ensure grant objectives are being met and to address gaps in service delivery
- Actively participate in community meetings and coalitions. Complete speaking engagements on a variety of topics at different venues to increase awareness around the dynamics that crime victims face
- Plan and host training opportunities for law enforcement and community partners. Assist with outreach campaigns through public service announcements and written materials.
- Compile statistics and grant reports for grant funders and the District Attorney's Office

Contra Costa County District Attorney's Office
Victim Assistance Program
Martinez, CA

Victim Witness Interim Program Manager
December 2012 – November 2014

- Oversee daily program activities and goals to ensure that victims receive a high standard of service while advocating for victims' rights under Marsy's Law
- Provide direct services to victims including crisis intervention, appropriate referrals, support through the criminal justice system, restitution and victim impact statement assistance
- Assist in interviewing, hiring, and evaluation of Victim Witness staff members
- Maintain strong relationships with all justice partners and community organizations to assist in providing victim centered services
- Utilize case management systems to maintain accurate records of services and provide training to staff members
- Create program brochures, pamphlets and training materials to spread awareness about services for crime victims and build relationships within the community
- Participate in the evaluation of program goals and staff performance and assist in the disciplinary or corrective process
- Complete quarterly reports for the District Attorney's Office and grant funders as well as to assess program effectiveness

Contra Costa County District Attorney's Office
Victim Assistance Program
Martinez, CA

Victim Witness Program Specialist
April 2006 – December 2012

- Advocate for crime victims' constitutional rights while collaborating with Deputy District Attorneys, law enforcement, and other community agencies to aid in the successful prosecution of criminal cases.
- Skilled at reading different character and personality traits of individuals while adjusting my approach to better meet the needs of the survivor
- Proficient in using Microsoft Office programs and completing administrative duties
- Strong organizational skills to effectively manage hundreds of cases a year while meeting deadlines
- Show resourcefulness and initiative in working with attorney staff to better support victims.
- Network with all staff members involved in the criminal justice system and community agencies to ensure awareness of my mission, so that I may better advocate for victims.
- Ability to manage and diffuse emotional reactions of people facing traumatic situations.

Family Stress Center
Antioch, CA

Parent Aide Coordinator
July 2003 – April 2006

- Train and supervise Parent Aide staff.
- Supervise management of cases and scheduling of parent-child visitations for families whose children have been placed in the foster care system for Central and East Contra Costa County
- Supervise visitations for Children and Family Services between biological parents and children placed in the foster care system.
- Work alongside Social Workers and foster families to organize and complete visitations.
- Compile monthly reports and help facilitate staff meetings.

EDUCATION

John F. Kennedy University
Pleasant Hill, CA

Graduated June 2005

- Master of Arts Degree in Counseling Psychology

California State University Chico
Chico, CA

Graduated May 2002

- Bachelor of Arts Degree in Psychology

Diablo Valley College
Pleasant Hill, CA

Graduated December 1999

- Associate of Arts Degree

AWARDS

- 2009 Community Violence Solutions Community Champion Award

CERTIFICATES

- 2006 California Victim Witness Advocate Entry Level Training Certificate
- 2007 California Advanced Level Victim Advocate Training Certificate
- 2009 NOVA Community Crisis Response Team Training Certificate
- 2013 California Victim Witness Program Coordinator Training Certificate

References available upon request



**Contra
Costa
County**

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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name

Ana

Last Name

Villalobos

Home Address - Street

City

Zip Code

Pittsburg

94565

Phone (best number to reach you)

Email

Resident of Supervisorial District:

EDUCATION

Check appropriate box if you possess one of the following:

☒ High School Diploma

☐ CA High School Proficiency Certificate

☐ G.E.D. Certificate

Colleges or Universities Attended	Course of Study/Major	Degree Awarded	
University of Baja California, Mexicali, Mexico	Register Nurse	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Baja California Education Department	BA in Biology- Nursing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

Other Training Completed:

License Certified Cyclist Instructor (LCI)

Board, Committee or Commission Name

Seat Name

Concord Bike and Pedestrian Advisory Board-

Board Chair

Have you ever attended a meeting of the advisory board for which you are applying?

☐ No

☒ Yes

If yes, how many?

Multiple

Please explain why you would like to serve on this particular board, committee, or commission.

"He who is sinless to throw the first stone". Life is hard and if we do not contemplate the idea of forgiveness and second chances in certain cases, we run the risk of supporting a social system full of resentment and a legal system unfit to provide and create new opportunities in our lives. Despite what life has given me, I choose to continue fighting to find and highlight the good in humanity. I still believe that in many cases, with the right support system and a little mercy, the world can be a much better place. About 21 years ago, I experienced a tremendous change in my life. In less than 2 months, I was going through a painful divorce and I was suddenly in the need to start my life all over again in a different country, all while raising two children; the oldest one being autistic. When I arrived in the United States, I found myself naturally in a clash of cultures, values and languages. I had to

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

My experience as a program manager, community outreach coordinator and educator has helped me to open doors that would otherwise not easily open and to create new doors that did not exist before. In the same way, my passion for service helps me to find appropriate forms of communication among Spanish-speaking members. This communication allows for trust in me and the systems in which I work to be able to support them to reach new goals. As a registered nurse, my main goal has always been to serve my community in the best way possible; starting with the main goal to preserve and improve the quality of life of any individual as much as possible. For many years I worked as a nurse in charge of intensive care in my country. After changing my homeland, while waiting for my RN credentials to transfer over, I decided to focus in the public health arena of which my main job has been to serve communities; especially those most at risk, to help them obtain

I am including my resume with this application:

Please check one:

☒ Yes

☐ No

I would like to be considered for appointment to other advisory bodies for which I may be qualified.

Please check one:

☒ Yes

☐ No

Complete answer to question number one:

"He who is sinless to throw the first stone". Life is hard and if we do not contemplate the idea of forgiveness and second chances in certain cases, we run the risk of supporting a social system full of resentment and a legal system unfit to provide and create new opportunities in our lives. Despite what life has given me, I choose to continue fighting to find and highlight the good in humanity. I still believe that in many cases, with the right support system and a little mercy, the world can be a much better place.

About 21 years ago, I experienced a tremendous change in my life. In less than 2 months, I was going through a painful divorce and I was suddenly in the need to start my life all over again in a different country, all while raising two children; the oldest one being autistic. When I arrived in the United States, I found myself, naturally, in a clash of cultures, values and language. I had to start all over and learn a completely new language and way of living for the three of us in the fastest and most

productive way possible. I can't imagine what my life and my children's lives would be without the support of a great family and a wonderful group of friends and teachers who have helped me get ahead in life. We all know that life, in general, is hard and that every day may present different, challenging and heartbreaking circumstances. Not everyone has the blessing of being part of an integrated family, society and church group that can bring love, emotional and financial support when you need it while also providing you with ethical and moral values. In the same way, in many circumstances, life offers really hard situations that, as human beings, we are not able to understand nor confront. Four years ago, my only son died at the hands of a distracted driver, who should not have been driving at that time. The driver was a father, attending to his baby in the back seat. When they asked me what I wanted to do, I asked them to please have mercy on him. My son had already left a 1.5-year-old baby without a father and having this individual incarcerated would only increase the number of children without parents.

I believe that every human being deserves second and in some cases third chances to change. In my country we have a saying: “If in life we charge every eye with another eye, very soon we will live in a world of the blind!”

Complete answer for question number 2:

My experience as a program manager, community outreach coordinator and educator has helped me to open doors that would otherwise not easily open and to create new doors that did not exist before. In the same way, my passion for service helps me to find appropriate forms of communication among Spanish-speaking members. This communication allows for trust in me and the systems in which I work to be able to support them to reach new goals. As a registered nurse, my main goal has always been to serve my community in the best way possible; starting with the main goal to preserve and improve the quality of life of any individual as much as possible. For many years I worked as a nurse in charge of intensive care in my country. After changing my homeland, while waiting for my RN credentials to transfer over, I decided to focus in

the public health arena of which my main job has been to serve communities; especially those most at risk, to help them obtain and create a better standard of living including everything from employment opportunities, opportunities for higher levels of education, food and housing assistance and case management services. For the past 15 years I have been working as a Health Education Specialist supporting and training people to create positive changes in their lives and communities; this work I have also in focused in low-income areas. My job has not only been to educate community members but also to become the necessary bridge between community members, associations and government agencies that promote the well-being and the growth of every individual.

Complete answer for question number 3:

- Healthy Community Manager for Concord
- HEAL(Healthy Eating Active Living) Zone grant with Kaiser Permanente for two consecutive sessions of three years each one and an the administration of \$ 1,000,000.00 per session.

- Concord Bike and Pedestrian Committee- Chair member for the past 3 years
- Cultural Adviser for State Assembly Tim Grayson
- Bike Concord and Volunteer Board Member
- San Francisco Jr. Giants Hall of Fame 2019 and Advisory Member
- Women of the year for City of Concord, Soroptimist, and City of Pleasant 2017

As a registered nurse, my main goal has always been to serve my community in the best way possible; starting with the main goal to preserve and improve the quality of life of any individual as much as possible. For many years I worked as a nurse in charge of intensive care in my country. After changing my homeland, while waiting for my RN credentials to transfer over, I decided to focus in the public health arena of which my main job has been to serve communities; especially those most at risk, to help them obtain and create a better standard of living including everything from employment opportunities, opportunities for higher levels of education, food and housing assistance and case management services.

Ana Villalobos de McAdoo

Summary:

Senior Health Education Specialist and Trainer; passionate about promoting safe environment, Routes to schools and healthy and active living with 5 years of experience in program management and 11 years of experience in planning, training, developing, and implementing programs that promote community and individual transformation for all.

Objective: To obtain a Public Health position at Contra Costa County Health Services that will give me the opportunity to share my knowledge, experience and expertise in health education promotion, community needs assessments, leadership training, program planning, program development and implementation among community members in disadvantage or at risk to become homeless, and governmental organizations that serve individual transformation and promote well-being.

Summary of Qualifications:

- Excellent communications skills in both Spanish and English.
- Experienced with program management and leadership.
- Excellent capability to work independently and as a member of a team.
- Experienced in working with Public Health services.
- Great experience working with diverse communities.
- Capable of working successfully in a multicultural environment.
- Experienced working with disadvantaged populations.
- Trustworthy and with high ethical principles.
- Excellent knowledge of the Monument area.
- Passionate about promoting healthy living and community transformation.
- Bachelor of Nursing Degree, University of Baja California Mexico; Associate Degree in Biology.
- More than 9 years of progressive experience in community development and Public Health services.
- Experience in management.
- More than 10 years of experience working as a Chef/Health Educator and Trainer for major health systems including Contra Costa County Health Services, Kaiser Permanente and the City of Livermore.

Work experience:

- **February 2019 to present. Senior Health Education Specialist for Contra Costa County Health Services.** Work with Nutrition and Physical Activity Project. Work in

partnership with community and youth focused organizations, educational institutions, local government agencies to provide nutrition education and physical activity promotion throughout Contra Costa County. In addition, this project also support organizations as they develop and implement changes to improve the nutrition and physical activity environment in ethical and culturally diverse low- income communities thought policy system and environmental change at the same time that supervised nutrition and physical activity programs assign to health education specialist and multiple subcontracting agencies throughout Contra Costa County.

- **October 2016 – January 2019. Health Education Specialist and Trainer for Contra Costa County Health Services.** Work with the Safe Routes to School, Injury Prevention and Physical Activity Promotion Project. This project includes a variety of bilingual activities, such as coordination of community events. Plans, conducts, and evaluates the health education and health prevention aspects of Safe Route to Schools programs and recommends specific polices to protect and promote public health. Meet and confer with parent liaison groups in the coordination of parents and volunteers. Coordination of community leaders and organizers including trainings, data gathering and analysis of data. Maintains and distributes health educational material to school, non-profit organizations, community organizations and government organizations including citizen committees that support community safety and bike and pedestrian's protection. Represent the department with various civic groups and community organizations. Creation and review of education materials, preparation of visual aids, and display materials. Conduct needs assessments including walkability audits and park community assessments. Publicizes reports on health education services and educational programs that support safe and healthy communities. Evaluation of reports and assessments. Direct and coordinate relevant trainings in collaboration with other community and governmental agencies. Preparation of accurate and concise reports, program creation, community outreach and workshops presentations for students, teachers, principals and community organizations to encourage physical activity promotion, safe communities and walking and bicycling to school and work as a means of everyday physical activity and community building.
- **October 2012 – June 2018. Chef Educator and Trainer for Kaiser Permanente (contract position).** Planning and conducting health education presentations to promote health prevention aspects of departmental programs. Creating recommendations to promote public health and active leaving among individuals. Coordinate and carries out specific phases of healthy eating programs. Coordinate multiple programs among various civic groups, community leaders, community parent liaison and instructors as well as Kaiser Permanente employees and families through schools, community set ups, community centers, health fairs, clinics and groups in Contra Costa County. Creation and review of new healthy recipes and publications for educational sustainability. Maintain and distribute articles and recipes that promote healthy habits. Preparation of visual aids and display materials including recipes, articles, cooking and nutrition classes. Conduct special trainings and education classes that support healthier lifestyles for large and small groups in English and Spanish. Evaluated pre and post surveys to create reports on health education services and cultural and appropriate health promotion including community approach. Direct and coordinate relevant trainings activities for employees, community leaders and community organizations including hands on cooking classes and demonstrations that support healthier lifestyles. Served as an advocate for individuals and communities in disadvantage providing information and referrals regarding county health systems and services available to the public including medical services and CAL FRESH to foster

high school students and community members in need. Directing, conducting and creating outreach events that connect, and open opportunities for all to achieve better opportunities and quality of life.

- **October 2012 - June 2016. Healthy Community- HEAL (Healthy Eating Active Living) Zone Manager.** -Healthy Community Manager - HEAL Zone (Healthy Eating Active Living Zone) Manager for KP in Concord, California. The Healthy Living Program Manager served as the point person for the Monument Community Healthy Eating Active Living (HEAL) Zone collaborative sponsored by Kaiser Permanente. Planned, conducted, evaluated and served as an advocator when necessary and conduct outreach to community members in need. Planned, conducted and evaluated the health education and health prevention aspects of departmental programs, community organizations and groups in the community. Coordinated the creation of implementation of agencies healthy policies to protect and promote public health including the promotion of free or low-cost physical activity, and healthy eating in a budget. Coordinated and carried out specific phases of programs including the creation, execution and evaluation of the Healthy and Active living -CAP (Community Action Plan) created with the support of multiple organizations, partners and investors. Coordinated multiple programs, trainings, evaluation reports, community assessments, park assessments and health related events. Confers with and advised staff on health education and preventive health principles and cultural appropriate community teaching techniques to integrate health education materials into the activity plan. Coordinated various civic groups, community agencies, business, schools, organizations and community leaders including Contra Costa County Health Services – Physical Activity Promotion Project, First 5 services, Healthy and Active B4 Five, Clinica la Raza, Health Promoters, Community Parents Liaison, Bike East Bay, Bike Concord, City of Concord Public Works and Parks and Recreation Department, MDUSD- Nutrition Department, Monument Crisis Center and Family Justice Center during the implementation of the CAP and the health community assessments. Represent the Monument HEAL Zone group with various organizations and city committees and at multiple local, county and national public health events including the National Conference of Public Health, Bi-national Childhood and Obesity Prevention Conference, and the HEAL (Healthy Eating Active Leaving) Zone conferences. Created, translated and reviewed public health publications that support health educational sustainability. Created, translated, maintained and distributed health education materials including healthy recipes and articles to staff and general public as need it. Prepared bilingual visual aids and display materials such as the “healthy bingo” or **Loteria Saludable** used during community events and presentations to promote healthy habits, activates. Conducted cultural appropriated community needs assessments and reports with specific recommendations on community health needs and services for the community. Organized and arranged for discussion groups on health problems or barriers to support healthier lifestyles including walkability audits, parks assessments and health education presentations among city council representatives and community organizations. Publicized and created health related articles in Spanish and English through various media including radio, television and magazines. Evaluated reports on health education services and educational programs including pre and post community assessments and community surveys. Directed and coordinated relevant training activities to support the CAP implementation. Provided and promoted excellent customer and service to community members and groups to identify short- and long-term needs and the creation of plans to reach goals and maintain quality lifestyle. Created and promoted meetings and special event to support

and connect each other and stay committed to a lifelong learning and healthy lifestyle.

Services Summary

Full-time duties for 4 years as HEAL Zone Manager

- **September 2007- October 2012.** Community Health Worker Specialist/Educator for Contra Costa Health Services. Working as a site coordinator and trainer for the “NEW (Nutrition, Exercise and Wellness) Kids” program in the Monument Community in Concord, and in Pittsburg, California. CHW Specialist for the Lead poisoning Prevention Project, doing workshops, community presentations and special follow up with families in our area with identified children with high lead levels, and families with children in need of extra training and support, follow up, case management and care to obtain a better quality of life and stay connected with clinical and medical services available for them.
-In this position I also have over 3 years’ experience providing outreach and connecting services to homeless and at-risk communities. I was responsible for providing healthy eating and cooking workshops for homeless and low-income families in Concord and Pittsburg for the Nutrition and Physical Activity Project. As a part of these workshops it was part of my duty to facilitate ongoing relationships with the families, consult with county program staff on homeless relations, coordinate services and refer participants and their families to assist them with low-income housing, homeless services, section 8 applications, medical and social services, employment, health, and other client needs-
- **October 2004 to present. Chef Educator and Trainer for Kaiser Permanente (contract position).** Planning and conducting health education presentations to promote health prevention aspects of departmental programs. Creating recommendations to promote public health and active living among individuals. Coordinate and carries out specific phases of healthy eating programs. Coordinate multiple programs among various civic groups, community leaders, community parent liaison and instructors as well as Kaiser Permanente employees and families through schools, community set ups, community centers, health fairs, clinics and groups in Contra Costa County. Creation and review of new healthy recipes and publications for educational sustainability. Maintain and distribute articles and recipes that promote healthy habits. Preparation of visual aids and display materials including recipes, articles, cooking and nutrition classes. Conduct special trainings and education classes that support healthier lifestyles for large and small groups in English and Spanish. Evaluated pre and post surveys to create reports on health education services and cultural and appropriate health promotion including community approach. Direct and coordinate relevant trainings activities for employees, community leaders and community organizations including hands on cooking classes and demonstrations that support healthier lifestyles. Served as an advocate for individuals and communities in disadvantage providing information and referrals regarding county health systems and services available to the public including medical services and CAL FRESH to foster high school students and community members in need. Directing, conducting and creating outreach events that connect, and open opportunities for all to achieve better opportunities and quality of life.
- **September 2006-October 2012.** Chef Educator and Trainer for City of Livermore (under contract). Working with adults, high school students and families in general as a presenter and trainer for the City of Livermore, promoting good nutrition, and

healthy and active living. Creator of the new “Promotores” project for the City of Livermore under the Cooking Matters program.

- **October 2005 to October 2007**, Office Manager at Bay Area Carbice Inc. Concord, California.
- **May 2002 to October 2005**, Part owner and operator of Villa’s Mexicatessen Restaurant, Concord, California.
- **April 2000 to February 2002**, C.N.A for We Care of Contra Costa County, Concord, California.
- **September 1992 to January 1997**, Charge Nurse and Nurse Supervisor in a hospital setting in Mexicali, Mexico.

Publications:

- Created a family game called ***Healthy Loteria***. This game was published by Kaiser Permanente and used as a resource in educational settings.
- ***Families Cooking Together*** recipe book, published by the City of Livermore, Livermore Unified School District and Kaiser Permanente.
- I also developed my own bilingual recipes (Spanish and English) that demonstrate that traditional food can be nutritious and delicious.
- Many of my recipes have been printed and published by Kaiser Permanente, City of Livermore, Univision (TV show in Spanish), Contra Costa County Health service; these recipes are also used as “Give away” gift at special events.

Education:

United States

- LCI Trainer Certification under the League of American Bicyclists
- RN Certification and validation of RN degree from the National Board of Nursing and CA Board of Nursing.
- CPR and First Aid Train the Trainers Certification, by the American Heart Association
- Train the Trainers certification from the SF University Research Department under the Positive Mains in Action – Stress Management and prevention of Depression Curriculum.
- C.N.A. from California Nurse Institute of San Francisco, June 2000.
- High School Diploma from Pittsburg Adult Education Center, June 2001.
- Studied English at Pittsburg Adult Education Center, April 1997 – June 2000.

Mexico

- Associate Degree in Nursing and Biology from the S.E.P. (Department of Education) August 1996.
- Bachelor Degree in Nursing from the University of Mexicali, Baja California, Mexico.
- Received R.N. license in June 1992.

Languages:

Bilingual (English-Spanish)

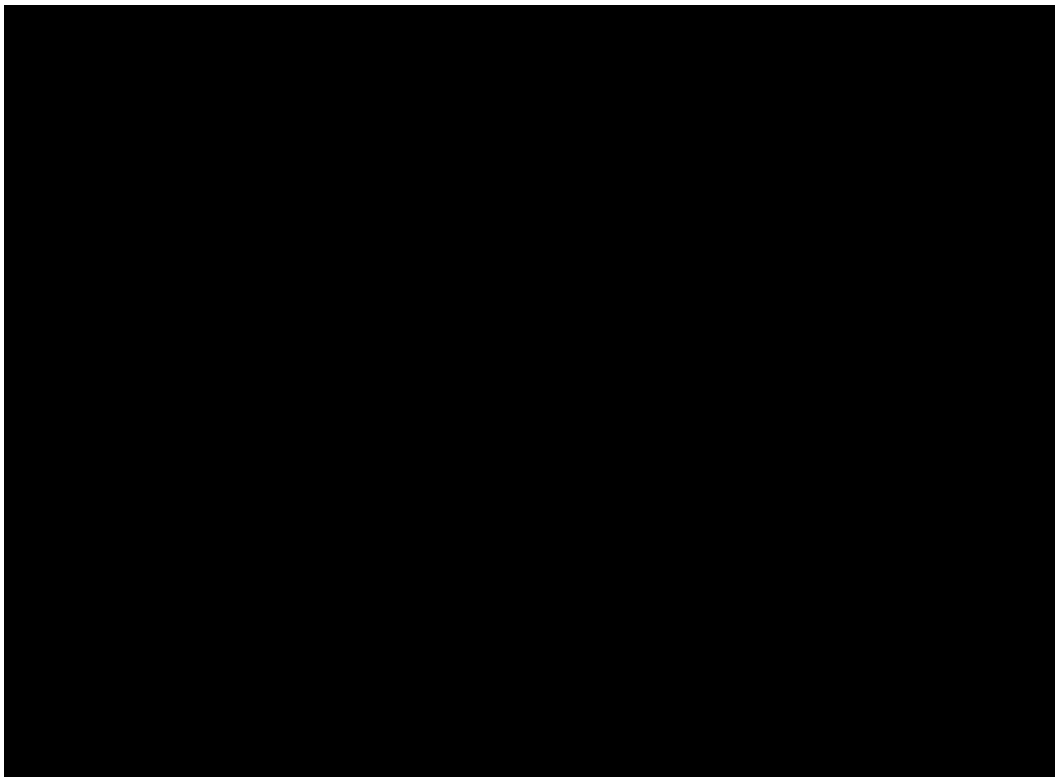
Recognitions and Awards:

- **SF Giants 2019 Hall of Fame Award in Leadership-** March 2019.
- **California State Senate- 7th. District-** Distinction of Honor 2017.
- **California State Assembly Recognition-** Women of Honor 2017- 14th Assembly District.
- **City of Concord** - Woman of Distinction 2017.
- **City of Pleasant Hill-** Women of Distinction Commendation 2017.
- **Soroptimist International of Diablo Vista-** 2017 Woman of Distinction.
- **Making A Difference Trough Developing Award-** 2017 Woman of Distinction.

Community activities

- Concord Junior Giants Commissioner – with the SF Giants Organization
- Chef and Volunteer Trainer and Educator for Cooking Matters in Contra Costa and Alameda County and Share our Straight National level.
- Motivational Speaker

References:





Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

5.

Meeting Date: 12/02/2019
Subject: Criminal Justice Fees
Department: County Administrator
Referral No.: N/A
Referral Name: Criminal Justice Fees
Presenter: Paul Reyes, Committee Staff **Contact:** Paul Reyes, 925-335-1096

Referral History:

On February 26, 2019, the Board of Supervisors referred to the Public Protection Committee the topic of criminal justice system fees charged to individuals and a review the current programs, policies and practices related to criminal justice fees. A copy of the referral is included as Attachment A.

On April 1, 2019, the Public Protection Committee considered an introductory report on the issue of criminal justice fees assessed in the County. During that meeting, it was noted that momentum to end criminal fees is growing in the state and individual counties have begun to view criminal justice fees as ineffective and have taken steps to eliminate them. In 2017, the County of Los Angeles eliminated its public defender registration fee. In May 2018, San Francisco eliminated all criminal administrative fees under its control, freeing over 21,000 people of more than \$32,000,000 in outstanding criminal administrative fees and surcharges. Most recently, in December 2018, the Alameda County Board of Supervisors voted to eliminate a host of county-imposed criminal fees. The board voted to eliminate \$26,000,000 in fees for tens of thousands of Alameda County residents. A copy of the Alameda County Board of Supervisors approved ordinance is included as Attachment B.

With the passage of Senate Bill 190 in 2017, the State of California eliminated juvenile justice fees in all counties. In January 2019, Senate Bill (SB) 144 was introduced by Sen. Holly Mitchell and would state the intent of the Legislature to enact legislation to eliminate the range of administrative fees that agencies and courts are authorized to impose to fund elements of the criminal legal system, and to eliminate all outstanding debt incurred as a result of the imposition of administrative fees. At the time of the April PPC meeting there had been discussion at the state level about the proposed elimination of specific fees – the probation fee, the public defender fee, and work furlough fee.

Also during the April PPC, general arguments in favor or against continuing criminal justice fees were discussed. It was also noted that analysis of adult criminal justice fees had proven to be complicated. State law dictates a very complex process for the distribution of fine and fee revenue. Per a recent Legislative Analyst's Office report, state law currently contains at least 215 distinct code sections specifying how individual fines and fees are to be distributed to state and local funds, including additional requirements for when payments are not made in full.

The report provided at the April PPC meeting focused on those fees that had been positively identified as being local and discretionary fees (i.e. not mandated by California law), specifically Probation Fees, Public Defender Fees, and Sheriff Custody Alternative Facility Fees. Further research and analysis will be needed on other fines and fees collected by the Contra Costa Superior Court of California (Court) and remitted to the County.

The April staff report included the following information on Probation, Public Defender, and work furlough fees:

Probation Fees

Probation Report Fee - In 2009, the Board of Supervisors adopted Ordinance 2009-28 authorizing the Probation Department to charge a fee of \$176 for the cost of generating a probation report to the Court. This is one-time fee.

Cost of Probation Fee - In 2010, the Board of Supervisors adopted Resolution No. 2010/262 to increase the monthly Cost of Probation Fee from \$50 per month to \$75 per month (average daily cost of \$2.50).

Probation Drug Testing Fee – The Probation Department currently charges \$10 per month (average daily cost of \$0.33) for drug testing.

Probation Dept. Drug Diversion Fee – The Probation Department currently receives approximately \$1,000 per year from this fee.

All adults that have been ordered to formal Probation, which includes mandatory supervision, and ordered to pay Probation fees, drug testing fees and/or the cost of their court report shall be assessed for their ability to pay said fees. The ability-to-pay determination is sent to the Court. The Court will order the amount the probationer is required to pay and refer the probationer to the Court Collections Unit for collection.

The following table illustrates the total amount of probation fees a probationer could hypothetically be charged. This is assuming the probation is placed on 3 years of probation and requires monthly drug testing. Over 3 years, a probationer could be charged up to \$3,236 for probation.

Example Probationer	Cost	# of Months	Total
Supervision	\$75/month	36	2,700
Drug Testing	\$10/month	36	360
Report Fee	\$176 one-time	n/a	176
Total Cost of Probation			3,236

Cost of Collection and Revenue

The following table shows the actual and estimated cost of collection and revenue for FY 17/18 and FY 18/19, respectively. The Probation fee revenue is used to offset the salaries of adult Deputy Probation Officers.

Fee	FY 17/18		Estimated FY 18/19	
	Collection Cost	Revenue	Collection Cost	Revenue
Probation Dept. Drug Diversion Fee (PC 1001.9)	143	1,249	10	1,000
Cost of Probation Fee	91,957	475,573	82,000	444,000
Probation Cost of Drug Test Fee (PC 1203.1(ab))	12,332	60,638	12,000	61,000
Probation Report Fee (PC 1203.1(b))	4,554	27,333	5,000	30,000
Total	108,986	564,793	99,010	536,000

Public Defender Fees

Penal Code 987.81 authorizes the Court to consider and make a determination of the defendant's ability to pay all or a portion of the costs of legal assistance provided through the public defender or private counsel appointed by the court and may order the defendant to pay all or a part of the cost.

Adults charged with capital or homicide cases may have to pay fees ordered by the court at the conclusion of the case to reimburse the County for the cost of outside counsel. The defendant is referred to the Contra Costa Superior Court Collections Unit by the judge who orders the amount to be paid. The Court makes a determination as to how much, if any, of the ordered amount the person can afford to pay. This determination is made on a sliding scale based upon the person's financial resources. The Office of the Public Defender is not involved in the determination of, or collection of fees.

Cost of Collection and Revenue

The following table shows the actual and estimated cost of collection and revenue for FY 17/18 and FY 18/19, respectively. The Public Defender Fee revenue is used to offset cost of County trial court function, specifically costs associated with capital cases.

Fee	FY 17/18		Projected FY 18/19	
	Collection Cost	Revenue	Collection Cost	Revenue
Public Defender Fee	1,849	26,100	-	121,000

Sheriff Office Custody Alternative Facility Program Fees

In 2009, the Board of Supervisors approved Resolution No. 2009/435 setting the fees for the Office of the Sheriff custody alternative programs. The current fees for the Custody Alternative Facility programs are provided below.

Fee	Cost
Electronic Home Detention and Alcohol Monitoring:	
Application fee	\$125.00 one-time
Electronic Home Monitoring Only	\$20.00 per day
Alcohol Monitoring Only	\$20.00 per day
Electronic Home Monitoring and Alcohol Monitoring	\$23.50 per day
Urinalysis Test	\$6.00 per test
Work Alternative Program:	
Application fee	\$125.00 one-time
Daily Fee	\$16.00 per day

Ability to Pay Process

The current Custody Alternative Facility (CAF) procedure provides for the CAF participant to be completely enrolled in a CAF program prior to discussing fees or ability to pay. Participants review and complete the personal budget with their assigned CAF Specialist. The participant will then request a reduction/waiver of fees based on their stated ability to pay. A CAF Sergeant will review and approve the Personal Budget form. A participant's inability to pay all or a portion of any fee(s) will not preclude them from being enrolled or completing any program offered by the Custody Alternative Facility.

Process of Collections

CAF fees are collected after the participant is enrolled in a CAF program. Fees can be paid in the manner which is most appropriate for the participant. Participants can pay their total program fees at one time or over a pre-determined length of time. There is no process established to collect payment from participants who complete the program, but do not pay. A participant's ability to successfully complete a CAF programs is not impacted by lack of payment.

Future Plan for CAF Electronic Home Detention and Work Alternative Programs

CAF is currently working with representatives from the Office of Re-Entry and Justice, the Public Defender's Office, and Reentry Solutions Group to present updated Ability to Pay forms.

Revenue

The following table shows the actual and estimated revenue for FY 17/18 and FY 18/19, respectively. The CAF Fee revenue is used to offset program costs.

Program	FY 17/18	Projected FY 18/19
Work Alternative Program	443,055	423,000
Electronic Home Detention	568,541	12,000

Total	1,011,596	435,000
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The PPC accepted the introductory report and directed staff to perform further research on other fees that are collected or remitted to the County and to report back to the Committee with staff's findings.

On July 1, 2019, the Public Protection Committee accepted an a follow-up report on this issue which included a review of a wider range of criminal justice fees, including those that are mandated by state legislation. This update included the following information on criminal justice fees and SB 144.

Criminal Justice Fees

The Legislative Analyst's Office (LAO) provided a report titled "Overview of State Criminal Fines and Fees and Probation Fees. The report provide background information regarding both cirminal fines and fees and probation fees. This includes an explanation of how cimrinal fines and fees are assessed. A copy of the LAO report is included as Attachment C.

Upon the request of the Committee, the analysis of the County's criminal justice fees was expanded beyond the fees charged for Probation, indigent defense, and alternatives-to-incarceration fees. Attachment D summaries the fee analysis performed by staff which includes: fee description, relevant code section, authority, ability-to-pay provision, funded County program or function, and revenue collected.

Senate Bill 144

As of July 1, 2019, SB 144 had passed through the California Senate and was in the California Assembly. SB 144 is set to be heard on July 9th in the Assembly Public Safety Committee. SB 144 is currently opposed by California State Association of Counties, Urban Counties of California, Rural County Representatives of California, and the Chief Probation Officers of California. These organizations' opposition is not based on the underlying policy conversation regarding lessening the financial burden associated with fines and fees levied on adults in the criminal justice system, but is based on the fiscal implications and the request for the addition of a sustainable funding source to ensure this does not inadvertently impact the core services, programs and efforts to promote the rehabilitation of offenders. A copy of the amended SB 144 can be found here:

http://leginfo.ca.gov/faces/billPdf.xhtml?bill_id=201920200SB144&version=20190SB14497AMD

During the July meeting, the Public Protection Committee considered a number of concerns revolving around adult criminal justice fees, including significant concern brought up regarding the ability-to-pay process. The majority of criminal fees include provisions that allow for either a waiver or reduction of the fee based on one's ability to pay. The Public Protection Committee voted unanimously to refer to the full Board of Supervisors a temporary moratorium on the assessment and collection of criminal justice fees currently authorized by the Contra Costa County Board of Supervisors.

On September 17, 2019, the Board of Supervisors considered adopting Resolution No. 2019/522 to place a moratorium on the assessment and collection of certain criminal justice fees. The Board of Supervisors approved the moratorium and directed the Public Protection Committee to gather additiional data about criminal justice fees in Contra Costa County and to return to the Board of Supervisors before the end of the year. A copy of the Resolution is attached for reference (Attachment E).

Following the adoption of the moratorium by the Board of Supervisors, the County Administrator's Office had notified the Sheriff's Office, the Probation Department, and the Superior Court of this moratorium on the assessment and collection of the applicable criminal justice fees.

On September 30, 2019, the Public Protection Committee accepted an update on the implementation of the moratorium on the collection of adult criminal justice fee. The Committee directed staff to assemble a small work group to identify and provide to the Committee any additional available and relevant data.

On November 4, 2019, the Committee was updated on the progress the workgroup had made. This update included information on the San Francisco Financial Justice Project, the ability-to-pay process of Probation and the Sheriff's Office, local data on race/income, pending data collection efforts, and an update on the Superior Court implementation of the moratorium. The Committee also discussed Additionally, Reentry Solutions Group provided a Report on Criminal Justice Fees in Contra Costa which provides additional information on the San Francisco Financial Justice Project, the local research process, and local/national research (see Attachment G).

Referral Update:

Since the November meeting, the workgroup drafted a summary report outlining the data, policies, and partices related to criminal justice fees within Contra Costa County (see Attachment H). Staff is seeking input from the Committee in preparation of bringing the Summary Report to the Board of Supervisor in December 2019.

Recommendation(s)/Next Step(s):

1. ACCEPT an update on the implementation of a moratorium on the collection and assessment of certain criminal justice fees assessed by the County; and
2. CONSIDER directing staff to return to the Board of Supervisors to provide the Summary Report on criminal justice fees, authorize the County Administrator's Office to request the Superior Court to incur the necessary expenses to implement the moratorium, to request direction on backfill funding; and to consider approving a revised the moratorium resolution.

Fiscal Impact (if any):

Implementation of the moratorium has resulted in a budgetary impact which is illustrated Attachment I.

Attachments

Attachment A - BOS Referral - Criminal Justice Fees

Attachment B - Alameda County Ordinance Eliminating Fees

Attachment C - LAO Report

Attachment D - Adult Fee Analysis

Attachment E - Resolution No. 2019/522

Attachment F - Court Letter

Attachment G - RSG Report on CJ Fees In Contra Costa

Attachment H - Summary Report

Attachment I - Budgetary Impact



**Contra
Costa
County**

To: Board of Supervisors
From: PUBLIC PROTECTION COMMITTEE
Date: February 26, 2019
Subject: Criminal Justice Fees

RECOMMENDATION(S):

REFER to the Public Protection Committee the issue of criminal justice system fees charged to individuals.

FISCAL IMPACT:

No fiscal impact. This action refers the issue of justice system fees to the Public Protection Committee.

BACKGROUND:

Existing law allows the County to impose various criminal justice fees for the cost of administering the criminal justice system. This referral is being requested to review the current programs, policies and practices related to criminal justice fees.

CONSEQUENCE OF NEGATIVE ACTION:

The issue will not be referred to the Public Protection Committee for review.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/26/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Diane Burgis, District III Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 26, 2019

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Paul Reyes,
925-335-1096

AN ORDINANCE AMENDING SECTION 2.42.190 OF THE ADMINISTRATIVE CODE TO ELIMINATE PROBATION FEES; REPEALING RESOLUTION 2011-142 REGARDING PUBLIC DEFENDER/CONFLICT COUNSEL FEES FOR REPRESENTATION OF INDIGENT ADULTS; AND ELIMINATING SHERIFF'S WORK ALTERNATIVE PROGRAM ADMINISTRATIVE AND ATTENDANCE FEES.

WHEREAS, criminal justice financial obligations like probation supervision and investigation fees, indigent defense fees, and fees associated with work release programs, can have long-term effects that can undermine successful societal reentry goals of the formerly-incarcerated, such as attaining stable housing, transportation, and employment; and

WHEREAS, this Board of Supervisors recognizes that criminal justice debt levied against low-income or indigent adults compromises key principles of fairness in the administration of justice in a democratic society and engenders deep distrust of the criminal justice system among those overburdened by such debt; and

WHEREAS, California Penal Code section 1203.1b authorizes but does not require a county to recover the actual costs for probation services in lieu of incarceration; and

WHEREAS, County of Alameda Administrative Code section 2.42.190 establishes probation department fees; and

WHEREAS, California Penal Code sections 987.5 and 987.8 authorizes but does not require the assessment of fees to cover the costs of appointed counsel; and

WHEREAS, the Board of Supervisors most recently authorized Indigent Defense Fees in Resolution 2011-142; and

WHEREAS, California Penal Code section 4024.2 authorizes but does not require a board of supervisors to assess an administrative fee on inmates of the county jail for costs associated with a county's work release program; and

WHEREAS, the Board of Supervisors has approved the Alameda County Sheriff's Office Sheriff Work Alternative Program (SWAP) and set administrative and attendance fees for participation in that Program; and

WHEREAS, the Board of Supervisors finds that it is in the best interest of the County, justice-involved adults, and the larger community to repeal the above-named adult fees; and

WHEREAS, it is also in the best interests of the County and the community that the Auditor-Controller be authorized to write-off all accounts receivable balances and close the associated fee accounts;

NOW, THEREFORE, the Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Section 2.42.190 of the County of Alameda Administrative Code is hereby amended to read as follows:

2.42.190 Probation Department fees.

Notwithstanding any prior County ordinance or resolution of the Board of Supervisors to permit assessment of probation fees and costs under California Penal Code section 1203.1b, neither the Probation Department nor any other County agency shall assess fees for probation services, or any other fees or costs authorized by Penal Code section 1203.1b.

SECTION II

The Public Defender schedule of fees authorized by this Board in Resolution No. 2011-142 on May 10, 2011 is hereby repealed.

SECTION III

The Sheriff's Office Alternative Work Program (SWAP) administrative fee and attendance fee, authorized by this Board by resolution as permitted by Penal Code section 4024.2 is repealed. Neither the Sheriff's Office or any other County agency shall assess SWAP administration or attendance fees.

SECTION IV

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the 4th day of December, 2018, by the following called vote:

AYES: Supervisors Carson, Haggerty, Miley & President Chan

NOES: None

EXCUSED: Supervisor Valle



President of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors,

By: R. Bailey
Deputy Clerk

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By: K. Scott Dickey
K. Scott Dickey
Assistant County Counsel

FEBRUARY 5, 2019

Overview of State Criminal Fines and Fees and Probation Fees

PRESENTED TO:

Assembly Committee on Public Safety
Hon. Reginald Byron Jones-Sawyer, Sr.



LEGISLATIVE ANALYST'S OFFICE

Introduction

In this handout, we provide background information responding to common questions regarding both criminal fines and fees and probation fees.

- ***Criminal Fines and Fees.*** During court proceedings, trial courts typically levy fines and fees upon individuals convicted of criminal offenses (including traffic violations).
- ***Probation Fees.*** State law authorizes counties to levy fees on probationers to cover probation-related costs. For example, a probationer who is subject to electronic monitoring—such as being required to wear a Global Positioning System (GPS) unit on his or her ankle—can be charged for its costs.



How Are Criminal Fines and Fees Assessed?

Various Fines and Fees Substantially Add to Base Fines

As of January 1, 2019

	How Charge is Calculated	Stop Sign Violation (Infraction)	DUI of Alcohol/Drugs (Misdemeanor)
Standard Fines and Fees			
Base Fine	Depends on violation	\$35	\$390
State Penalty Assessment	\$10 for every \$10 of a base fine ^a	40	390
County Penalty Assessment	\$7 for every \$10 of a base fine ^a	28	273
Court Construction Penalty Assessment	\$5 for every \$10 of a base fine ^a	20	195
Proposition 69 DNA Penalty Assessment	\$1 for every \$10 of a base fine ^a	4	39
DNA Identification Fund Penalty Assessment	\$4 for every \$10 of a base fine ^a	16	156
EMS Penalty Assessment	\$2 for every \$10 of a base fine ^a	8	78
EMAT Penalty Assessment	\$4 per conviction	4	4
State Surcharge	20% of base fine	7	78
Court Operations Assessment	\$40 per conviction	40	40
Conviction Assessment Fee	\$35 per infraction conviction and \$30 per felony or misdemeanor conviction	35	30
Night Court Fee	\$1 per fine and fee imposed	1	1
Restitution Fine	\$150 minimum per misdemeanor conviction and \$300 minimum per felony conviction	—	150
Subtotals		(\$238)	(\$1,824)
Examples of Additional Fines and Fees That Could Apply			
DUI Lab Test Penalty Assessment	Actual costs up to \$50 for specif- ic violations	—	\$50
Alcohol Education Penalty Assessment	Up to \$50	—	50
County Alcohol and Drug Program Penalty Assessment	Up to \$100	—	100
Subtotals		(—)	(\$200)
Totals		\$238	\$2,024

^a The base fine is rounded up to the nearest \$10 to calculate these additional charges. For example, the \$35 base fine for a failure to stop would be rounded up to \$40.
DUI = Driving Under Influence; EMS = Emergency Medical Services; and EMAT = Emergency Medical Air Transportation.

The total amount owed by an individual begins with a base fine set in state law for each criminal offense. State law then requires courts to add certain charges to this fine. On a limited basis, counties and courts can levy additional charges depending on the specific violations and other factors. Statute gives judges some discretion to reduce the total amount owed by waiving or reducing certain charges.



How Have Fine and Fee Levels Changed Over Time?

Total Fine and Fee Level for Stop Sign Violation Has Increased Significantly Since 2005 ^a			
	Stop Sign Violation (Infraction)		
	2005	2019	Change
Base Fine	\$35	\$35	
State Penalty Assessment	40	40	—
County Penalty Assessment	28	28	—
Court Construction Penalty Assessment	20	20	—
Proposition 69 DNA Penalty Assessment	4	4	—
DNA Identification Fund Penalty Assessment	—	16	\$16
EMS Penalty Assessment	—	8	8
EMAT Penalty Assessment	—	4	4
State Surcharge	7	7	—
Court Operations Fee	20	40	20
Conviction Assessment Fee	—	35	35
Night Court Fee	1	1	—
Totals	\$155	\$238	\$83

^a Depending on the specific violation and other factors, additional county or state assessments may apply.
EMS = Emergency Medical Services and EMAT = Emergency Medical Air Transportation

Total Fine and Fee Levels Have Increased Significantly. Since 2005, the number and size of charges added to the base fine have increased significantly—resulting in increases in the total amount owed by individuals convicted of criminal offenses. As shown in the above figure, the total penalty for a stop sign violation has increased by 54 percent since 2005.

Fine and Fee Levels Set to Serve Multiple Purposes. The state has enacted various fines and fees for various purposes. Some (such as the base fine) are generally tied to the seriousness of the crime. Others (such as the DNA assessments) were enacted to generate revenue to fund specific activities. Finally, some fines and fees were enacted to help offset state or local costs for providing particular services to individuals paying the specific charge.



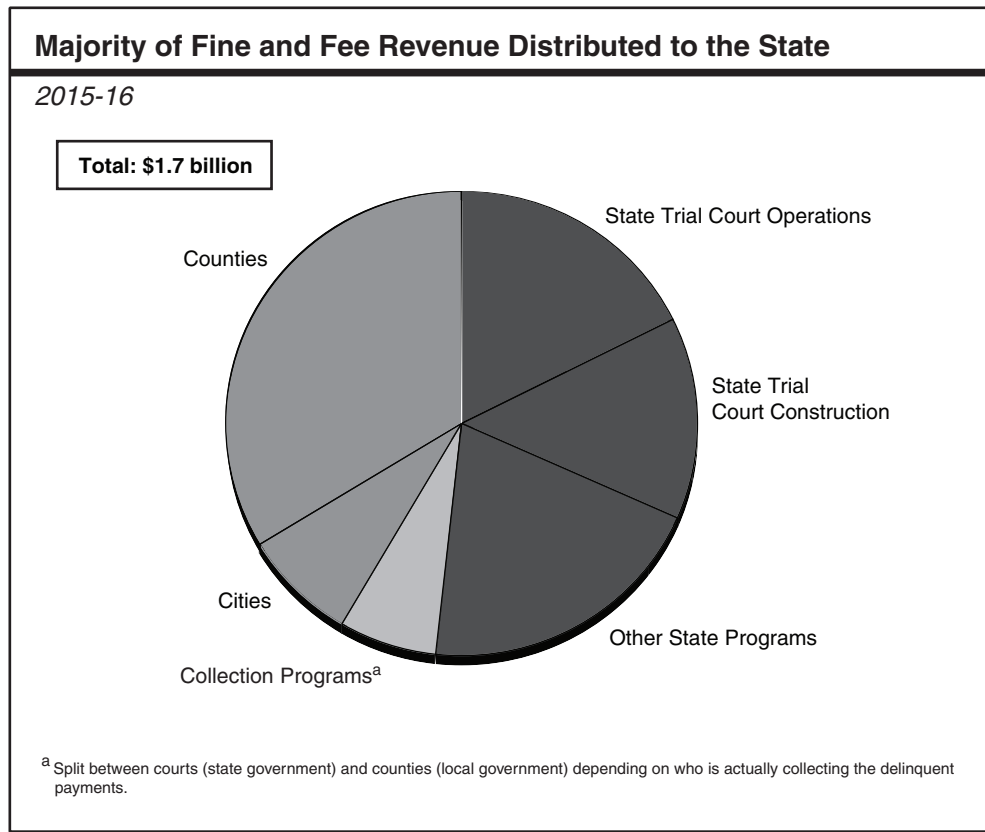
How Is Fine and Fee Revenue Distributed?

Numerous Funds Eligible to Receive Fine and Fee Revenue. Over 50 state funds—in addition to many local funds throughout the state—are eligible to receive fine and fee revenue. However, some of these funds receive very little revenue, such as those that only receive revenue from fines and fees for specific offenses that occur infrequently.

Complex Process for Distributing Fine and Fee Revenue. State law (and county resolutions for certain local charges) dictate a very complex process for the distribution of fine and fee revenue. State law currently contains at least 215 distinct code sections specifying how individual fines and fees are to be distributed to state and local funds, including additional requirements for when payments are not made in full. In order to comply with these requirements, collection programs must carefully track, distribute, and record the revenue they collect.



Who Benefits From Fine and Fee Revenue?



State Receives Majority of Revenue. According to available data compiled by the State Controller's Office and the judicial branch, we estimate that a total of \$1.7 billion in fine and fee revenue was distributed to state and local governments in 2015-16. (This is the most recent data that we have analyzed.) As shown in the figure, the state received \$881 million (or roughly half) of this revenue. Of this amount, roughly 60 percent went to support trial court operations and construction.

Local Governments Receive Most of Remaining Revenue. We estimate that local governments received \$707 million (or 42 percent) of the total amount distributed in 2015-16. Of this amount, about 80 percent went to the counties.



Who Benefits From Fine and Fee Revenue?

(Continued)

Collection Programs Receive Share of Revenue. Collection programs received \$114 million (or 7 percent) of the total amount distributed in 2015-16 for their operational costs related to the collection of delinquent payments. These funds are split between state trial courts and counties depending on which entity incurred the costs.



How Are Probation Fees Assessed?

Examples of Probation Fees for Selected Counties			
Fee	San Luis Obispo County	San Diego County	Butte County
GPS monitoring (daily)	\$12	\$9	\$5 to \$7
Supervision fees (monthly)	\$76	\$17 to \$176	\$164
Installment fee (one time) ^a	\$75	\$75	—
Transfer between counties (one time)	\$148	—	\$392
Court mandated reports (per report)	—	Up to \$1,433	Up to \$1,077
Drug testing fee (per test)	\$55	—	\$32
Probation violation (per event)	—	—	\$109

^a Fee charged in exchange for allowing probationers to pay their other fees on an installment plan
GPS = Global Position System.

Fee Levels Vary Between and Within Counties. The above figure shows certain probation fees charged by three selected counties. As shown, the number, type, and level of probation fees varies significantly by county and the specific fee levied. We note that in addition to probation fees, probationers could also be required to pay other government fines and fees, such as the criminal fines and fees assessed by trial courts.

Ability to Pay Can Impact Fees Levied. Some probation fees can be adjusted based on a probationer's ability to pay. In addition, some counties have policies stating that inability to pay shall not prevent a probationer from receiving services such as supervision and electronic monitoring.



What Is the Total Amount of Probation Fees That Probationers Are Charged?

Hypothetical Examples of Probation Fees Charged for Three Selected Counties

Estimates Over a Three-Year Period

Probationer	San Luis Obispo County	San Diego County	Butte County
Low supervision and fees ^a	\$3,000	\$2,000	\$1,000
High supervision and fees ^b	18,000	18,000	16,000

^a On probation for a misdemeanor, has one pre-sentence report, is on the lowest level of active supervision, and is on an installment plan, which allows the probationer to pay fees on an installment basis

^b On probation for a felony, has one pre-sentence report, is on the highest level of active supervision, is on GPS monitoring, receives random drug testing once a month, committed one felony probation violation, and is on an installment plan

Fees Owed Can Vary Substantially Between Probationers. The figure above provides hypothetical examples of the total probation fees that two probationers might be charged over a three-year period. These examples are intended to demonstrate the magnitude of (1) the fees a probationer can owe and (2) the difference between fee levels for similar probationers in different counties.

Level of Supervision Significantly Impacts Fee Amounts. A probationer on low-level supervision (such as someone convicted for a misdemeanor) is generally charged fewer fees compared to a probationer on high-level supervision (such as someone convicted of a felony) who must also follow certain other requirements (such as being on GPS monitoring and receiving random drug tests on a regular basis).



Court Collected Fees:

Court Fee Description	Code Section	Authority	Ability to Pay Written in Statute	Funded Program	FY 17/18 Revenue	FY 18/19 Est. Revenue
Alcohol Prevention Fee APPA	PC 1463.25	State	None specified.	Alcohol & Other Drugs - SB920 Alcohol Education Program	\$ 78,328	\$ 73,800
10% Fee	PC 1203.1 (I)	County	None specified.	Trial Court Programs	\$ 75,246	\$ 82,800
California Fingerprint ID Penalty	GC 76102	County	None specified.	Automated Fingerprint ID	\$ 170,986	\$ 174,300
Domestic Violence Fee	PC 1203.097(a)5	State	Ability to pay determination by the court.	Domestic Violence Victim Assistance	\$ 32,269	\$ 40,200
Booking Fee	GC 29550.1	County	None specified.	Sheriff Central Admin	\$ 39,464	\$ 42,300
Adult DA Diversion Fee	PC 1001.16	State	Ability to pay determination by the court.	Trial Court Programs	\$ 111,085	\$ 117,400
Drug Diversion Fee	PC 1211(c)(3)	County	Fee exemptions available.	Trial Court Programs		
Alcohol Test Fee	PC 1463.14	County	Ability to pay determination required.	Sheriff - General Lab	\$ 129,975	\$ 123,600
C.A.P. Fee	PC 1463.16	County	None specified.	Combined with Alcohol Test Fee		
B&P 7028.2 (Compliance Against Unlicensed Contractors)	BPC 7028.2	State	None specified.	SLESF-Criminal Prosecution	\$ 373	\$ 900
DNA Penalty Fee	GC 76104.6	State	Hardship determination by the court.	DNA Identification Fund	\$ 235,130	\$ 237,400
CITE Fee	PC 1463.07	State	Ability to pay determination by the court.	Trial Court Programs	\$ 458,755.86	\$ 462,000 *
Own Recognizance Fee	PC 1463.07	State	Ability to pay determination by the court.	Trial Court Programs		
Drug Program Fee	H&S 11372.7	State	Ability to pay determination by the court.	Criminalistics Lab Fund	\$ 15,314	\$ 14,000
Probation Drug Diversion Fee	PC 1001.9	N/A	N/A	Probation - Adult	\$ 1,273	\$ 1,200
Probation Supervision Fee	PC 1203.1b	County	Ability to pay determination by the court.	Probation - Adult	\$ 488,374	\$ 452,600
Probation Drug Test Fee	PC 1203.1ab	County	Ability to pay determination required.	Probation - Adult	\$ 65,921	\$ 61,400
Probation Report Fee PC	PC 1203.1b	County	Ability to pay determination by the court.	Probation - Adult	\$ 27,995	\$ 28,700
Alcohol/Drug Assessment Fee	PC 1463.13	County	Ability to pay determination by the court.	Alcohol & Other Drugs - SB921 Drug Abuse Ed	\$ 207,529	\$ 194,300
Public Defense Fee	PC 987.81	County	Ability to pay determination by the court.	Trial Court Programs	\$ 28,499	\$ 118,200
Total					\$ 2,166,517	\$ 2,225,100

* Revenue amounts for CITE and OR Fees are combined with Traffic School Fees (VC 42007) when remitted from the Court.

Sheriff Collected Fees:

CAF Fee	Code Section	Authority	Ability to Pay Written in Statute	Funded Program	FY 17/18 Revenue	FY 18/19 Est. Revenue
Work Alternative	PC 4024.2	County	Ability to pay program admin. fee.	Custody Alternative Facility	443,055	363,000
Electronic Home Detention/Alcohol Monitoring	PC 1203.016	County	Ability to pay program admin. fee pay.	Custody Alternative Facility	568,541	38,000
Total					1,011,596	401,000

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 09/17/2019 by the following vote:

AYE: ☐ 3 **John Gioia**
Diane Burgis
Federal D. Glover

NO: ☐ 2 **Candace Andersen**
Karen Mitchoff

ABSENT: ☒

ABSTAIN: ☒

RECUSE: ☒



Resolution No. 2019/522

IN THE MATTER OF a proposed moratorium on the assessment and pursuit of collection of certain adult criminal justice fees.

WHEREAS, criminal justice financial obligations, such as fees for probation, indigent defense, and work release programs, can have long-term effects that can undermine successful societal reentry goals of the formerly-incarcerated, such as attaining stable housing, transportation, and employment.

WHEREAS, criminal justice debt levied against low income or indigent adults compromises key principles of fairness in the administration of justice in a democratic society and engenders deep distrust of the criminal justice system among those overburdened by such debt.

WHEREAS, according to a report by the Ella Baker Center for Human Rights, the average debt incurred for court-ordered fines and fees line was roughly equal to the annual income for low-income respondents.

WHEREAS, a national survey of formerly incarcerated people found that families often bear the burden of fees.

WHEREAS, on July 21, 1994, Contra Costa County Board of Supervisors approved a resolution pursuant to California Penal Code § 1203.1 to charge up to a ten percent fee ("10% Fee") of the amount of restitution ordered by the Superior Court.

WHEREAS, Contra Costa County is currently authorized by Resolution No. 88/565 and California Government Code § 76102 to establish a County Automated Fingerprint Identification Fund in Contra Costa County and to charge a fifty cent (\$0.50) assessment ("California Fingerprint ID Penalty") for each \$10 fine, penalty, or forfeiture imposed and collected by the Superior Court for all criminal offense and certain violations of the Vehicle Code for the purpose of assisting the County in the establishment and maintenance of adequate fingerprint facilities and suspect booking identification facilities.

WHEREAS, Contra Costa County is currently authorized by Ordinance No. 2011-13 and California Government Code § 29550 to recover any criminal justice administration fee ("Booking Fee") imposed by the County from the arrested person if the person is convicted of any criminal offense related to the arrest.

WHEREAS, Contra Costa County is currently authorized by California Penal Code § 1211 and resolution approved by the Board of Supervisors on July 21, 1994 to charge a fee ("Drug Diversion fee") for the administrative and laboratory analysis costs incurred in processing a drug diversion case.

WHEREAS, Contra Costa County is currently authorized by Resolution No. 88/28 and California Penal Code § 1463.14 and § 1463.16 to charge two separate \$50 assessments (the "Alcohol Test fee" and "C.A.P. fee") on defendants convicted of violating California Vehicle Code § 23152 or § 23153 (driving a motor vehicle under the influence of alcohol or drugs).

WHEREAS, on September 14, 1995, the Contra Costa County Board of Supervisors authorized a Probation Drug Diversion administrative fee ("Probation Department Drug Diversion fee") for the Probation Department's processing of clients into a drug diversion program pursuant to Penal Code § 1001.15.

WHEREAS, Contra Costa County's Probation Department is currently authorized by Resolution No. 2010/262 and Penal Code § 1203.1b to charge a Probation Supervision Fee ("Cost of Probation fee") to recover the cost of probation supervision.

WHEREAS, Contra Costa County's Probation Department is currently authorized by Penal Code § 1203.1ab to charge a

Probation Drug Test fee ("Probation Drug Testing fee") to recover the cost of drug testing required as a condition of one's probation.

WHEREAS, Contra Costa County's Probation Department is currently authorized by Ordinance 2009-28 and Penal Code § 1203.1b and § 1203.7 to charge a Probation Report Fee ("Probation Report Fee") to recover the cost to conduct a preplea investigation of a criminal defendant and prepare a preplea report.

WHEREAS, Contra Costa County is currently authorized by Resolution 99/347 and Penal Code § 1463.13 to charge an Alcohol and Drug Assessment Fee ("Alcohol and Drug Assessment Fee") to recover the cost of providing community substance abuse services for those convicted of driving under the influence.

WHEREAS, Contra Costa County is currently authorized by Penal Code § 987.81 to charge Public Defender Fees ("Public Defender Fees") to recover the cost of court appointed counsel.

WHEREAS, the Contra Costa County Office of the Sheriff is currently authorized by Resolution 2008/303 and Penal Code § 4024.2 and § 1203.016 to charge fees to participate in the Custody Alternative Program to recover the cost of administering the program.

WHEREAS, the Board of Supervisors referred to the Public Protection Committee the matter of whether the County should continue to assess and collect certain adult criminal justice fees in light of the financial hardship and social impact of such fees on individuals and their families.

WHEREAS, the Public Protection Committee received testimony from the community expressing concern that these fees are assessed without a consistent ability-to-pay determination.

WHEREAS, the Board of Supervisors finds that it is in the best interest of the County, justice-involved adults, and the larger community to place a moratorium on the assessment and collection of the above-named adult fees.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Effective September 17, 2019, and until further action by the Board of Supervisors, the Office of the Sheriff's authority to assess Custody Alternative Facility program fees is temporarily suspended. In addition, the Office of the Sheriff will not pursue collection of such fees on existing accounts.
2. Effective September 17, 2019, and until further action by the Board of Supervisors, the Probation Department's authority to assess and collect the following fees is temporarily suspended: Probation Report Fee, Cost of Probation fee, Probation Drug Testing fee, and Probation Department Drug Diversion fee. In addition, the Probation Department will not pursue collection of such fees on existing accounts.
3. Effective September 17, 2019, and until further action by the Board of Supervisors, Contra Costa County will temporarily suspend the assessment and collection of the following fees: 10% Fee, California Fingerprint ID Penalty, Booking Fee (collected from arrestee), Drug Diversion fee, Alcohol Test fee, C.A.P. fee, Alcohol and Drug Assessment Fee, and Public Defender Fees.
4. The County Administrator will notify the Superior Court of this moratorium on the assessment and collection of the above adult criminal justice fees that are collected by the Superior Court. This includes a moratorium on the collection of such fees on existing accounts.
5. The County Administrator will report back to the Board of Supervisors on this matter on or before December 31, 2019.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 17, 2019

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Jami Napier
By: Jami Napier, Deputy



Contact: Paul Reyes, 925-335-1096

cc: Robert Campbell, Auditor-Controller

Kate Bieker
Court Executive Officer

Superior Court of California

COUNTY OF CONTRA COSTA
725 COURT STREET
P.O. BOX 911
MARTINEZ, CA 94553-0091



October 21, 2019

Paul Reyes
Senior Deputy County Administrator
Contra Costa County
County Administrator's Office
651 Pine Street, 10th Floor
Martinez, California 94553

Dear Mr. Reyes:

Attached please find an analysis and cost estimation the Court has completed for the identification, separation and programming necessary to complete the 2019/522 approved Board of Supervisors' moratorium on the assessment and collection of certain County fees.

Again, we stress the importance of communicating, once these fees are waived or suspended, they cannot later be re-imposed if the temporary moratorium is lifted.

The Court will await written approval of County to move forward on further work on the current collection cases for the necessary programming.

Sincerely,

A handwritten signature in blue ink, appearing to be "Kate Bieker", written over a blue circular stamp.

Kate Bieker
Court Executive Officer
Contra Costa Superior Court

Attachment

cc: Hon. Barry Baskin, Presiding Judge
David Twa, County Administrator
Timothy M. Ewell, Chief Assistant County Administrator
Lisa Driscoll, County Finance Director
Julie Enea, Senior Deputy County Administrator

Kate Bieker
Court Executive Officer

Superior Court of California

COUNTY OF CONTRA COSTA
725 COURT STREET
P.O. BOX 911
MARTINEZ, CA 94553-0091



Memorandum

DATE: October 21, 2019

TO: Paul Reyes, Senior Deputy County Administrator

FROM: Kate Bieker, Court Executive Officer 

RE: Board of Supervisor Resolution 2019/522 Analysis

The purpose of this analysis is to assess the impact to the Contra Costa Superior Court resulting from the Contra Costa County Board of Supervisor's Resolution No. 2019/522 to authorize a moratorium on certain fees and assessments that are distributed to the County.

The resolution authorized a moratorium on the imposition and collection of the following fees and assessments:

Name of Fee/ Assessment	Statutory Authority	County Authority	Case Type(s) Affected	Court Imposed	Court Collected
10% Fee	PC 1203.1(l)	BOS Res 7/21/94	Criminal	Y	Y
Ca Fingerprint ID Penalty	GC 76102	BOS Res 88/565	Criminal & Traffic	Y	Y
Booking Fee	GC 29550	Ord 2011-13	Criminal	Y	Y
Drug Diversion Fee	PC 1211	BOS Res 7/21/94	Criminal	Y	Y
Alcohol Test Fee	PC 1463.14(b)	BOS Res 88/28	Criminal (DUI & Reckless)	N	N
CAP Fee	PC 1463.16(c)	BOS Res 88/28	Criminal (DUI & Reckless)	N	N
Prob Drug Diversion Fee	PC 1001.15	BOS Res 9/14/95	Criminal	N	N
Cost of Probation	PC 1203.1b	BOS Res 2010/262	Criminal	N	Y
Probation Drug Test Fee	PC 1203.1ab			N	Y
Probation Report Fee	PC 1203.1b / PC 1203.7	Ord 2009-28	Criminal	N	Y
Alcohol and Drug Assessment Fee	PC 1463.13(d)	BOS Res 99/347	Criminal	N	N
Public Defender Fee	PC 987.81		Criminal	N	Y
Sheriff Custody Alt Program	PC 4024.2 / PC 1203.016	BOS Res 2008/303	Criminal	N	N

The Court currently collects and distributes 8 of the 13 fees and assessments identified above. As the Court relies on legacy case management systems to collect and distribute criminal fines and fees, significant resources and time will be needed to update its legacy systems and procedures to fully implement the County's moratorium. Refer to the attached Estimated Costs to Implement County Fees Moratorium for a list of activities needed to implement the moratorium and associated costs. These costs are estimates only; actual costs may vary.

The following is an analysis of each fee or assessment affected by the moratorium, in order of difficulty to implement, from most difficult to least:

California Fingerprint ID Penalty:

The California Fingerprint ID Penalty is automatically imposed on all criminal and traffic offenses where a base fine is imposed. This penalty is calculated as \$0.50 per every \$10, or part of \$10, of base fine imposed on the violation. Since the penalty is not a standalone flat fee, it is part of the total fine amount imposed on the violation. Although the intent of the moratorium is to reduce the court-ordered fines and fees for criminal convictions, elimination of this penalty would not actually reduce the total fine imposed.

GC 76000(a)(1) establishes an additional penalty in each county in the amount of \$7 for every \$10, or part of \$10, upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code. GC 76000(e) reduces this penalty to \$5 in Contra Costa County when the money in the local courthouse construction fund established by Section 76100 as of January 1, 1998 is transferred to the state under Section 70402. GC 76106 further specifies that, with respect to any fund established pursuant to this chapter, the penalty amounts to be deposited in the fund shall be specified by resolution adopted by the Board of Supervisors. The Contra Costa County Board of Supervisors has established the following county funds and corresponding local penalty assessments:

GC 76100 – Courthouse Construction Fund: \$2 per \$10

GC 75101 – Criminal Justice Facilities Construction Fund: \$2.5 per \$10

GC 76102 – Automated Fingerprint ID Fund: \$0.50 per \$10

GC 76104 – Emergency Medical Services Fund: \$2 per \$10

Total local penalties: \$7 per \$10

GC 76102 authorizes the Board of Supervisors to establish by resolution an Automated Fingerprint Identification and Digital Image Photographic Suspect Booking Identification System Fund (Automated Fingerprint ID Fund), and the County passed Resolution 88/565 to approve the \$0.50 California Fingerprint ID Penalty. Although the moratorium eliminates the Automated Fingerprint ID Fund and associated \$0.50 per \$10 California Fingerprint ID Penalty, GC 76000 requires the Court to continue to impose a \$7 per \$10 additional penalty pursuant to GC 76000(a).

There are two options to implement the moratorium on the California Fingerprint ID Penalty. The first option is for the Court to continue imposing, collecting, and distributing the \$0.50 per \$10 additional penalty to the same County-designated account, and the County may deposit the funds in this account into another local fund authorized under GC 76000(a). The Court would not incur any implementation costs with this option.

The second option is for the County to designate a new local fund for the \$0.50 per \$10 additional penalty to be deposited to. To implement the second option, the Court will need to update 27 traffic violation fee schedules in its traffic case management system, C-Track, as well as all criminal violation distribution tables. The Court is unable to discontinue the distribution of the

California Fingerprint ID Penalty for existing traffic cases through configuration changes in C-Track. As a work-around, the Court may manually adjust the monthly distribution reports to redistribute the Automated Fingerprint ID Fund to the new County-specified fund going forward.

Probation Fees

The Court may impose and collect the following fees for cases where the defendant is sentenced to probation:

- Cost of probation fee in the amount of \$75 per month pursuant to PC 1203.1b
- Probation drug test fee in the amount of \$10 per month pursuant to PC 1203.1ab
- Probation report fee in the amount of \$176 pursuant to PC 1203.1b

The Court only imposes these probation fees if charged by the County Probation Department. Since County Probation suspended performing ability to pay evaluations and setting up new accounts to charge these fees earlier this year, the Court has not imposed these fees since then. The Court still has a number of existing accounts with probation fees ordered, but these accounts also include other Court-ordered fines and fees, so the Court cannot easily separate out and waive just the balance owed on probation fees ordered. The Court has requested its CUBS vendor to programmatically identify and waive only the probation fees portion of the account balance for all existing criminal accounts. Furthermore, to prevent future probation fees from being set up, the Court will require programming by its LJIS programmer to discontinue the integration between LJIS and CUBS for fee set up.

Drug Diversion Fee

The Court imposes a drug diversion fee of \$200 for cases where the defendant is sentenced to a drug diversion program. Since the case may have other Court-ordered fines and fees, the Court cannot separate out and waive just the balance owed on drug diversion fees. The Court has requested its CUBS vendor to programmatically identify and waive only the diversion admin fees portion of the account balance for all existing criminal accounts with drug diversion sentences. Furthermore, to prevent future drug diversion fees from being set up, the Court will require programming by its LJIS programmer to discontinue the integration between LJIS and CUBS for fee set up. The Court has also requested its judges to stop imposing drug diversion fees.

10% Fee

The County Board of Supervisors authorized an administrative fee equal to 10% of the victim's restitution ordered pursuant to PC 1203.1 and by resolution in 1994. This fee was increased to 15% in 2010. The Court currently imposes the 15% fee on any restitution ordered but not yet paid at the time of account set-up. Since the 15% fee is added to the same account as the restitution order and other court-ordered fines and fees, the Court cannot easily separate out and waive just the 15% fee owed. The Court has requested its CUBS vendor to programmatically identify and waive only the 15% fee portion of the account balance for all existing criminal accounts. The Court has suspended adding 15% fees on new accounts with restitution orders.

Public Defender Fee

The Court may impose a public defender fee for cases where the defendant had a court-appointed public defender, and the defendant either waived the right to an ability to pay evaluation or were determined to have the ability to pay the fee. The amount of the fee ranges from \$200 to \$500 and depends on the complexity of the trial. The Court took over the collection of public defender fees from the County Probation Collections Unit (PCU) in 2017. Of the accounts transferred from PCU, the Court has identified 25,240 accounts with a balance of approximately \$5.54 million currently with Linebarger. The Court has notified Linebarger to immediately suspend collections of these accounts.

Any public defender fees imposed after the PCU transition, however, have been added to the same account set up for the defendant's other court-ordered fines and fees, so the Court cannot easily separate out and waive just the public defender fee owed. The Court has requested its CUBS vendor to programmatically identify and waive only the public defender fees portion of the account balance for all existing criminal accounts. Furthermore, to prevent future public defender fees from being set up, the Court will require programming by its LJIS programmer to discontinue the integration between LJIS and CUBS for fee set up. The Court has also discontinued ability to pay evaluations for public defender fees and has requested its judges to stop imposing public defender fees.

Booking Fee

The Court may order an arrestee to pay a booking fee in the amount of \$564 as requested by the arresting agency. The Court collects and distributes these booking fees on behalf of the County and several city arresting agencies. We interpret this County moratorium affects the booking fee imposed for Contra Costa County Sheriff, but not booking fees imposed for local arresting agencies.

The Court sets up unique accounts for collection and distribution of booking fees. The Court has identified 3,684 accounts with a balance of \$901,092 set up to collect booking fees for the Contra Costa Sheriff and has notified Linebarger to immediately suspend collections on these accounts. The Court will need to automate the cancellation of these accounts in CUBS and with Linebarger. Furthermore, to prevent future County booking fees accounts from being set up, the Court will require programming by its LJIS programmer to discontinue the integration between LJIS and CUBS for account set up. Lastly, the Court has also requested its judges to stop imposing booking fees.

Fees neither Imposed nor Collected by Court

The following fees and assessments identified in the moratorium are neither imposed nor collected by the Court:

- **Alcohol Test Fee:** PC 1463.14(b) authorizes an additional penalty of up to \$50 to be imposed for convictions of VC 23152 or 23153 (DUI violations). The Board of Supervisors passed resolution 88/28 authorizing the \$50 assessment. Although the Court distributes \$50 of each fine collected for DUI and Reckless Driving violations to the special County account used for alcohol testing pursuant to PC 1463.14(a), the Court does not impose an additional \$50 penalty pursuant to PC 1464.14(b) and resolution 88/28.
- **CAP Fee:** PC 1463.16(c) authorizes Contra Costa to impose a \$50 assessment to be imposed for convictions of VC 23152 or 23153 (DUI violations). The Board of Supervisors passed resolution 88/28 authorizing the \$50 assessment. Although the Court distributes \$50 of each fine collections for each DUI and Reckless Driving violations to the County Alcohol Program pursuant to PC 1463.16(a), the Court does not impose an additional \$50 assessment pursuant to PC 1463.16(c) and resolution 88/28.
- **Alcohol and Drug Assessment Fee:** PC 1463.13(d) requires the Court to impose an assessment of no more than \$150 upon court order to participate in the County's alcohol and drug problem assessment program, if the Board of Supervisors passes a resolution to subject the County to this section and the Court has determined that the defendant has the ability to pay this assessment. The County passed resolution 99/347 authorizing the Alcohol and Drug Assessment Fee for DUI convictions. Although the Court imposes an Alcohol Drug Problem Assessment Fee of \$100 for DUI violations pursuant to VC 23649,

the Court does not impose an Alcohol and Drug Assessment Fee of up to \$150 for DUI violations pursuant to PC 1463.13(d).

- Custody Alternative Program Fee: Resolution 2008/303 and PC 4024.2 and 1203.016 authorizes the Contra Costa Sheriff to charge fees to participate in the Custody Alternative Program to recover the cost of administering the program. This fee is neither imposed nor collected by the Court.

**Contra Costa Superior Court
Estimated Costs to Implement County Fees Moratorium**

Description of Activity	Resource	Cost of Hourly Rate	Estimated Number of Hours	Total Estimated Cost
Update 27 traffic violation fee schedules in C-Track and criminal distribution tables to replace the California Fingerprint ID Penalty with a new County-specified fund.	Court Finance Director	\$108.52	80	\$8,681.60
Programmatically waive balances owed on Probation Fees, Diversion Admin Fees in Drug Diversion accounts, 15% Fee, and Public Defender Fee for all existing criminal accounts.	Columbia Ultimate Vendor (CUBS) Collections System Programming	\$170.00	70	\$11,900.00
First year of annual maintenance associated with above CUBS enhancements.	Columbia Ultimate Vendor Collections System Programming			\$1,428.00
Testing to validate fee balances owed were correctly waived.	Court Financial Services Analyst	\$73.97	80	\$5,917.60
Programming in Law & Justice to discontinue the integration between LJIS and CUBS for the account set up of the following fees: Probation Fees, Diversion Admin Fees in Drug Diversion accounts, Public Defender Fee, and Booking Fee.	Criminal Case Management System - Mainframe Programming Department of Information Technology (DoIT) Programmer (Cost to the Court)	\$136.50	80	\$10,920.00
Testing to validate Law & Justice to CUBS integration has been successfully discontinued for the fees identified above.	Court Financial Services Analyst	\$73.97	80	\$5,917.60
Automate the cancellation of existing County Sheriff Booking Fee Accounts.	Court Business Analyst	\$63.45	80	\$5,076.00
Review and validate cancellations were correctly performed.	Court Financial Services Analyst	\$73.97	80	\$5,917.60

Total Direct Costs	\$55,758.40
Indirect Costs (24.82% of Salaries and Benefits)	\$7,820.88
TOTAL COSTS	\$63,579.28
	Estimate

****This is an estimated amount only. The Court will submit monthly invoices to the CAO's Office until project is complete.****



Report on Criminal Justice Fees in Contra Costa

Prepared by Rebecca Brown, Member, Contra Costa County Criminal Justice Fees Work Group
Presented to the Public Protection Committee of the Contra Costa County Board of Supervisors
November 4, 2019

Note: All documents referenced in this report are available upon request.

“We found it difficult to access the data we needed to understand the basics of fines and fees and how they impact individuals, as well as our city and county bottom lines.

After working diligently with various city and county departments to better understand their fines and fees, we realized that most cities and counties, including San Francisco, lack answers to basic questions, such as how many people receive various fines, fees, tickets; collection and delinquency rates, penalties for nonpayment as well as the cost of collection to the city and county.”¹

San Francisco Financial Justice Project

1. Context

In Contra Costa County, attention to the use of administrative fees in the adult criminal justice system was preceded by the County’s decision to end such fees in the juvenile justice system. In October 2016, the Board of Supervisors unanimously voted to impose a moratorium on such fees, which they followed with another unanimous vote in October 2017, permanently repealing these juvenile fees.^{2,3} In the aftermath of these historic votes, Contra Costa went on to become the first county in the nation to identify and reimburse families who had been unlawfully charged such fees.⁴

This interest in juvenile fee reform - both locally and statewide - dovetailed with increasing public attention to the use of similar fees in the adult criminal justice system. Across California, demand has been growing to remedy the disproportionately punitive consequences of money-based sanctions.

In July 2018, the Board of Supervisors of the City and County of San Francisco - with the support of the San Francisco Chief of Probation, District Attorney, Public Defender, Sheriff, and more than a dozen community organizations - unanimously passed an ordinance to end its adult criminal justice fees, thus eliminating more than \$32.7 million in outstanding debt levied against more than 21,000 people. In November 2018, Alameda County also voted to eliminate their county-controlled criminal justice fees.

In January 2019, Senators Mitchell and Hertzberg introduced Senate Bill 144 (SB144), to substantially amend or end the use of state and local justice fees; it has been turned into a two-year bill and will be considered in the 2020 legislative session.

In September 2019, Contra Costa County voted to impose a moratorium on the use of locally imposed criminal justice fees, becoming only the third county in the nation to end or suspend such fees.

2. San Francisco Financial Justice Project

In late 2016, the City and County of San Francisco established the Financial Justice Project (FJP), housed in the Office of the Treasurer. San Francisco is the first city in the nation to launch such an entity to assess and reform fines, fees, and financial penalties that disproportionately impact low-income people, communities of color, people struggling with homelessness, and people exiting the criminal justice system.⁵

The FJP is directed by Anne Stuldreher, MBA, who was previously a Senior Program Manager for The California Endowment, Senior Policy Fellow for New America, and Senior Policy Advisor for Governor Arnold Schwarzenegger. The FJP is managed by Christa Brown, who previously served as Director of the SparkPoint Initiative for the United Way of the Bay Area and who holds a Master's in Public Administration from the Goldman School of Public Policy at the University of California, Berkeley.

Over the course of its first two years, the FJP convened and facilitated the work of a Fines and Fees Task Force comprised of community members, ten governmental departments, and the courts. With the support of FJP, the Task Force examined best practices, reviewed evidence related to the use and impact of monetary sanctions, and received expert testimony, while the FJP worked with the Budget Office to conduct an audit of San Francisco's fines and fees. At the conclusion of its work, the Task Force recommended 40 reforms to both policy and process.⁶

In late 2018, San Francisco's Financial Justice Project issued a new report, *Criminal Justice Administrative Fees: High Pain for People, Low Gain for Government*.⁷ Subtitled *A Call to Action for California Counties*, the report called on all counties in the state of California to undertake substantial reforms.

3. Summary of Local Research Process

In Contra Costa County, much of the original research and analysis into the county's criminal justice fees was undertaken by Reentry Solutions Group (RSG), working in primary partnership with the UC Berkeley School of Law Policy Advocacy Clinic (UCB), along with other local stakeholders.

In December 2017, RSG requested that the Office of the Sheriff establish a work group to remedy the County's failure to comply with California state statutes regarding the policies and procedures for Electronic Monitoring in Lieu of Bail (California Penal Code 1203.018(e)); Home Detention in Lieu of Confinement (PC 1203.016(b) and 1203.016(d)(1)); and Work Release in Lieu of Confinement (PC 4024.2(c)).

In response to this request, in January 2018 the Office of the Sheriff approved a Work Group proposal submitted by RSG, and a Work Group was formed, comprising representatives of the Sheriff's Office along with Donté Blue, Deputy Director of the County's Office of Reentry and Justice; Ellen McDonnell, Chief Assistant Public Defender; and Rebecca Brown, Director of RSG.

Over the past 20 months, this Work Group has made incremental progress, and the Sheriff's Office has largely suspended the use of application or administrative fees for the programs delegated to its administration by the Board of Supervisors. However, new policies have not yet been drafted, reviewed, or approved by the Board of Supervisors, and the County remains out of compliance with state law.

In October 2018, in partnership with local Contra Costa stakeholders, UCB submitted a Public Records Act Request to Sharon Anderson, County Counsel for Contra Costa County, seeking information on "how Contra Costa County assesses and collects fees against adults...in the criminal justice system." In response to this request, Contra Costa County provided a seven (7) page document that included, in its totality, a cover letter, two administrative forms, and one Administrative Bulletin. In the document's cover letter, Chief Assistant County Administrator Tim Ewell wrote, "We have reviewed the remainder of your request," deemed it "overly broad," and requested greater specificity.

In November 2018, through a series of emails between UCB and Mr. Ewell, Contra Costa County provided four web addresses that link to webpages offering summary information and various Fee Schedules used by the Office of the Sheriff: Civil Unit fees, Records Unit fees, Custody Alternative Facility fees, and Coroner's Division fees. It should be noted that three of these web sources do not pertain to criminal justice fees, and that the one that does - for fees related to the Custody Alternative Facility (CAF), operated by the Sheriff's Office as authorized by the Board of Supervisors - the link simply connects to the CAF handbook, which is substantially out of date.

In sum: Contra Costa County provided no administrative data that would have allowed analysis of the County's use of criminal justice fees.

In October 2018, again in partnership with local stakeholders, UCB similarly submitted a Public Records Act Request for fee-related judicial records to Matthew Kitson, Public Information Officer of the Superior Court of California, Contra Costa County. In his response of November 2018, Mr. Kitson wrote that the Court:

- "does not maintain any non-adjudicative 'records relating to the demographics of adults in the justice system'" and has "no records responsive" to this request;
- "does not track the aggregate number of adults who are assessed and/or charged fees annually [and has] no responsive records";
- "does not track the total amount of adult fees assessed per year, reduced or waived due to inability to pay per year, and/or total amount currently owed [and] no responsive records exist";
- has "no aggregated data concerning" adjudicative records pertaining to individual cases
- "keeps no data or records specifically 'relating to the amount spent on collecting adult fees' although "the monthly Financial Report spreadsheets may contain relevant information."

However, to his response Mr. Kitson attached a 362-page PDF document containing hundreds of pages of scanned financial accounting and tracking spreadsheets used by the Court in its role as financial administrator for state and local justice-related fees. It should be noted that these data do not provide information related to individual cases, and the document contained no individual or identifying information. Instead, this document provides a month-by-month financial detail of the funds associated with each criminal justice fee collected by the Court as authorized by either state statutes or local ordinances.

In November and December 2018, on behalf of a coalition of stakeholders, Rebecca Brown, Director of RSG, conducted extensive analysis of the data embedded in this document. From it, she produced a comprehensive, month-by-month, item-by-item categorical report on every criminal justice fee collected and distributed by the Courts on Contra Costa County's behalf in each month throughout from July 2017 through June 2018. Capturing all the Contra Costa County data provided in the Court's document, this analysis included line-by-line accounting for each fee type, recording Non-delinquent Receipts, Delinquent Receipts, and Net Revenue Distribution, among other data.

In December 2018, Ms. Brown, along with Carson Whitelemons from UCB, engaged in a telephone interview with Mr. Kitson and Fae Li, Financial Services Director for the Superior Court, to seek additional information about the document provided by the Court. During this interview, Ms. Li explained various administrative processes as they relate to the tracking, accounting, and distribution of such fees, and the production of the Court's financial reports. She also discussed the contract with the Court's debt collector, Linebarger Goggan Blair & Sampson, LLP (Linebarger). It may be of interest that Linebarger is the subject of multiple class action lawsuits across the United States.^{8,9,10,11}

In December 2018, Ms. Brown obtained a copy of, and closely reviewed, Linebarger's Master Agreement for Collection Services, which is a contract between Linebarger and the Judicial Council/Administrative Office of the Courts, effective as of January 1, 2014. Although neither California's 58 counties nor its 58 Superior Courts is required to enter into this Master Agreement, both Contra Costa County and the Superior Court of Contra Costa County are named as Participating Entities in this Agreement.

The Agreement contains provisions for Obligation (Section 2.2), Non-Exclusivity (Section 2.3), Franchise Tax Board Transfer Services (Section 3.7), Termination for Convenience (Section 4.2), and Termination for Cause (Section 4.3).

The Statement of Work that accompanies the Master Agreement obligates Linebarger to provide a "list of old cases...annually, or as specified by the Participating Entity. The Participating Entity may request a list of cases...[to] determine eligibility for discharge." Section 1.5.1 requires Linebarger to "supply an account payment history for each Account on the Participating Entity's request."

The Fee Schedule that accompanies the Agreement reveals that the bulk of Linebarger's commissions range from 18% to 25% of all debt collected. The commission percentage rises with the age of the debt, with the maximum percentage charged against debt that is two years old or more.

In February 2019, Ms. Brown disseminated the results of her financial and administrative analyses of Contra Costa County's justice fees and the Linebarger contract (along with her analysis of the

Contra Costa County DA's civil asset forfeiture practices) at a public meeting of Reentry Solutions Group. Entitled *What the Numbers Tell Us: Money and Justice in Contra Costa County*, this public presentation was also immediately published on RSG's website.¹²

In February 2019, the Board of Supervisors formally referred the matter of criminal justice fees to the Board's Public Protection Committee (PPC). In its meetings in April and July 2019, the PPC reviewed information provided by RSG and by staff of the CAO, heard public testimony, and considered potential options for action. At its July meeting, the PPC determined to recommend to the Board of Supervisors that it enact a moratorium on adult criminal justice fees heretofore authorized or imposed by Contra Costa County.

On September 17, 2019, the Board of Supervisors considered this recommendation, voted to authorize a moratorium, and referred the matter of criminal justice fees to continuing attention by the PPC, requesting that the PPC attempt to identify and provide to the BOS additional available and relevant data. In response to the September 2019 request by the BOS, Rebecca Brown has drafted this report for submission to the PPC to advance its research and for consideration at its meeting on November 4, 2019. (It is our understanding that the County Administrator's Office is preparing a summary report on the policies and administrative practices of relevant Contra Costa agencies; we encourage the PPC and the Board to review that summary.)

On October 21, 2019, the Superior Court of California, County of Contra Costa (Court), provided a letter to the CAO regarding administrative measures related to implementing the moratorium. In the letter, the Court estimates \$63,570 as the administrative cost to implement the moratorium. Although in the letter the Court acknowledges its difficulties in providing specific dollar amounts related to any of the outstanding fee amounts, three points of interest are mentioned:

- In terms of public defense fees (which, it should be noted, do not contribute to the budget of the Public Defender), it has identified 25,240 accounts with a balance of approximately \$5.54 million in collections with Linebarger, and it has notified Linebarger to suspend collections on these accounts.
- In terms of booking fees, which may be ordered in the amount of \$564, it has identified 3,684 accounts with a balance of \$901,092, and it has notified Linebarger to suspend collections on these accounts.
- In terms of probation fees – which, by RSG's analysis, represent 54% of the revenues generated by criminal justice fees in Contra Costa in the year studied – the Court has not yet been able to identify the total amount of unpaid debt and it has not yet suspended collections on such fees, pending an administrative revision to its vendor data system.

4. A Body of Evidence

Local and national research has widely and consistently shown that criminal justice fees are harmful, that they undermine successful reentry, and that they increase the chance of recidivism. For those who are convicted in criminal court, fees for probation supervision, drug and alcohol testing, representation by a public defender and non-custodial sentencing options are assessed in addition to

other costs and can quickly add up to thousands of dollars. In Contra Costa County, an individual with a three-year term of supervised probation is assessed \$2,700 in Probation supervision fees alone.

Research shows that the vast majority of people charged such costs cannot afford to pay them and that counties typically net very little or even lose revenue after accounting for collections costs.¹³ Fees make reentry harder, hurting credit scores, making it harder for people to find housing or open a bank account, and discouraging people from seeking formal employment out of fear that their wages will be garnished, bank accounts levied, or tax refunds intercepted.”¹⁴

National research is unanimous on this point: Given the endemic racial bias present throughout our justice systems, administrative fees are disproportionately imposed on communities of color, who are further disproportionately likely to have difficulty paying them. In California, close to half of Black and Latinx families struggle to put food on the table and pay for housing.¹⁵ And research has found that the burden of such fees is typically felt by family members; in a national survey by the Ella Baker Center for Human Rights, 63% of respondents reported that family members were primarily responsible for covering conviction-related costs, and 83% of those paying such costs are women. Nearly half also reported that their families could not afford to pay these fines and fees, and 1 in 5 families across income levels reported that they had to take out a loan to cover conviction-related costs.¹⁶

It should be noted that a report released in May 2019 by the Board of Governors of the Federal Reserve System drives home the devastating havoc that can result from costs such as criminal justice fees. *Entitled Report on the Economic Well-Being of U.S. Households in 2018*, the report found that “many adults are financially vulnerable and would have difficulty handling an emergency expense as small as \$400.”¹⁷ The study found that 17% of adults are forced to leave some bills unpaid each month, while another 12% said that an additional expense of \$400 would leave them unable to meet their basic needs. A full 42% of people who have no college education would be pushed into financial hardship by such an expense, with an even higher percentage of African Americans (58%) affected in this way. Even for African Americans with some college or an associate’s degree find significant harm; 46% report that they would not be able to pay their monthly bills if hit with an additional \$400 expense. And rather than constituting a one-time expense, criminal justice fees tend to recur - probation fees, drug testing fees, and partial payment fees all accrue month after month.

5. Contra Costa County Implications

According to the American Bar Association, the vast majority of people accused in criminal courts are considered indigent, unable to afford their own attorney and eligible therefore for the constitutional protections for public defense. The ABA estimates that 85 to 95 percent of people accused of crimes cannot afford their own lawyer;¹⁸ however, Contra Costa County collects no local data on this point.

Data provided by the Contra Costa County Office of the Sheriff can serve as a sufficient proxy for the racial implications of our local criminal justice system; according to the Office of the Sheriff, 71% of people currently incarcerated in our county jails are people of color.¹⁹

In Contra Costa County, the Probation Department, the Sheriff's Office, and the Courts are authorized to impose local criminal justice fees. Each of these entities is governed by a different set of internal policies and practices with regard to the fees in question, and our research suggests that Contra Costa County has thus far failed to develop consistent, transparent, or equitable practices; has not engaged in meaningful oversight or analyses of the implementation and impacts of these fees; and indeed both expanded and increased these fees in the immediate aftermath of the economic recession of 2007-2009, a time when unemployment was at near record levels and millions of families across the nation found themselves bankrupt, foreclosed on, evicted, and out of work.²⁰

6. Summary

The policy implications from national and local research are clear: "We should end the practice of assessing criminal administrative fees. Eliminating administrative fees will allow formerly incarcerated people to devote their limited resources to critical needs like food, education, housing and health insurance. Repealing criminal fees will also result in improved employment prospects for formerly incarcerated people and put more money in the pockets of economically insecure families, aiding successful reentry and reducing California's recidivism rate."²¹

Contra Costa County is not unique in its past practices with criminal justice fees, and there is a way forward. By establishing a governmental entity to recognize and begin to redress this endemic American reality, the Financial Justice Project in San Francisco has been a trailblazer, but the research conducted in Contra Costa County is equally uncommon; we know of no other county in California in which non-governmental agencies have undertaken this level of detailed local analysis. And of course, as the third county in the nation to end or suspend such fees, Contra Costa County now stands as one of the leading lights committed to such opportunities for change.

¹ https://drive.google.com/file/d/1gUo96d0ldfa6qdFj5QhGY-cdI61MZ_9q/view

²

http://64.166.146.245/agenda_publish.cfm?dsp=agm&seq=27510&rev=0&id=&form_type=AG_MEMO&beg_meet_mth=10&beg_meetyr=2016&end_meetmth=10&end_meetyr=2016&mt=ALL&sstr=juvenile&dept=ALL&hartkeywods=&sortby=f.form_num,%20f.rev_num&fp=ADVSRCH&StartRow=1

³ http://reentrysolutionsgroup.org/meeting_materials/Press_release_and_moratorium_letters_10-28-16_english_and_spanish.pdf

⁴ <https://www.themarshallproject.org/2018/01/07/the-check-is-in-the-mail-for-real>

⁵ <https://sftreasurer.org/sites/default/files/2019-08/Overview%20of%20the%20Financial%20Justice%20Project%202012.11.18.pdf>

⁶ https://drive.google.com/file/d/1gUo96d0Idfa6qdFj5QhGY-cdI61MZ_9q/view, including: Eliminate all criminal justice administrative fees charged by the City and County of San Francisco. allow lower-income people non-monetary options to clear their Quality of Life citations, reduce or waive fees related to parking tickets and other citations for lower-income people, adopt court reforms to substantially reduce the cost of state-imposed traffic fines and fees for lower-income people, reduce the city's steep towing and "boot" fees for lower-income San Franciscans, develop a pilot program to relieve parents of debt paid to the government instead of to child support payments, reduce use of money bail

⁷ http://test-sfttx.pantheonsite.io/sites/default/files/2019-09/Hig%20Pain%20Low%20Gain%20FINAL_04-24-2019.pdf

⁸ <https://texasmonitor.org/lawsuit-against-collection-firm-raises-questions-on-tax-judgments/>

⁹ http://www.abajournal.com/news/article/debt_collection_law_firm_to_pay_3.4m_to_settle_class_action/

¹⁰ <https://www.classaction.org/media/guerra-v-miami-dade.pdf>

¹¹ http://www.hoysettlement.com/media/2115094/stipulation_of_class_action_settlement.pdf

¹² http://reentrysolutionsgroup.org/meeting_materials/2_26_19_RSGFinalV2.pdf

¹³ East Bay Community Law Center, *Pay or Prey* (2018); Berkeley Law Public Advocacy Clinic, *Making Families Pay* (2017).

¹⁴ <https://ebclc.org/cadebtjustice/policy-platform/>

¹⁵ Insight Center for Community Economic Development, *Cost of Being Californian* (2018).

¹⁶ Ella Baker Center, *Who Pays? The True Cost of Incarceration on Families* (2015).

¹⁷ <https://www.federalreserve.gov/publications/files/2018-report-economic-well-being-us-households-201905.pdf>

¹⁸ Laurence A . Benner, *Eliminating Excessive Public Defender Workloads*, 2011 A .B .A, Criminal Justice Vol . 2, [https://www.americanbar.org/content/dam/aba/publications/criminal_justice_magazine/cjsu11_benner.authcheckdam .pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_magazine/cjsu11_benner.authcheckdam.pdf).

¹⁹ Assistant Sheriff Mathew Schuler, email communication to Rebecca Brown, October 25, 2019.

²⁰ Contra Costa County Resolutions No. 2010/251, 2010/252, 2010/253, 2010/262. Originally research into bureaucratic and administrative history in Contra Costa County, produced by Reentry Solutions Group in February 2018, unpublished and available upon request.

²¹ <https://ebclc.org/cadebtjustice/policy-platform/>



EXECUTIVE SUMMARY

In September 2019, Contra Costa County Board of Supervisors (Board) voted to impose a moratorium on the use of locally imposed criminal justice fees, becoming only the third county in the nation to end or suspend such fees. The Board also referred this issue to the Public Protection Committee (PPC) to provide the Board with additional data and information.

It is important to distinguish the common types of monetary payments in the criminal justice system:

- **Administrative Fees** are imposed to offset the administrative costs of court activities, supervision, or incarceration.
- **Fines and restitution** are monetary punishments for infractions, misdemeanors or felonies. Fines and restitution are intended to deter crime, punish offenders, and compensate victims for losses.
- **Bail** is a bond payment for a defendant's release from jail prior to court proceedings, and the majority of a bail payment is returned to a defendant after case disposition. Bail payments are intended to incentivize defendants to appear at court and, in some cases, to reduce the criminal risk of returning a defendant to the community.

The moratorium affects only locally-imposed criminal justice administrative fees and excludes fines, restitution, bail and state-imposed administrative fees. Such administrative fees are imposed on individuals who have already faced other consequences for their crime. They have often served time in jail, paid other fines, or are paying victim restitution. The goals of these local criminal justice fees are to generate revenue to cover costs, not create an additional layer of punishment.

In regard to criminal justice fees in Contra Costa County, several key findings emerge:

- **From early 2018 through the present, substantial research and analysis into locally-imposed administrative fees was conducted** by Reentry Solutions Group (RSG) in partnership with UC Berkeley School of Law Policy Advocacy Clinic (UCB) and other stakeholders. This comprehensive process included the collection and analysis of all existing and relevant financial records provided by the Superior Court of Contra Costa County. In its scope and depth, this local process was commensurate with similar research undertaken by the City and County of San Francisco's Financial Justice Project.
- **Vast majority of criminal-justice involved individuals are indigent.** As a proxy method to determine the percentage of justice-involved people in Contra Costa who are legally indigent, the Contra Costa County Probation Department conducted a review of its records and found that 93% of probationers are represented by the Public Defender or the Alternate Defender's Office. A further review of Probation cases found that approximately 88% of Probationers had income levels below 200% of the federal poverty guideline.
- **Vast majority of criminal-justice involved individuals are people of color.** A snapshot report conducted in October 2019 by the Contra Costa County Office of the Sheriff found that 71% of the people incarcerated in Contra Costa County's jails are people of color.
- **Moratorium's implementation is incomplete, as the Court awaits further direction from the County.** The Court has largely stopped imposing locally-controlled fees on new cases, but it continues to collect and attempt to collect fees previously imposed. Due to limitations with the



Court's current data system the Court cannot fully implement the moratorium. Estimating the cost of such changes as \$63,750, the Court is awaiting the County's direction to undertake necessary data-system changes and incur these expenses on behalf of the County.

From our review of national research, our key findings include:

- **Criminal justice fees disproportionately harm the poor and people of color.** African Americans are more likely to be arrested than people from any other racial/ethnic group. Administrative fees are disproportionately imposed on communities of color, who are further disproportionately likely to have difficulty paying them. Demographic analysis confirms that in California, close to half of Black and Latinx families struggle to put food on the table and pay for housing.
- **Families bear the brunt of the financial costs of justice involvement.** A study by the Ella Baker Center found that family members, usually women, often pay criminal justice fines and fees on behalf of their loved ones.
- **Benefit of collecting these fees is outweighed by the cost of imposing them.** Research shows that the vast majority of people charged such costs cannot afford to pay them and that counties typically net very little or even lose revenue after accounting for collections costs. Fees make reentry harder, hurt credit scores, make it harder for people to find housing or open a bank account, and discourage people from seeking formal employment out of fear that their wages will be garnished, bank accounts levied, or tax refunds intercepted.



1. INTRODUCTION

In September 2019, Contra Costa County Board of Supervisors (Board) voted to impose a moratorium on the use of locally imposed criminal justice fees, becoming only the third county in the nation to end or suspend such fees. The Board also referred the matter of criminal justice fees to the Public Protection Committee (PPC), requesting that the PPC attempt to identify and provide to the Board additional available and relevant data.

On September 30, 2019, the Public Protection Committee accepted an update on the implementation of the moratorium on the collection of adult criminal justice fee. The PPC directed staff to assemble a small work group to identify and provide to the PPC any additional available and relevant data.

2. SAN FRANCISCO FINANCIAL JUSTICE PROJECT

In late 2016, the San Francisco Board of Supervisors called for the creation of the Financial Justice Project (FJP) within the Office of The Treasurer and Tax Collector to assess and reform how fines and fees impact low-income San Franciscans and people of color. The Board of Supervisors also initiated a Fines and Fees Task Force, composed of staff from city and county departments and community organization representatives. The Task Force was directed to study the impact of fines, fees, tickets, and various financial penalties that disproportionately impact low-income San Franciscans, and propose reforms. The Board of Supervisors directed the newly-created FJP to staff the Task Force.

Since its creation, the FJP has had two full-time staff members, including a Director and a Program Manager. The FJP is directed by Anne Stuldreher, who was previously a Senior Program Manager for The California Endowment, Senior Policy Fellow for New America, and Senior Policy Advisor for Governor Arnold Schwarzenegger. The FJP is managed by Christa Brown, who previously served as Director of the SparkPoint Initiative for the United Way of the Bay Area and who holds a Master's in Public Administration from the Goldman School of Public Policy at the University of California, Berkeley.

For approximately one year, the Fines and Fees Task Force held seven meetings researching and discussing the impact of fines and fees on the San Francisco community. The Fines and Fees Task Force was supported by funding partners, including the Citi Community Development and the Walter & Elise Haas Fund. In October of 2017, the FJP released a report on the Task Force's findings. The report proposed 40 reforms of both policy and practice, including implementing an ability to pay system for court fees, reducing reliance on quality of life crime fines, and decreasing the rate of suspending driver's licenses.

On February 6, 2018, London Breed, the Mayor of San Francisco, announced she was introducing legislation to eliminate all criminal justice administrative fees authorized by local government. In April of 2018, the Financial Justice Project released a report, *Criminal Justice Administrative Fees: High Pain for People, Low Gain for Government*, detailing the impact of criminal justice administrative fees on the community.¹

In the report, the FJP found that approximately 21,000 people owed approximately \$32.7 million in outstanding debt. The majority of outstanding debt was for Probation-related fees. The report estimated that the elimination of fees would result in at least \$1 million in decreased annual revenue.

¹ http://test-sfttx.pantheonsite.io/sites/default/files/2019-09/Hig%20Pain%20Low%20Gain%20FINAL_04-24-2019.pdf



An evaluation of the Public Defender's Clean Slate Program showed that most of their clients were living in extreme poverty.

In June of 2018, legislation eliminating the local administered fees was unanimously passed with support from the San Francisco Board of Supervisors, the Chief of Probation, District Attorney, Public Defender, and the Sheriff. The ordinance was scheduled to become effective on July 1, 2018.

While the fees included in the legislation are authorized by the county, the San Francisco Superior Court serves as the financial administrator for collecting fees. Because the courts are independently governed, the San Francisco Board of Supervisors does not have the authority to direct the court to clear past judgments. To resolve this issue, the Public Defender's Office, the District Attorney's Office, and the Financial Justice Project worked to submit a petition to the court to clear all debts associated with the fees included in the legislation, along with a list of associated account numbers. The UC Berkeley Law School Public Advocacy Clinic assisted with the process of collecting information on outstanding debt. Two months later, in August of 2018, the San Francisco Superior Court announced they had eliminated more than \$32.7 million in outstanding debt stemming from these fees.

3. SUMMARY OF LOCAL RESEARCH PROCESS

Similar research and analysis have been conducted in Contra Costa County over the past two years, largely by Reentry Solutions Group (RSG) in partnership with UC Berkeley School of Law Policy Advocacy Clinic (UCB) and other stakeholders, as follows:

In partnership with the Office of the Sheriff, the Public Defender's Office, and the Office of Reentry and Justice, RSG established a work group to improve the policies and procedures for Electronic Monitoring in Lieu of Bail, Home Detention in Lieu of Confinement, and Work Release in Lieu of Confinement. Over the past 20 months, the Work Group has made incremental progress, and the Sheriff's Office has largely suspended the use of application or administrative fees for the programs delegated to its administration by the Board of Supervisors.

In October 2018, UCB submitted a public records request to County Counsel for Contra Costa County, seeking information on how the County "assesses and collects fees against adults...in the criminal justice system. In response to this request, Contra Costa County provided several procedural forms, with no further administrative data, policy documents, or analyses.

In October 2018, UCB submitted to the Superior Court a public records request for fee-related judicial records. The Court replied that it had no responsive records regarding the numbers, demographics, amounts imposed, fees waived, or cost of collections related to such fees. The Court did provide a 362-page PDF of financial accounting and tracking spreadsheets used by the Court in its role as financial administrator for state and local justice-related fees. It should be noted that these data do not provide information related to individual cases, and the document contained no individual or identifying information. Instead, this document provides a month-by-month financial detail of the funds associated with each criminal justice fee collected by the Court as authorized by either state statutes or local ordinances.

In November and December 2018, RSG's Director, Rebecca Brown, conducted an extensive analysis of the data embedded in this document. From it, Ms. Brown produced a comprehensive, month-by-month, item-by-item categorical report on every criminal justice fee collected and distributed by the Courts on Contra Costa County's behalf in each month throughout from July 2017 through June 2018. Capturing all the Contra Costa County data provided in the Court's document, this analysis included line-by-line



accounting for each fee type, recording Non-delinquent Receipts, Delinquent Receipts, and Net Revenue Distribution, among other data.

In December 2018, Ms. Brown and a law student from UCB's Policy Advocacy Clinic engaged in a telephone interview with the Court to seek additional information related to the financial data provided. Also in December, Ms. Brown obtained a copy of, and closely reviewed, the Master Agreement for Collection Services, which is a contract between the Court and its debt collector, Linebarger Goggan Blair and Sampson, LLP. The Fee Schedule that accompanies the Agreement reveals that the bulk of Linebarger's commissions range from 18-25% of all debt collected, with financial incentives to collect debt that is at least two years old.

In February 2019, RSG disseminated the results of the financial and administrative analyses of Contra Costa County's justice fees and the Linebarger contract (along with an analysis of the Contra Costa County DA's civil asset forfeiture practices) at a public meeting. Entitled *What the Numbers Tell Us: Money and Justice in Contra Costa County*, this public presentation was also published on RSG's website.²

4. CONTRA COSTA COUNTY PROCESSES

Each agency that assesses and/or collects adult criminal justice fees– the Probation Department, the Office of the Sheriff, and the Superior Court- is governed by a different set of internal policies and practices. Each of these will be laid out in the following sections: (1) Probation Department, (2) Sheriff's Office, and (3) the Superior Court of California, County of Contra Costa (Court).

A. PROBATION DEPARTMENT

In January 2018, the Probation Department updated their ability-to-pay determination process. All adults who have been ordered to formal Probation, which includes mandatory supervision, and who are ordered to pay Probation fees, drug testing fees and/or the cost of their various reports, should be assessed for their ability to pay said fees. However, the Chief Probation Officer has acknowledged that enforcement of this policy is inconsistent, and that requiring Deputy Probation Officers to engage in questions about money and fees is contrary to their mission of rehabilitation. The Probation's Department's official fee assessment process is as follows:

- Once the probationer has been out of custody for three (3) months, or if the probationer was sentenced from out of custody, the Deputy Probation Officer (DPO) is to provide him or her with the Application for Financial Evaluation.
- The probationer is instructed to complete the evaluation form and return it to the DPO within 20 business days or sooner. If the probationer fails to return the completed evaluation or returns an incomplete evaluation form, the DPO is to give the probationer a warning that the evaluation needs to be completed within 10 business days or the amount of fees will be set at the maximum allowed.
- Once the probationer returns the completed application, the DPO is to send the application and the order for Probation to the Probation Account Clerk to review the application and determine the probationer's ability to pay based on net income and Probation's Fee Reduction schedule.

² http://reentrysolutionsgroup.org/meeting_materials/2_26_19_RSGFinalV2.pdf



- Once this determination has been made, the Probation Account Clerk is to respond to the DPO with the total amount the probationer is determined able to pay over the duration of their time on Probation.
- Upon receipt of the determination of the probationer's ability to pay, the DPO reviews the ability to pay determination with the probationer; the probationer has the option to agree to the amount or to request a hearing.
- If the probationer agrees to the determined amount, the DPO prepares and sends the Determination of Ability to Pay memo to the Court along with a copy of the Ability to Pay Determination/Waiver/Instructions. The DPO also informs the probationer that in the event of changed financial circumstances, the probationer may request an updated Ability to Pay review or may request that the Court modify or vacate an existing court judgement for payment of fees.
- If the probationer disagrees with the amount determined by the Probation Department, the DPO is to contact the court clerk and calendar a hearing and to notify the probationer of the hearing date, time and location. The Defense Attorney and the District Attorney shall be notified and provided copies of all documents provided to the Court, including the Determination of Ability to Pay Memo, the Application for Financial Evaluation, the Ability to Pay Determination/ Waiver/ Instructions and any other supporting documentation.

B. OFFICE OF THE SHERIFF

The Office of the Sheriff is responsible for the administration of Custody Alternative Facility (CAF) programs, which includes Work Alternative Program (WAP), Electronic Home Detention (EHD)/Alcohol Monitoring (SCRAM), and County Parole. Assessment and collection of fees is the responsibility of the Office of the Sheriff.

With respect to WAP, PC 4024.2(c) authorizes the county's board of supervisors to "prescribe reasonable rules and regulations under which a work release program is operated." With respect to EHD, PC 1203.016(d) (1) specifies that the rules, regulations, and administrative policy of the Electronic Home Detention Program shall be written and reviewed on an annual basis by the County Board of Supervisors and the Correctional Administrator. The Board of Supervisors last conducted an annual review of the policies and procedures of the Custody Alternative Facilities programs in 2010.

- Office of the Sheriff Ability to Pay Process

Beginning in mid-2018, the Office of the Sheriff revised its practices to assess and set application and daily fees for CAF. Under the new guidelines, CAF participants apply to and are enrolled in CAF prior to any discussion of fees or ability to pay. Upon enrollment, participants review and complete the personal budget form with their assigned CAF Specialist. The participant may request a reduction/waiver of fees based on their stated ability to pay. A CAF Sergeant is to review and approve the Personal Budget form. By statute, a participant's inability to pay all or a portion of any fee(s) shall not preclude them from being enrolled or completing any program offered by the Custody Alternative Facility.

- Office of the Sheriff Process of Collections

CAF fees are collected by CAF staff after participants are enrolled in CAF. Fees can be paid in the manner which is most appropriate for the participant. Participants can pay their total program fees at one time or over a pre-determined length of time. There is no process established to collect payment from participants who complete the program, but do not pay. A participant's ability to



successfully complete a CAF programs is not impacted by lack of payment. Because the Sheriff's Office has historically collected no data on assessments, collections, or ability to pay, it is not possible to provide accurate information regarding these considerations.

- Office of the Sheriff CAF Workgroup

The Office of the Sheriff has worked with representatives from the Office of Reentry and Justice, the Public Defender's Office, and Reentry Solutions Group to review the CAF policies and procedures, including develop Ability to Pay processes and forms.

- Cross-County Comparison: Work Alternative Program Fees

In September 2018, Alameda Sheriff's Office provided a presentation on their Sheriff's Work Alternative Program.³ Included in that presentation was a cost comparison of Work Alternative Programs among twelve different counties (see Figure 1). Contra Costa County's Administrative Fee for the Work Alternative Program was the highest amongst the county's included in this comparison.

Figure 1. Work Alternative Cost Comparison

COUNTY	DAILY COST	ADMIN FEE
Alameda County	\$12.00	\$65.00
Butte County	\$7.00	\$75.00
Contra Costa County	\$16.00	\$125.00
El Dorado County	\$20.00	\$40.00
Fresno County	\$10.00	\$60.00
Marin County	\$12.00	35.00
Mendocino County	\$10.00	\$35.00
San Francisco County	\$20.00	\$100.00
San Joaquin County	\$10.00 (or 1 hour gross wage, whichever is greater)	\$75.00
San Luis Obispo County	\$14.00	\$75.00
Santa Clara County	Based on hours of work, not a daily rate	N/A
Tulare County	\$7.00	\$75.00

- Superior Court

The Court currently collects and distributes eight of the 13 fees and assessments identified in the moratorium. In response to a request made by the County Administrator's Office, on October 21, 2019, the Superior Court of California, County of Contra Costa (Court) provided a letter summarizing the administrative/technological processes required to suspend collection of past-due fees, as directed by the moratorium.

Figure 2 summarizes the Court's role the imposition and collection of the referenced fees, along with the current status related to moratorium's implementation.

Figure 2. Summary of Court Fees

³ Sheriff's Work Alternative Program (SWAP) Presentation, Alameda County Sheriff's Office, September 13, 2018



Name of Fee/Assessment	Case Type(s) Affected	Court Imposed	Court Collected	Continued Collection	Continued Imposition
<i>10% Fee</i>	Criminal	Y	Y	Pending	N
<i>CA Fingerprint ID Penalty</i>	Criminal & Traffic	Y	Y	N/A	Y
<i>Booking Fee</i>	Criminal	Y	Y	N	N
<i>Drug Diversion Fee</i>	Criminal	Y	Y	Pending	N
<i>Alcohol Test Fee</i>	Criminal (DUI & Reckless)	N	N	N/A	N/A
<i>CAP Fee</i>	Criminal (DUI & Reckless)	N	N	N/A	N/A
<i>Probation Drug Diversion Fee</i>	Criminal	Y	Y	Pending	N
<i>Cost of Probation</i>	Criminal	N	Y	Pending	N
<i>Probation Drug Test Fee</i>	Criminal	N	Y	Pending	N
<i>Probation Report Fee</i>	Criminal	N	Y	Pending	N
<i>Alcohol and Drug Assessment Fee</i>	Criminal	N	N	N/A	N/A
<i>Public Defender Fee</i>	Criminal	N	Y	Pending	N

The Court's current data system is not sufficient to conduct the data analysis required to enact the moratorium; it estimates that the necessary modifications will cost an estimated \$63,750. The Court's letter also emphasized that the data system does not have the capacity to temporarily suspend fees for potential future reinstatement.

Given the cost of technological modifications and the inability to suspend (but not eliminate) unpaid debt, the Court requests further direction from the County.

In its letter, the Court reports that its current data system does not allow it to quantify the total unpaid amount for each fee type. However, its letter includes three points of interest:

- For public defense fees, the Court has identified 25,240 accounts with a balance of approximately \$5.54 million in collections with Linebarger. It has notified Linebarger to suspend collections on these accounts.
- For booking fees, the Court has identified 3,684 accounts with a balance of \$901,092. It has notified Linebarger to suspend collections on these accounts.
- For probation fees – which, by RSG's analysis, represent 54% of the revenues generated by criminal justice fees in Contra Costa in the year studied – the Court has not yet been able to identify the total amount of unpaid debt.



5. AVAILABLE DATA

In addition to the body of evidence and contra costa county implications, included in Reentry Solutions Group's Report on Criminal Justice Fees in Contra Costa, there was limited data provided by the Sheriff's Office and the Probation Departments on race and income levels.

A. RACIAL DEMOGRAPHICS

Data provided by the Contra Costa County Office of the Sheriff can serve as a sufficient proxy for the racial implications of our local criminal justice system; according to the Office of the Sheriff, 71% of people currently incarcerated in our county jails are people of color (39% Black, 25% Latino, 7% Other)⁴ Given that approximately 8.8% of the population in Contra Costa County is Black,⁵ the per capita incarceration rate for African Americans in Contra Costa County is 4.4 times its overall representation in the larger population.⁶

According to data from the State of California DOJ CJSC, in both 2013 and 2014, African Americans were more likely to be arrested than individuals from any other racial/ethnic group in all but one city in Contra Costa County. While the specific rate of the disparity varied by city, the disparity tended to be higher in cities with smaller African American populations (see Appendix B for more information). Across the County, African American adults were more than three times more likely to be arrested than adults from any other racial/ethnic group, and African American youth were more than seven times more likely to be arrested than youth from any other racial/ethnic group.⁷

B. INCOME DEMOGRAPHICS

To assess indigency in the county's criminal justice system, the Probation Department conducted a review of 115 Probation cases from March 2018 to March 2019. It found that approximately 88% of Probationers had income levels below 200% of the federal poverty guideline (\$49,200 for a family of four). For reference, the median family income in Contra Costa is \$113,973.⁸

⁴ Contra Costa County Sheriff's Office, email communication to Rebecca Brown, October 25, 2019.

⁵ 2018 American Community Survey, ACS DEMOGRAPHIC AND HOUSING ESTIMATES, https://data.census.gov/cedsci/table?q=contra%20costa%20&hidePreview=false&table=DP05&tid=ACSDP1Y2018.DP05&g=0500000US06013&vintage=2018&layer=county&cid=DP05_0001E&lastDisplayedRow=93

⁷ Racial Justice Task Force Final Report, http://64.166.146.245/docs/2018/BOS/20180724_1121/34430_FINAL%20CCC-RJTF_BoS-memo_20180710_STC.pdf

⁸ 2018 American Community Survey 1-Year Estimates https://data.census.gov/cedsci/table?q=contra%20costa%20county%20income&hidePreview=false&table=DP03&tid=ACSDP1Y2018.DP03&t=Income%20and%20Earnings&g=0500000US06013&vintage=2018&layer=county&cid=DP03_0001E&lastDisplayedRow=105



Figure 3. Probation Fee Reduction Sample (March 2018 - March 2019)

Accounts	% of Total	Federal Poverty Level	Fee Reduction
79	69%	At or Below 100%	100%
5	4%	Up to 125%	80%
3	3%	Up to 150%	60%
11	10%	Up to 175%	40%
3	3%	Up to 200%	20%
14	12%	Above 200%	0%
115	100%		

Figure 4. Contra Costa County Probation Fee Reduction Schedule

Contra Costa County Probation Fee Reduction						
Poverty Level*	At or Below 100%	125%	150%	175%	200%	Above 200%
Number Dependent on Income	Fee Waived	80% Discount	60% Discount	40% Discount	20% Discount	No Discount
1	\$0-\$12,060	\$12,061-\$15,075	\$15,076-\$18,090	\$18,091-\$21,105	\$21,106-\$24,120	\$24,121+
2	\$0-\$16,240	\$16,241-\$20,300	\$20,301-\$24,360	\$24,361-\$28,420	\$28,421-\$32,480	\$32,481+
3	\$0-\$20,420	\$20,421-\$25,525	\$25,526-\$30,630	\$30,631-\$35,735	\$35,736-\$40,840	\$40,841+
4	\$0-\$24,600	\$24,601-\$30,750	\$30,751-\$36,900	\$36,901-\$43,050	\$43,051-\$49,200	\$49,201+
5	\$0-\$28,780	\$28,781-\$35,975	\$35,976-\$43,170	\$43,171-\$50,365	\$50,366-\$57,560	\$57,561+
6	\$0-\$32,960	\$32,961-\$41,200	\$41,201-\$49,440	\$49,441-\$57,680	\$57,681-\$65,920	\$65,921+
7	\$0-\$37,140	\$37,141-\$46,425	\$46,426-\$55,710	\$55,711-\$64,995	\$64,996-\$74,280	\$74,281+
8	\$0-\$41,320	\$41,321-\$51,650	\$51,651-\$61,980	\$61,981-\$72,310	\$72,311-\$82,640	\$82,641+

* Based on 2017 Federal Poverty Guidelines

* Fee reduction is applied to net (after-tax) income

The Probation Department also reviewed 197 cases that were referred to the Probation Department for a probation report. Out of 197 cases, 184 cases were represented by the Public Defender or Alternate Defender Office, meaning that 93% of the people in this sample were legally considered indigent.

6. NATIONAL BODY OF RESEARCH

Local and national research has widely and consistently shown that criminal justice fees are harmful, that they undermine successful reentry, and that they increase the chance of recidivism. For those who are convicted in criminal court, fees for probation supervision, drug and alcohol testing, representation by a public defender and non-custodial sentencing options are assessed in addition to other costs and can quickly add up to thousands of dollars. In Contra Costa County, an individual with a three-year term of supervised probation is assessed \$2,700 in Probation supervision fees alone.



Research shows that the vast majority of people charged such costs cannot afford to pay them and that counties typically net very little or even lose revenue after accounting for collections costs.⁹ Fees make reentry harder, hurting credit scores, making it harder for people to find housing or open a bank account, and discouraging people from seeking formal employment out of fear that their wages will be garnished, bank accounts levied, or tax refunds intercepted.”¹⁰

Given the endemic racial bias present throughout our justice systems, administrative fees are disproportionately imposed on communities of color, who are further disproportionately likely to have difficulty paying them. In California, close to half of Black and Latinx families struggle to put food on the table and pay for housing.¹¹ And research has found that the burden of such fees is typically felt by family members; in a national survey by the Ella Baker Center for Human Rights, 63% of respondents reported that family members were primarily responsible for covering conviction-related costs, and 83% of those paying such costs are women. Nearly half also reported that their families could not afford to pay these fines and fees, and 1 in 5 families across income levels reported that they had to take out a loan to cover conviction-related costs.¹²

It should be noted that a report released in May 2019 by the Board of Governors of the Federal Reserve System drives home the devastating results from costs such as criminal justice fees. Entitled Report on the Economic Well-Being of U.S. Households in 2018, the report found that “many adults are financially vulnerable and would have difficulty handling an emergency expense as small as \$400.”¹³ The study found that 17% of adults are forced to leave some bills unpaid each month, while another 12% said that an additional expense of \$400 would leave them unable to meet their basic needs. A full 42% of people who have no college education would be pushed into financial hardship by such an expense, with an even higher percentage of African Americans (58%) affected in this way. Even for African Americans with some college or an Associate’s degree find significant harm; 46% report that they would not be able to pay their monthly bills if hit with an additional \$400 expense. And rather than constituting a one-time expense, criminal justice fees tend to recur - probation fees, drug testing fees, and partial payment fees all accrue month after month.

According to the American Bar Association (ABA), the vast majority of people accused in criminal courts are considered indigent, unable to afford their own attorney and eligible therefore for the constitutional protections for public defense. The ABA estimates that 85 to 95 percent of people accused of crimes cannot afford their own lawyer; however, Contra Costa County collects no local data on this point.¹⁴

⁹ East Bay Community Law Center, Pay or Prey (2018); Berkeley Law Public Advocacy Clinic, Making Families Pay (2017).

¹⁰ <https://ebclc.org/cadebtjustice/policy-platform/>

¹¹ Insight Center for Community Economic Development, Cost of Being Californian (2018).

¹² Ella Baker Center, Who Pays? The True Cost of Incarceration on Families (2015).

¹³ <https://www.federalreserve.gov/publications/files/2018-report-economic-well-being-us-households-201905.pdf>

¹⁴ Laurence A . Benner, Eliminating Excessive Public Defender Workloads, 2011 A .B .A, Criminal Justice Vol . 2, [https://www.americanbar.org/content/dam/aba/publications/criminal_justice_magazine/cjsu11_benner.authcheckdam .pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_magazine/cjsu11_benner.authcheckdam.pdf).

Fee Description	Funded Department/Program	FY 19/20 Budgeted Revenue	FY 19/20 YTD Revenue	Unrealized Revenue
10% Fee	Trial Court Programs	-	20,651.00	(20,651.00)
California Fingerprint ID Penalty	Automated Fingerprint ID	158,534.00	42,448.64	116,085.36
Booking Fee	Sheriff Central Admin	7,000.00	6,562.67	437.33
Drug Diversion Fee ¹	Trial Court Programs	-	25,548.34	(25,548.34)
Alcohol Test Fee ²	Sheriff - General Lab	100,000.00	26,237.92	73,762.08
C.A.P. Fee ²	Sheriff - General Lab			-
C.A.P. Fee	Alcohol & Other Drugs	-	8,882.69	(8,882.69)
Probation Drug Diversion Fee	Probation - Adult	-	388.62	(388.62)
Probation Supervision Fee	Probation - Adult		88,239.72	(88,239.72)
Probation Drug Test Fee	Probation - Adult	-	10,926.36	(10,926.36)
Probation Report Fee	Probation - Adult	-	5,176.16	(5,176.16)
Alcohol/Drug Assessment Fee	Alcohol & Other Drugs	-	35,009.72	(35,009.72)
Public Defense Fee	Trial Court Programs	94,000.00	42,666.21	51,333.79
Work Alternative	Custody Alternative Facility	350,000.00	55,703.00	294,297.00
Electronic Home Detention/Alcohol Monitoring	Custody Alternative Facility	100,000.00	11,622.00	88,378.00
Total		809,534.00	380,063.05	429,470.95

Note:

1 - Drug Diversion Fee YTD Revenue includes other state mandated fee revenue.

2 - The fee revenue for Sheriff-General Lab is made up of both Alcohol Test and 50% of C.A.P. Fee.



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

6.

Meeting Date: 12/02/2019
Subject: Draft Racial Equity Action Plan 2019-2024
Submitted For: PUBLIC PROTECTION COMMITTEE,
Department: County Administrator
Referral No.: 2019-29
Referral Name: Draft Racial Equity Action Plan
Presenter: L. DeLaney and D. Blue **Contact:** L. DeLaney, 925-335-1097

Referral History:

At its November 19, 2019 meeting, the Board of Supervisors referred the matter of a Draft Racial Equity Action Plan (REAP) to the Public Protection Committee for their consideration and action, as requested by District I Supervisor John Gioia (C. 56).

Referral Update:

Contra Costa County staff in a variety of departments have participated in the Government Alliance on Race and Equity (GARE) since 2016, working to develop and achieve racial equity outcomes in Contra Costa County. Racial equity means we eliminate racial disproportionalities so that race can no longer be used to predict success, and we increase the success of all communities. Advancing racial equity is to our collective benefit.

GARE is a national network of governments working to achieve racial equity and advance opportunities for all. GARE is supported by the Center for Social Inclusion, Race Forward, and funded by the California Endowment/Building Healthy Communities, with technical assistance and academic research from the Haas Institute for a Fair and Inclusive Society and members of GARE's Technical Assistance Advisory Group. GARE was launched by the Haas Institute for a Fair and Inclusive Society at the University of California Berkeley in early 2014.

Government agencies participating in GARE were required to establish a "cohort" of six to 15 individuals, which was ideally comprised of staff and leadership committed to advancing racial equity. The cohorts participated in a year-long training of monthly sessions that included skill building and strategy development, an "Advancing Racial Equity" speaker series, and peer-to-peer networking and problem solving opportunities.

In 2016, the Contra Costa County cohort was comprised of:

1. Philip Arnold, Jr., Community Advocate
2. Harlan Grossman, Superior Court Judge (*ret.*)
3. Ron Martin, contracted Trainer for Risk Management

4. Antoine Wilson, Contra Costa County EEO Officer
5. Robin Lipetzky, Public Defender
6. Sharon Hymes-Offord, Director of Risk Management (*ret.*)
7. Mickey Williams, EHSD Personnel Manager

In 2017, the Contra Costa County cohort was comprised of:

1. Philip Arnold, Jr., Team Lead/Community Advocate
2. Elvin Baddley, Probation Manager, Probation Department
3. Donte Blue, Deputy Director, Office of Reentry & Justice
4. Cedrita Claiborne, Contra Costa Health Services
5. Lara DeLaney, Senior Deputy County Administrator, CAO
6. Dianne Dinsmore, Director, Human Resources
7. Michelle Fregoso, Personnel Services Assistant, Employment and Human Services (EHSD)
8. Yolanda Harrell-Jones, Staff Development Specialist, EHSD
9. Connie James, Manager, Health Services (HSD)
10. Jaime Jenett, Planning and Policy Manager, HSD
11. Shannon Ladner-Beasley, Manager, Public Health Solutions Projects, HSD
12. Sharron A. Mackey, Chief Operations Officer, CC Health Plan
13. Daniel Peddycord, Public Health Director, HSD

In 2018, the Contra Costa County cohort was comprised of:

1. Brandon Banks, Deputy Public Defender, Public Defender's Office
2. Donte Blue, Deputy Director, Office of Reentry & Justice
3. Illiana Choate, Staff Development Specialist, EHSD
4. Cedrita Claiborne, EHSD
5. Lara DeLaney, acting Director, ORJ
6. John Ebrahimi, Probation Manager, Probation Department
7. Marta Goc, Senior HR Consultant, Human Resources
8. Michelle Krasowski, Librarian Specialist, Contra Costa County Library
9. Venus Johnson, Assistant District Attorney, District Attorney's Office
10. Joshua Sullivan, Health Services Administrator, HSD
11. Melvin Russell, Probation Department

As a result of participation in the GARE cohort, each jurisdiction received tools and resources including:

- A racial equity training curriculum;
- A Racial Equity Tool to be used in policy, practice, program and budget decisions (see *Attachment B*);
- Example policies and practices that help advance racial equity; and
- A Racial Equity Action Plan template/framework, and development support.

Implementation of these tools and resources varied, depending on the opportunities and resources within individual organizations.

Technical assistance was generously provided to Contra Costa County by Philip Arnold, community advocate and leader; Dwayne Marsh, Vice President of Institutional and Sectoral Change, Race Forward; and Leslie Zeitler, California GARE Project Manager, Race Forward.

Contra Costa County's participation in GARE has resulted in the following initiatives:

1. A Draft "Office of Human Rights & Equity" proposal, from the 2016 GARE Cohort
2. A Resolution adopted by the Board of Supervisors affirming the County's "Commitment to Racial Equity, Diversity, and the GARE Initiative." (Nov. 14, 2017, C. 15)
3. Development and implementation of Implicit Bias and Procedural Justice training programs in the County
4. Participation by Contra Costa County in "United Against Hate Week" in 2018 and 2019
5. Development of a Contra Costa County Position Statement on Racism, offered to the Board of Supervisors from the 2017 GARE Cohort
6. Development of a Draft Racial Equity Action Plan (see *Attachment A*).

The Draft Racial Equity Action Plan (REAP) was developed by GARE Cohort participants, other County staff, and assembled by the staff of the Office of Reentry & Justice (ORJ). GARE Cohort participants from 2016, 2017, and 2018 were invited by the ORJ to form a "Racial Equity Action Leadership (REAL)" Team, to assist in the drafting of the REAP, utilizing the template provided by GARE. Other County staff contributors included:

- Jody London, County Sustainability Coordinator
- Ali Saidi, Public Defender's Office/ Stand Together Contra Costa
- Sonia Bustamante, District I Chief of Staff
- Devorah Levine, Policy and Planning, EHSD
- Paul Bugarino, Elections Division

The Draft REAP is offered as a framework to continue to advance the development and maintenance of the necessary County infrastructure, policy and resources to ensure racial equity and immigrant inclusion. The Draft REAP recognizes the community engagement process required to inform the infrastructure, policy, and resources, which must be conducted in order for the Board of Supervisors to adopt a Racial Equity Action Plan by 2021. The ORJ will support the community engagement process, as needed. ORJ staff is in the process of identifying resources to translate the Draft REAP into multiple languages for greater language accessibility.

Recommendation(s)/Next Step(s):

PROVIDE input and direction to staff on the draft Racial Equity Action Plan.

Attachments

Attachment A: Draft REAP

Attachment B: GARE Racial Equity Toolkit



2019-2024 Racial Equity Action Plan

Result Statement for All Outcomes: Racial equity and immigrant inclusion is prioritized in the policies and practices of Contra Costa County to ensure all people in the County are healthy, resilient and experience economic wellbeing.

1. Outcome Statement: Contra Costa County employees and elected officials understand and are committed to achieving racial equity and immigrant inclusion.					
Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
Race/ethnicity of County	A. Contra Costa County employees and elected officials understand and are committed to developing and maintaining the County infrastructure needed to advance and achieve racial equity and immigrant inclusion. <u>1) Establish a Racial Equity Action Leadership (REAL)Team-</u> Establish a racial equity action team consisting of County Government Alliance on Race and Equity (GARE) Cohort members, supported by leadership and with leadership representation, which is responsible for the development of an organization-wide draft Racial Equity Action Plan (REAP) using the GARE-provided template. The REAL Team will evolve into a cross-departmental networking group to share best practices, equity-related information and experiences. <u>2) Adopt a Racial Equity Action Plan (REAP)</u> a) Prepare a final draft REAP and distribute to the public and community organizations for input. b) Conduct community engagement on draft REAP; ensure language accessibility. c) The Board of Supervisors (BOS) adopts and maintains a Racial Equity Action Plan that has been developed by the REAL team, vetted by department heads and the County Administrator’s Office, reviewed and informed by the community, and finalized by the Equity & Inclusion Office(r).	1) 2018 to present	1) Office of Reentry and Justice (ORJ)	1) The REAL team is established and conducts regular meetings to achieve its goals.	1) Draft REAP to the Public Protection Committee Dec. 2, 2019.
Life expectancy					
Number of insured		2) a) Nov. 2016 to Nov. 2019	2) a) REAL team and ORJ	2) a) A draft REAP is accepted by the BOS on its Dec.17, 2019 agenda.	2) Report to BOS or BOS Subcommittee on results of community engagement process.
Infant mortality rate					
Violent deaths		b) Jan. to July 1, 2021	b) ORJ or Equity & Inclusion Office(r)	b) Community input is received on the draft REAP in multiple languages.	
Median earnings					
Distribution of wealth		c) July 1, 2021 final REAP adoption by BOS.	c) Board of Supervisors and Equity & Inclusion Office(r)	c) A Racial Equity Action Plan is adopted by the Board of Supervisors.	
Housing, home ownership and homelessness					
Housing burden					
Market rent					
Affordable housing production					
Extreme commuting					
Neighborhood opportunity					

1. Outcome Statement: Contra Costa County employees and elected officials understand and are committed to achieving racial equity and immigrant inclusion.

Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
Business ownership	d) Incorporate racial equity and immigrant inclusion outcomes and actions into departmental strategic plans (ex: HSD 2020), equity plans and General Plan Update.	d) FY2020-2024	d) County Departments	d) Racial equity and immigrant are incorporated into at least three departmental strategic plans and GP Update.	3) Report to BOS or BOS subcommittee
Proportion of adults in household with a college degree or better	<u>3) Establish an Office of Equity & Immigrant Inclusion or Chief Equity & Inclusion Officer (EIO) Position</u> <i>To ensure Immigrant Inclusion, Community Engagement, Language Accessibility in REAP adoption and implementation.</i>	3)	3)	3)	
College readiness		a) FY 2019-20	a) REAL team	a) Secured funding for at least one FTE by FY 2020-21.	
Educational attainment		b) FY 2019-20	b) REAL team	b) & c) Number of	
Police use of force		c) FY 2019-20	c) REAL team	presentations to partners and to the BOS that clarify the needs.	
Disconnected youth		d) Nov. 2019 to Feb. 2020	d) ORJ/EHSD	d) BOS establishes Office(r). Office space procured for FY 2020-2024	
Language accessibility		e) FY 2020-2021	e) ORJ, EHSD, Equity & Inclusion Office(r)	e) Work Plan developed	
Nativity and ancestry		f) FY 2021-2022	f) Equity & Inclusion Office(r)	f) Equity & Inclusion Commission/Council established	
Census engagement		4) 2020	4).	4)	
			a) Equity & Inclusion Office(r)	a) At least two thirds of County employees respond to the survey with at least 3 departments and/or divisions with a 75% response rate.	
			b) Equity & Inclusion Office(r)	b) Able to establish a useful baseline of data	4) Report to BOS or BOS subcommittee
	4) <u>Conduct a Racial Equity Survey</u> – <i>Establish baseline data and conduct periodically to assess knowledge, skills, and experiences of employees and officials related to race and equity.</i>				
	a) Finalize racial equity survey tool developed by the 2017 Contra Costa GARE cohort. Or establish GARE membership and utilize the GARE survey.				
	b) Conduct and analyze a baseline racial equity survey of employees and elected officials in FY 2019-20 to be conducted on a biennial basis thereafter.				

1. Outcome Statement: Contra Costa County employees and elected officials understand and are committed to achieving racial equity and immigrant inclusion.

Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
	<p>B. County employees and elected officials understand and act upon the costs of inequity and immigrant exclusion.</p> <p>1) <u>Analyze financial costs to the County of inequity</u></p> <ul style="list-style-type: none"> a) Review grievances, filings, merit board petitions, and other relevant data points to better understand the financial impact of racial inequity within Contra Costa County. b) Use this information to establish a benchmark against which progress can be measured. <p>2) <u>Analyze societal costs of inequity and immigrant exclusion</u></p> <ul style="list-style-type: none"> a) Identify community and academic partners to support an analysis b) Conduct an analysis of the negative impacts of inequity and exclusion (financial, health, community) to communities of the county. <p>3) <u>Pilot the use of a Racial Equity Tool in 3 to 5 departments</u> (e.g., Public Health, Human Resources, Department of Conservation and Development, Library, Health, Housing, Homelessness Services, Employment & Human Services)</p> <ul style="list-style-type: none"> a) Departments commit to utilize a Racial Equity Tool. b) Collect and report data on client outcomes by race/ethnicity. c) Develop and implement appropriate policies and procedures to better achieve racial equity. 	<p>B.</p> <p>1) FY 2020-21</p> <p>2) FY 2020-21</p> <p>3) FY 2020-24</p>	<p>B.</p> <p>1) Equity & Inclusion Office(r) and REAL team</p> <p>2) Equity & Inclusion Office(r) and REAL team</p> <p>3) Equity & Inclusion Office(r) and County Departments</p>	<p>B.</p> <p>1) a) Conduct a case study of a single discrimination grievance from start to finish</p> <p>b) Establish a baseline and benchmarks for the financial cost of race-based grievances to the County.</p> <p>2) Secure partners to engage in a process to analyze societal costs of inequity.</p> <p>3) At least 3-5 departments utilize a Racial Equity Tool:</p> <ul style="list-style-type: none"> a) 100% of participating departments use a Racial Equity Tool to collect data on client outcomes by race/ethnicity. c) There is a reduction of racial inequity as measured by community indicators related to the services provided by the piloting departments. 	<p>B. Report to BOS or BOS subcommittee and/or Equity & Inclusion Commission/ Council</p>

2. Outcome Statement: Contra Costa County residents are engaged participants in the County's efforts to improve racial equity and experience improvements in the community.

Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
<p>Diversity of Elected Officials</p> <p>Diversity of Candidates</p> <p>Diversity in Voter Registration</p> <p>Diversity in Voter Turnout</p> <p>Number of active civic groups representing the needs of community members most impacted by inequity from government policies</p> <p>Number of active youth groups representing the needs of their community</p>	<p>1) Community Engagement: County departments will work with other community-based agencies, institutions and advocacy groups to strengthen community partnerships and to identify, align, and implement strategies for advancing racial equity and immigrant inclusion. Through partnership, the Equity Office(r) will:</p> <ul style="list-style-type: none"> a) Research and report on the racial history of Contra Costa County, incorporating results into employee training and advocacy for the need for racial equity measures in the County. b) Create a "State of Equity" map for the County (<i>similar to Bay Area Equity Atlas</i>) c) Create an <i>equity resource list</i> for internal and external audiences d) Create a shared calendar for equity-related events e) Participate in Community Partner equity initiatives and be the convener when appropriate f) Seek grant funding opportunities to support the work <p>2) County equity related advisory bodies such as the Racial Justice Oversight Body (RJOB) and the Equity Commission/Council will be supported with on-going staff and outreach/engagement resources.</p> <p>3) The Equity & Inclusion Office(r), RJOB, Equity Commission/Council and County departments will work with community based organizations to:</p> <ul style="list-style-type: none"> a) Explore ways to get feedback from the community b) Make data accessible and develop an open data portal c) Conduct biennial racial equity community surveys 	<p>1) FY 2020-22</p> <p>2) FY 2019-23</p> <p>3) FY 2019-23</p>	<p>1) Equity Office(r), County Departments and Equity Commission/Council</p> <p>2) Equity & Inclusion Office(r), ORJ, County Departments</p> <p>3) Equity & Inclusion Office(r), RJOB, Equity & Inclusion Commission, County Departments</p>	<p>Create equity statement on Board Orders.</p> <p>Complete report on the racial history of Contra Costa County, including redlining, highway development, incarceration, health disparities.</p> <p>Improved Number/Percentage of Residents self-report feelings of trust in County governance.</p> <p>Number of community partners that express the belief that County departments are improving racial equity outcomes & immigrant inclusion.</p> <p>Number of events hosted by the County with opportunities for community members to engage in shared analysis and decision making.</p> <p>Number of departments that solicit community input in recurring decision making processes (budget, hiring, etc.) utilizing a continuum to identify the type of input received, i.e. from listening sessions to shared decision making</p> <p>Number of equity initiatives led by community partners that County departments are engaged in.</p>	<p>1) Report to BOS or BOS subcommittee</p>

3. Outcome Statement: Contra Costa County workforce demographics (across the breadth and depth of positions), Board-appointed advisory bodies, and County contractors reflect the demographics of the community.

Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
<p>Racial and ethnic demographics of County residents</p> <p>Racial and ethnic demographics of Bay Area region</p> <p>Workforce demographics</p> <p>Income by race and ethnicity</p>	<p>1) The County Equal Employment Opportunity Officer (EEO) will:</p> <p>a) Provide information to departments through the Outreach and Recruitment Report, on a quarterly basis, on the underrepresentation in the County workforce as compared to the Bay Area region in terms of gender and race by job classification (not occupationally grouped categories) for actionable responses to the underrepresentation.</p> <p>b) Utilize data from the Outreach and Recruitment Report and other data available to HR to create an annual experience report that incorporates measures of equity (e.g., people-centered hiring process, candidate satisfaction, internal promotion tracking, and probation based termination rate).</p>	1) TBD	<p>1)</p> <p>a) Risk Management</p> <p>b) HR</p>	<p>1)</p> <p>a) Race of applicants by zip code</p> <p>b) Increased candidate satisfaction level</p> <p>c) Employee Diversity in job classifications</p> <p>d) Diversity of management level classifications</p> <p>e) Diversity of employees by job classifications</p>	<p>Report to the Hiring Oversight Committee</p>
	<p>2) <u>Strengthen personnel policy and practices by using Racial Equity Tool</u></p> <p>Use a racial equity tool to assess the impact of the Personnel Management Regulations (PMR)</p>	2) Begin Jan. 2020	2) HR	<p>2)</p> <p>a) Complete report on analysis of current personnel policy and practices having used the Racial Equity Tool, including recommendations for changes to policies and practices that meet the goals of furthering racial equity.</p>	
	<p>3) <u>Racial Equity & Immigrant Inclusion Training</u>— Implement a countywide mandatory introductory training on racial equity and immigrant inclusion, followed by ongoing training opportunities for all staff and elected officials. The training should include a variety of case studies and examples based on the jobs of those being trained.</p> <p>Training concepts should include: social construction of race, the history of race in government, implicit and explicit bias, institutional and structural racism, and tools and strategies to address bias and improve inclusion.</p>	3) FY 2020-2021	3) Equity & Inclusion Office(r), HR, Risk Management	<p>b) Implement recommendations of policy and practice analysis using a Racial Equity Tool.</p> <p>3)</p> <p>a) 80% of training participants report increased awareness of the historic role of government in creating and contributing to present day racial inequities.</p>	

3. Outcome Statement: Contra Costa County workforce demographics (across the breadth and depth of positions), Board-appointed advisory bodies, and County contractors reflect the demographics of the community.

Community Indicator	Outcomes and Actions	Timeline	Accountability	Performance Measure	Progress report
	<p>Additional topic-specific training will include: using the Racial Equity Tool, inclusive outreach and public engagement, and communicating about race.</p> <p>a) Identify what trainings exist in the County:</p> <ol style="list-style-type: none"> 1) Equal Employment Opportunity 2) Sexual Harassment 3) Civil Rights 4) New Employee Onboarding in NeoGov 5) Procedural Justice and Implicit Bias (ORJ) 6) Sensitivity in the Workplace (EHSD) 7) Building a Culture of Respect (HR) <p>b) Identify standardized content and framework for trainings:</p> <ol style="list-style-type: none"> 1) Cultural Intelligence 2) Structural Racism 3) Racial Equity Tool 4) Anti-bias 5) How to participate in hiring panel 6) Process-based decision making <p>c) Develop the training curriculum</p> <p>d) Delivery of training</p> <p>4) County Boards and Commissions have equitable representation representative of the County/community demographics.</p> <p>5) Promote racial equity in contracting and procurement policies and practices.</p> <ol style="list-style-type: none"> a) Collect and analyze data to help identify gaps b) Evaluate existing and create new policies 	<p>4) FY 2020-24</p> <p>5) FY 2021-24</p>	<p>c) “Train the Trainer” offered to departments that have training responsibilities</p> <p>4) Equity Office(r), Clerk of the Board</p> <p>5) Equity Office(r) and County Departments</p>	<p>b) 80% of training participants report an improved understanding of the differences between individual, institutional, and structural racism.</p> <p>c) 80% of training participants report an awareness of the different roles implicit and explicit bias can play in producing racial inequities in the workplace.</p> <p>d) 80% of training participants report an improved understanding of how race neutral policies can produce racial inequities</p> <p>4) Improved racial equity in the members of Boards and Commissions</p> <p>5) Improved racial diversity in bidders participating in the contracting and procurement processes</p> <p>Higher percentage of bidders of color awarded with contracts.</p>	

Racial Equity Toolkit

An Opportunity to Operationalize Equity



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RACE & EQUITY**

This toolkit is published by the
Government Alliance on Race and Equity,
a national network of government working to
achieve racial equity and advance opportunities for all.

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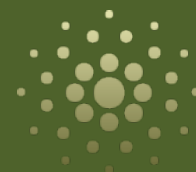
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ABOUT THE GOVERNMENT ALLIANCE ON RACE & EQUITY



The Government Alliance on Race and Equity (GARE) is a national network of government working to achieve racial equity and advance opportunities for all. Across the country, governmental jurisdictions are:

- making a commitment to achieving racial equity;
- focusing on the power and influence of their own institutions; and,
- working in partnership with others.

When this occurs, significant leverage and expansion opportunities emerge, setting the stage for the achievement of racial equity in our communities.

GARE provides a multi-layered approach for maximum impact by:

- supporting jurisdictions that are at the forefront of work to achieve racial equity. A few jurisdictions have already done substantive work and are poised to be a model for others. Supporting and providing best practices, tools and resources is helping to build and sustain current efforts and build a national movement for racial equity;
- developing a “pathway for entry” into racial equity work for new jurisdictions from across the country. Many jurisdictions lack the leadership and/or infrastructure to address issues of racial inequity. Using the learnings and resources from jurisdictions at the forefront will create pathways for the increased engagement of more jurisdictions; and,
- supporting and building local and regional collaborations that are broadly inclusive and focused on achieving racial equity. To eliminate racial inequities in our communities, developing a “collective impact” approach firmly grounded in inclusion and equity is necessary. Government can play a key role in collaborations for achieving racial equity, centering community, and leveraging institutional partnerships.

To find out more about GARE, visit www.racialequityalliance.org.

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I. What is a Racial Equity Tool?

Racial equity tools are designed to integrate explicit consideration of racial equity in decisions, including policies, practices, programs, and budgets. It is both a product and a process. Use of a racial equity tool can help to develop strategies and actions that reduce racial inequities and improve success for all groups.

Too often, policies and programs are developed and implemented without thoughtful consideration of racial equity. When racial equity is not explicitly brought into operations and decision-making, racial inequities are likely to be perpetuated. Racial equity tools provide a structure for institutionalizing the consideration of racial equity.

A racial equity tool:

- proactively seeks to eliminate racial inequities and advance equity;
- identifies clear goals, objectives and measurable outcomes;
- engages community in decision-making processes;
- identifies who will benefit or be burdened by a given decision, examines potential unintended consequences of a decision, and develops strategies to advance racial equity and mitigate unintended negative consequences; and,
- develops mechanisms for successful implementation and evaluation of impact.

Use of a racial equity tool is an important step to operationalizing equity. However, it is not sufficient by itself. We must have a much broader vision of the transformation of government in order to advance racial equity. To transform government, we must normalize conversations about race, operationalize new behaviors and policies, and organize to achieve racial equity.

For more information on the work of government to advance racial equity, check out GARE's "Advancing Racial Equity and Transforming Government: A Resource Guide for Putting Ideas into Action" on our website. The Resource Guide provides a comprehensive and holistic approach to advancing racial equity within government. In addition, an overview of key racial equity definitions is contained in Appendix A.

II. Why should government use this Racial Equity Tool?

From the inception of our country, government at the local, regional, state, and federal level has played a role in creating and maintaining racial inequity. A wide range of laws and policies were passed, including everything from who could vote, who could be a citizen, who could own property, who was property, where one could live, whose land was whose and more. With the Civil Rights movement, laws and policies were passed that helped to create positive changes, including making acts of discrimination illegal. However, despite progress in addressing explicit discrimination, racial inequities continue to be deep, pervasive, and persistent across the country. Racial inequities exist across all indicators for success, including in education, criminal justice, jobs, housing, public infrastructure, and health, regardless of region.

Many current inequities are sustained by historical legacies and structures and systems that repeat patterns of exclusion. Institutions and structures have continued to create and perpetuate inequities, despite the lack of explicit intention. Without intentional intervention, institutions and structures will continue to perpetuate racial inequities. Government has the ability to implement policy change at multiple levels and across multiple sectors to drive larger systemic change. Routine use of a racial equity tool explicitly integrates racial equity into governmental operations.

Local and regional governmental jurisdictions that are a part of the GARE are using a racial equity tool. Some, such as the city of Seattle in Washington, Multnomah County in Oregon, and

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the city of Madison in Wisconsin have been doing so for many years:

- The Seattle Race and Social Justice Initiative (RSJI) is a citywide effort to end institutionalized racism and race-based disparities in City government. The Initiative was launched in 2004. RSJI includes training to all City employees, annual work plans, and change teams in every city department. RSJI first started using its Racial Equity Tool during the budget process in 2007. The following year, in recognition of the fact that the budget process was just the “tip of the ice berg,” use of the tool was expanded to be used in policy and program decisions. In 2009, Seattle City Council included the use of the Racial Equity Tool in budget, program and policy decisions, including review of existing programs and policies, in a resolution (Resolution 31164) affirming the City’s Race and Social Justice Initiative. In 2015, newly elected Mayor Ed Murray issued an Executive Order directing expanded use of the Racial Equity Tool, and requiring measurable outcomes and greater accountability.

See Appendix B for examples of how Seattle has used its Racial Equity Tool, including legislation that offers protections for women who are breastfeeding and use of criminal background checks in employment decisions.

Multnomah County’s Equity and Empowerment Lens is used to improve planning, decision-making, and resource allocation leading to more racially equitable policies and programs. At its core, it is a set of principles, reflective questions, and processes that focuses at the individual, institutional, and systemic levels by:

- deconstructing what is not working around racial equity;
- reconstructing and supporting what is working;
- shifting the way we make decisions and think about this work; and,
- healing and transforming our structures, our environments, and ourselves.

Numerous Multnomah County departments have made commitments to utilizing the Lens, including a health department administrative policy and within strategic plans of specific departments. Tools within the Lens are used both to provide analysis and to train employers and partners on how Multnomah County conducts equity analysis.

Madison, Wisconsin is implementing a racial equity tool, including both a short version and a more in-depth analysis. See Appendix D for a list of the types of projects on which the city of Madison has used their racial equity tool.

For jurisdictions that are considering implementation of a racial equity tool, these jurisdictions examples are powerful. Other great examples of racial equity tools are from the Annie E. Casey Foundation and Race Forward.

In recognition of the similar ways in which institutional and structural racism have evolved across the country, GARE has developed this Toolkit that captures the field of practice and commonalities across tools. We encourage jurisdictions to begin using our Racial Equity Tool. Based on experience, customization can take place if needed to ensure that it is most relevant to local conditions. Otherwise, there is too great of a likelihood that there will be a significant investment of time, and potentially money, in a lengthy process of customization without experience. It is through the implementation and the experience of learning that leaders and staff will gain experience with use of a tool. After a pilot project trying out this tool, jurisdictions will have a better understanding of how and why it might make sense to customize a tool.

For examples of completed racial equity analyses, check out Appendix B and Appendix D, which includes two examples from the city of Seattle, as well as a list of the topics on which the city of Madison has used their racial equity tool.

Please note: In this Resource Guide, we include some data from reports that focused on whites and African Americans, but otherwise, provide data for all racial groups analyzed in the research. For consistency, we refer to African Americans and Latinos, although in some of the original research, these groups were referred to as Blacks and Hispanics.

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III. Who should use a racial equity tool?

A racial equity tool can be used at multiple levels, and in fact, doing so, will increase effectiveness.

- **Government staff:** The routine use of a racial equity tool by staff provides the opportunity to integrate racial equity across the breadth, meaning all governmental functions, and depth, meaning across hierarchy. For example, policy analysts integrating racial equity into policy development and implementation, and budget analysts integrating racial equity into budget proposals at the earliest possible phase, increases the likelihood of impact. Employees are the ones who know their jobs best and will be best equipped to integrate racial equity into practice and routine operations.
- **Elected officials:** Elected officials have the opportunity to use a racial equity tool to set broad priorities, bringing consistency between values and practice. When our elected officials are integrating racial equity into their jobs, it will be reflected in the priorities of the jurisdiction, in direction provided to department directors, and in the questions asked of staff. By asking simple racial equity tool questions, such as “How does this decision help or hinder racial equity?” or “Who benefits from or is burdened by this decision?” on a routine basis, elected officials have the ability to put theory into action.
- **Community based organizations:** Community based organizations can ask questions of government about use of racial equity tool to ensure accountability. Elected officials and government staff should be easily able to describe the results of their use of a racial equity tool, and should make that information readily available to community members. In addition, community based organizations can use a similar or aligned racial equity tool within their own organizations to also advance racial equity.



Government staff



Elected officials



Community

IV. When should you use a racial equity tool?

The earlier you use a racial equity tool, the better. When racial equity is left off the table and not addressed until the last minute, the use of a racial equity tool is less likely to be fruitful. Using a racial equity tool early means that individual decisions can be aligned with organizational racial equity goals and desired outcomes. Using a racial equity tool more than once means that equity is incorporated throughout all phases, from development to implementation and evaluation.

V. The Racial Equity Tool

The Racial Equity Tool is a simple set of questions:

1. **Proposal:** What is the policy, program, practice or budget decision under consideration? What are the desired results and outcomes?
2. **Data:** What's the data? What does the data tell us?
3. **Community engagement:** How have communities been engaged? Are there opportunities to expand engagement?
4. **Analysis and strategies:** Who will benefit from or be burdened by your proposal? What are your strategies for advancing racial equity or mitigating unintended consequences?
5. **Implementation:** What is your plan for implementation?

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6. **Accountability and communication:** How will you ensure accountability, communicate, and evaluate results?

The following sections provide a description of the overall questions. Once you are ready to jump into action, please check out the worksheet that can be found in Appendix C.

STEP #1

What is your proposal and the desired results and outcomes?

While it might sound obvious, having a clear description of the policy, program, practice, or budget decision (for the sake of brevity, we refer to this as a “proposal” in the remainder of these steps) at hand is critical.

We should also be vigilant in our focus on impact.

The terminology for results and outcomes is informed by our relationship with Results Based Accountability™. This approach to measurement clearly delineates between community conditions / population accountability and performance accountability / outcomes. These levels share a common systematic approach to measurement. This approach emphasizes the importance of beginning with a focus on the desired “end” condition.

- Results are at the community level are the end conditions we are aiming to impact. Community indicators are the means by which we can measure impact in the community. Community indicators should be disaggregated by race.
- Outcomes are at the jurisdiction, department, or program level. Appropriate performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. Performance measures respond to three different levels:
 - a. Quantity—how much did we do?
 - b. Quality—how well did we do it?
 - c. Is anyone better off?

We encourage you to be clear about the desired end conditions in the community and to emphasize those areas where you have the most direct influence. When you align community indicators, government strategies, and performance measures, you maximize the likelihood for impact. To ultimately impact community conditions, government must partner with other institutions and the community.

You should be able to answer the following questions:

1. Describe the policy, program, practice, or budget decision under consideration?
2. What are the intended results (in the community) and outcomes (within your organization)?
3. What does this proposal have an ability to impact?
 - Children and youth
 - Community engagement
 - Contracting equity
 - Criminal justice
 - Economic development
 - Education
 - Environment
 - Food access and affordability
 - Government practices
 - Health
 - Housing
 - Human services
 - Jobs
 - Planning and development
 - Transportation
 - Utilities
 - Workforce equity

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STEP #2

What's the data? What does the data tell us?

Measurement matters. When organizations are committed to racial equity, it is not just an aspiration, but there is a clear understanding of racial inequities, and strategies and actions are developed and implemented that align between community conditions, strategies, and actions. Using data appropriately will allow you to assess whether you are achieving desired impacts.

Too often data might be available, but is not actually used to inform strategies and track results. The enormity of racial inequities can sometimes feel overwhelming. For us to have impact in the community, we must partner with others for cumulative impact. The work of government to advance racial equity is necessary, but not sufficient. Nevertheless, alignment and clarity will increase potential impact. We must use data at both levels; that is data that clearly states 1) community indicators and desired results, and 2) our specific program or policy outcomes and performance measures.

Performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. As indicated in Step 1, performance measures respond to three different levels:

Quantity—how much did we do?

Quality—how well did we do it?

Is anyone better off?

Although measuring whether anyone is actually better off as a result of a decision is highly desired, we also know there are inherent measurement challenges. You should assess and collect the best types of performance measures so that you are able to track your progress.

In analyzing data, you should think not only about quantitative data, but also qualitative data. Remember that sometimes missing data can speak to the fact that certain communities, issues or inequities have historically been overlooked. Sometimes data sets treat communities as a monolithic group without respect to subpopulations with differing socioeconomic and cultural experience. Using this data could perpetuate historic inequities. Using the knowledge and expertise of a diverse set of voices, along with quantitative data is necessary (see Step #3).

You should be able to answer the following questions about data:

1. Will the proposal have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area?
2. What does population level data tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?
3. What performance level data do you have available for your proposal? This should include data associated with existing programs or policies.
4. Are there data gaps? What additional data would be helpful in analyzing the proposal? If so, how can you obtain better data?

Data Resources

Federal

- **American FactFinder:** The US Census Bureau's main site for online access to population, housing, economic and geographic data. <http://factfinder.census.gov>
- **US Census Quick Facts:** <http://quickfacts.census.gov/qfd/index.html>
- **Center for Disease Control (CDC)** <http://wonder.cdc.gov>

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State

- **American FactFinder** and the **US Census** website also have state data.
<http://factfinder.census.gov>
- Other sources of data vary by state. Many states offer data through the Office of Financial Management. Other places to find data include specific departments and divisions.

Local

- **American FactFinder** and the **US Census** website also have local data.
<http://factfinder.census.gov>
- Many jurisdictions have lots of city and county data available. Other places to find data include specific departments and divisions, service providers, community partners, and research literature.

STEP #3

How have communities been engaged?

Are there opportunities to expand engagement?

It is not enough to consult data or literature to assume how a proposal might impact a community. Involving communities impacted by a topic, engaging community throughout all phases of a project, and maintaining clear and transparent communication as the policy or program is implemented will help produce more racially equitable results.

It is especially critical to engage communities of color. Due to the historical reality of the role of government in creating and maintaining racial inequities, it is not surprising that communities of color do not always have much trust in government. In addition, there is a likelihood that other barriers exist, such as language, perception of being welcome, and lack of public transportation, or childcare. For communities with limited English language skills, appropriate language materials and translation must be provided.

Government sometimes has legal requirements on the holding of public meetings. These are often structured as public hearings, with a limited time for each person to speak and little opportunity for interaction. It is important to go beyond these minimum requirements by using community meetings, focus groups, and consultations with commissions, advisory boards, and community-based organizations. A few suggestions that are helpful:

- When you use smaller groups to feed into a larger process, be transparent about the recommendations and/or thoughts that come out of the small groups (e.g. Have a list of all the groups you met with and a summary of the recommendations from each. That way you have documentation of what came up in each one, and it is easier to demonstrate the process).
- When you use large group meetings, provide a mix of different ways for people to engage, such as the hand-held voting devices, written comments that you collect, small groups, etc. It is typical, both because of structure and process, for large group discussions to lead to the participation of fewer voices. Another approach is to use dyads where people “interview” each other, and then report on what their partner shared. Sometimes people are more comfortable sharing other people’s information.
- Use trusted advocates/outreach and engagement liaisons to collect information from communities that you know are typically underrepresented in public processes. Again, sharing and reporting that information in a transparent way allows you to share it with

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others. For communities that have concerns about documentation status and interaction with government in general, this can be a particularly useful strategy.

Here are a few examples of good resources for community engagement:

- The City of Seattle Inclusive Outreach and Public Engagement Guide
- The City of Portland's Public Engagement Guide

You should be able to answer the following questions about community engagement and involving stakeholders:

1. Who are the most affected community members who are concerned with or have experience related to this proposal? How have you involved these community members in the development of this proposal?
2. What has your engagement process told you about the burdens or benefits for different groups?
3. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?

STEP #4

Who benefits from or will be burdened by your proposal? What are your strategies for advancing racial equity or mitigating unintended consequences?

Based on your data and stakeholder input, you should step back and assess your proposal and think about complementary strategies that will help to advance racial equity.

Governmental decisions are often complex and nuanced with both intended and unintended impacts. For example, when cities and counties face the necessity of making budget cuts due to revenue shortfalls, the goal is to balance the budget and the unintended consequence is that people and communities suffer the consequences of cut programs. In a situation like this, it is important to explicitly consider the unintended consequences so that impacts can be mitigated to the maximum extent possible.

We often tend to view policies, programs, or practices in isolation. Because racial inequities are perpetuated through systems and structures, it is important to also think about complementary approaches that will provide additional leverage to maximize the impact on racial inequity in the community. Expanding your proposal to integrate policy and program strategies and broad partnerships will help to increase the likelihood of community impact. Here are some examples:

- Many excellent programs have been developed or are being supported through health programs and social services. Good programs and services should continue to be supported, however, programs will never be sufficient to ultimately achieve racial equity in the community. If you are working on a program, think about policy and practice changes that can decrease the need for programs.
- Many jurisdictions have passed “Ban-the-Box” legislation, putting limitations on the use of criminal background checks in employment and/or housing decisions. While this is a policy that is designed to increase the likelihood of success for people coming out of incarceration, it is not a singular solution to racial inequities in the criminal justice system. To advance racial equity in the criminal justice system, we need comprehensive strategies that build upon good programs, policies, and partnerships.

You should be able to answer the following questions about strategies to advance racial equity:

1. Given what you have learned from the data and stakeholder involvement, how will the

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proposal increase or decrease racial equity? Who would benefit from or be burdened by your proposal?

2. What are potential unintended consequences? What are the ways in which your proposal could be modified to enhance positive impacts or reduce negative impacts?
3. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?
4. Are the impacts aligned with the your community outcomes defined in Step #1?

STEP #5

What is your plan for implementation?

Now that you know what the unintended consequences, benefits, and impacts of the proposal and have developed strategies to mitigate unintended consequences or expand impact, it is important to focus on thoughtful implementation.

You should be able to answer the following about implementation:

1. Describe your plan for implementation.
2. Is your plan:
 - realistic?
 - adequately funded?
 - adequately resourced with personnel?;
 - adequately resourced with mechanisms to ensure successful implementation and enforcement?
 - adequately resourced to ensure on-going data collection, public reporting, and community engagement?

If the answer to any of these questions is no, what resources or actions are needed?

STEP #6

How will you ensure accountability, communicate, and evaluate results?

Just as data was critical in analyzing potential impacts of the program or policy, data will be important in seeing whether the program or policy has worked. Developing mechanisms for collecting data and evaluating progress will help measure whether racial equity is being advanced.

Accountability entails putting processes, policies, and leadership in place to ensure that program plans, evaluation recommendations, and actions leading to the identification and elimination of root causes of inequities are actually implemented.

How you communicate about your racial equity proposal is also important for your success. Poor communication about race can trigger implicit bias or perpetuate stereotypes, often times unintentionally. Use a communications tool, such as the Center for Social Inclusion's [Talking About Race Right Toolkit](#) to develop messages and a communications strategy.

Racial equity tools should be used on an ongoing basis. Using a racial equity tool at different phases of a project will allow new opportunities for advancing racial equity to be identified and implemented. Evaluating results means that you will be able to make any adjustments to maximize impact.

You should be able to answer the following questions about accountability and implementation:

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1. How will impacts be documented and evaluated? Are you achieving the anticipated outcomes? Are you having impact in the community?
2. What are your messages and communication strategies that are will help advance racial equity?
3. How will you continue to partner and deepen relationships with communities to make sure your work to advance racial equity is working and sustainable for the long haul?

VI. What if you don't have enough time?

The reality of working in government is that there are often unanticipated priorities that are sometimes inserted on a fast track. While it is often tempting to say that there is insufficient time to do a full and complete application of a racial equity tool, it is important to acknowledge that even with a short time frame, asking a few questions relating to racial equity can have a meaningful impact. We suggest that the following questions should be answered for “quick turn around” decisions:

- What are the racial equity impacts of this particular decision?
- Who will benefit from or be burdened by the particular decision?
- Are there strategies to mitigate the unintended consequences?

VII. How can you address barriers to successful implementation?

You may have heard the phrase, “the system is perfectly designed to get the outcomes it does.” For us to get to racially equitable outcomes, we need to work at the institutional and structural levels. As a part of institutions and systems, it is often a challenge to re-design systems, let alone our own individual jobs. One of the biggest challenges is often a skills gap. Use of a racial equity tool requires skill and competency, so it will be important for jurisdictions to provide training, mentoring, and support for managers and staff who are using the tool. GARE has a training curriculum that supports this Toolkit, as well as a “train-the-trainer” program to increase the capacity of racial equity advocates using the Toolkit.

Other barriers to implementation that some jurisdictions have experienced include:

- a lack of support from leadership;
- a tool being used in isolation;
- a lack of support for implementing changes; and,
- perfection (which can be the enemy of good).

Strategies for addressing these barriers include:

- building the capacity of racial equity teams. Training is not just to cultivate skills for individual employees, but is also to build the skill of teams to create support for group implementation and to create a learning culture;
- systematizing the use of the Racial Equity Tool. If the Racial Equity Tool is integrated into routine operations, such as budget proposal forms or policy briefing forms, then management and staff will know that it is an important priority;
- recognizing complexity. In most cases, public policy decisions are complex, and there are numerous pros, cons and trade-offs to be considered. When the Racial Equity Tool is used on an iterative basis, complex nuances can be addressed over time; and,

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- maintaining accountability. Build the expectation that managers and directors routinely use the Racial Equity Tool into job descriptions or performance agreements.

Institutionalizing use of a racial equity tool provides the opportunity to develop thoughtful, realistic strategies and timelines that advance racial equity and help to build long-term commitment and momentum.

VIII. How does use of a racial equity tool fit with other racial equity strategies?

Using a racial equity tool is an important step to operationalizing equity. However, it is not sufficient by itself. We must have a much broader vision of the transformation of government in order to advance racial equity. To transform government, we must normalize conversations about race, operationalize new behaviors and policies, and organize to achieve racial equity.

GARE is seeing more and more jurisdictions that are making a commitment to achieving racial equity, by focusing on the power and influence of their own institutions, and working in partnership across sectors and with the community to maximize impact. We urge you to join with others on this work. If you are interested in using a racial equity tool and/or joining local and regional government from across the country to advance racial equity, please let us know.

TOOLKIT

Racial Equity Toolkit: An Opportunity to Operationalize Equity

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APPENDICES

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TOOLKIT

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APPENDIX A

Glossary of Frequently Used Terms

Bias

Prejudice toward one group and its members relative to another group.

Community Indicator

The means by which we can measure socioeconomic conditions in the community. All community indicators should be disaggregated by race, if possible.

Contracting Equity

Investments in contracting, consulting, and procurement should benefit the communities a jurisdiction serves, proportionate to the jurisdictions demographics.

Equity Result

The condition we aim to achieve in the community.

Explicit Bias

Biases that people are aware of and that operate consciously. They are expressed directly.

Implicit Bias

Biases people are usually unaware of and that operate at the subconscious level. Implicit bias is usually expressed indirectly.

Individual Racism

Pre-judgment, bias, or discrimination based on race by an individual.

Institutional Racism

Policies, practices, and procedures that work better for white people than for people of color, often unintentionally.

Performance Measure

Performance measures are at the county, department, or program level. Appropriate performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. Performance measures respond to three different levels: 1) Quantity—how much did we do?; 2) Quality—how well did we do it?; and 3) Is anyone better off? A mix of these types of performance measures is contained within the recommendations.

Racial Equity

Race can no longer be used to predict life outcomes and outcomes for all groups are improved.

Racial Inequity

Race can be used to predict life outcomes, e.g., disproportionality in education (high school graduation rates), jobs (unemployment rate), criminal justice (arrest and incarceration rates), etc.

Structural Racism

A history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color.

Workforce Equity

The workforce of a jurisdiction reflects the diversity of its residents, including across the breadth (functions and departments) and depth (hierarchy) of government.

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APPENDIX B

City of Seattle Racial Equity Toolkit

On the following pages you will find an excerpt of the racial equity tool used by the City of Seattle as an example of what such tools can look like in practice. As discussed in Section 3 of the Resource Guide, the Seattle City Council passed an ordinance in 2009 that directed all City departments to use the Racial Equity Toolkit, including in all budget proposals made to the Budget Office. This directive was reaffirmed by an executive order of Mayor Ed Murray in 2014.

The Racial Equity Tool is an analysis applied to City of Seattle's policies, programs, and budget decisions. The City of Seattle has been applying the Racial Equity Toolkit for many years but as the City's Race and Social Justice Initiative (RSJI) becomes increasingly operationalized, the expectation and accountabilities relating to its use are increasing. In 2015, Mayor Murray required departments to carry out four uses of the toolkit annually. This will also become a part of performance measures for department heads.

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APPENDIX B: CITY OF SEATTLE RACIAL EQUITY TOOLKIT

Racial Equity Toolkit

to Assess Policies, Initiatives, Programs, and Budget Issues



RACE & SOCIAL JUSTICE
INITIATIVE

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending [individual racism](#), [institutional racism](#) and [structural racism](#). The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

When Do I Use This Toolkit?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

How Do I Use This Toolkit?

With Inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:



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APPENDIX B: CITY OF SEATTLE RACIAL EQUITY TOOLKIT

Racial Equity Toolkit Assessment Worksheet

Title of policy, initiative, program, budget issue: _____

Description: _____

Department: _____ Contact: _____

☐ Policy ☐ Initiative ☐ Program ☐ Budget Issue

Step 1. Set Outcomes.

1a. What does your department define as the most important racially equitable **community outcomes** related to the issue? (Response should be completed by department leadership in consultation with RSJI Executive Sponsor, Change Team Leads and Change Team. Resources on p.4)

1b. Which racial equity **opportunity area(s)** will the issue primarily impact?

- ☐ Education
☐ Community Development
☐ Health
☐ Environment

- ☐ Criminal Justice
☐ Jobs
☐ Housing

1c. Are there impacts on:

- ☐ Contracting Equity
☐ Workforce Equity

- ☐ Immigrant and Refugee Access to Services
☐ Inclusive Outreach and Public Engagement

Please describe:

Step 2. Involve stakeholders. Analyze data.

2a. Are there impacts on geographic areas? ☐ Yes ☐ No

Check all neighborhoods that apply (see map on p.5):

- ☐ All Seattle neighborhoods
☐ Ballard
☐ North
☐ NE
☐ Central

- ☐ Lake Union
☐ Southwest
☐ Southeast
☐ Delridge
☐ Greater Duwamish

- ☐ East District
☐ King County (outside Seattle)
☐ Outside King County

Please describe:

2b. What are the racial demographics of those living in the area or impacted by the issue?

(See Stakeholder and Data Resources p. 5 and 6)

2c. How have you involved community members and **stakeholders**? (See p.5 for questions to ask community/staff at this point in the process to ensure their concerns and expertise are part of analysis.)

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2d. What does data and your conversations with [stakeholders](#) tell you about existing racial inequities that influence people's lives and should be taken into consideration? (See Data Resources on p. 6. [King County Opportunity Maps](#) are good resource for information based on geography, race, and income.)

2e. What are the root causes or factors creating these racial inequities?

Examples: Bias in process; Lack of access or barriers; Lack of racially inclusive engagement

Step 3. Determine Benefit and/or Burden.

Given what you have learned from data and from stakeholder involvement...

3. How will the policy, initiative, program, or budget issue increase or decrease racial equity? What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in Step 1?

Step 4. Advance Opportunity or Minimize Harm.

4. How will you address the impacts (including unintended consequences) on racial equity? What strategies address immediate impacts? What strategies address root causes of inequity listed in Q.6? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes, how will you re-align your work?

Program Strategies? _____

Policy Strategies? _____

Partnership Strategies? _____

Step 5. Evaluate. Raise Racial Awareness. Be Accountable.

5a. How will you evaluate and be [accountable](#)? How will you evaluate and report impacts on racial equity over time? What is your goal and timeline for eliminating racial inequity? How will you retain stakeholder participation and ensure internal and public accountability? How will you raise awareness about racial inequity related to this issue?

5b. What is unresolved? What resources/partnerships do you still need to make changes?

Step 6. Report Back.

Share analysis and report responses from Q.5a. and Q.5b. with Department Leadership and Change Team Leads and members involved in Step 1.

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Creating Effective Community Outcomes

Outcome = the result that you seek to achieve through your actions.

Racially equitable community outcomes = the specific result you are seeking to achieve that advances racial equity in the community.

When creating outcomes think about:

- What are the greatest opportunities for creating change in the next year?
- What strengths does the department have that it can build on?
- What challenges, if met, will help move the department closer to racial equity goals?

Keep in mind that the City is committed to creating racial equity in seven key opportunity areas: **Education, Community Development, Health, Criminal Justice, Jobs, Housing, and the Environment.**

Examples of community outcomes that increase racial equity:

OUTCOME	OPPORTUNITY AREA
Increase transit and pedestrian mobility options in communities of color.	Community Development
Decrease racial disparity in the unemployment rate.	Jobs
Ensure greater access to technology by communities of color.	Community Development, Education, Jobs
Improve access to community center programs for immigrants, refugees and communities of color.	Health, Community Development
Communities of color are represented in the City's outreach activities.	Education, Community Development, Health, Jobs, Housing, Criminal Justice, Environment
The racial diversity of the Seattle community is reflected in the City's workforce across positions.	Jobs
Access to City contracts for Minority Business Enterprises is increased.	Jobs
Decrease racial disparity in high school graduation rates	Education

Additional Resources:

- **RSJI Departmental Work Plan:** <http://inweb/rsji/departments.htm>
- **Department Performance Expectations:** <http://web1.seattle.gov/DPETS/DPETSWEBHome.aspx>
- **Mayoral Initiatives:** <http://www.seattle.gov/mayor/issues/>

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APPENDIX B: CITY OF SEATTLE RACIAL EQUITY TOOLKIT

Identifying Stakeholders + Listening to Communities of Color

Identify Stakeholders

Find out who are the **stakeholders** most affected by, concerned with, or have experience relating to the policy, program or initiative? Identify racial demographics of neighborhood or those impacted by issue. (See *District Profiles* in the [Inclusive Outreach and Public Engagement Guide](#) or refer to U.S. Census information on p.7)

Once you have identified your stakeholders

Involve them in the issue.

Describe how historically underrepresented community stakeholders can take a leadership role in this policy, program, initiative or budget issue.

Listen to the community. Ask:

1. What do we need to know about this issue? How will the policy, program, initiative or budget issue burden or benefit the community? (*concerns, facts, potential impacts*)
2. What factors produce or perpetuate racial inequity related to this issue?
3. What are ways to minimize any negative impacts (harm to communities of color, increased racial disparities, etc) that may result? What opportunities exist for increasing racial equity?

Tip: Gather Community Input Through...

- Community meetings
- Focus groups
- Consulting with City commissions and advisory boards
- Consulting with Change Team

Examples of what this step looks like in practice:

- A reduction of hours at a community center includes conversations with those who use the community center as well as staff who work there.
- Before implementing a new penalty fee, people from the demographic most represented in those fined are surveyed to learn the best ways to minimize negative impacts.

For resources on how to engage stakeholders in your work see the **Inclusive Outreach and Public Engagement Guide**: <http://inweb1/neighborhoods/outreachguide/>



APPENDIX C

Racial Equity Tool Worksheet

Step #1

What is your proposal and the desired results and outcomes?

1. Describe the policy, program, practice, or budget decision (for the sake of brevity, we refer to this as a “proposal” in the remainder of these steps)
2. What are the intended results (in the community) and outcomes (within your own organization)?
3. What does this proposal have an ability to impact?

Children and youth	Health
Community engagement	Housing
Contracting equity	Human services
Criminal justice	Jobs
Economic development	Parks and recreation
Education	Planning / development
Environment	Transportation
Food access and affordability	Utilities
Government practices	Workforce equity
Other _____	

Step #2

What's the data? What does the data tell us?

1. Will the proposal have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area?
2. What does population level data, including quantitative and qualitative data, tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?
3. What performance level data do you have available for your proposal? This should include data associated with existing programs or policies.
4. Are there data gaps? What additional data would be helpful in analyzing the proposal? If so, how can you obtain better data?

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APPENDIX C: RACIAL EQUITY TOOL WORKSHEET

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Step #3

How have communities been engaged? Are there opportunities to expand engagement?

1. Who are the most affected community members who are concerned with or have experience related to this proposal? How have you involved these community members in the development of this proposal?
2. What has your engagement process told you about the burdens or benefits for different groups?
3. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?

Step #4

What are your strategies for advancing racial equity?

1. Given what you have learned from research and stakeholder involvement, how will the proposal increase or decrease racial equity? Who would benefit from or be burdened by your proposal?
2. What are potential unintended consequences? What are the ways in which your proposal could be modified to enhance positive impacts or reduce negative impacts?
3. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?
4. Are the impacts aligned with your community outcomes defined in Step #1?

Step #5

What is your plan for implementation?

1. Describe your plan for implementation.
2. Is your plan:
 - Realistic?
 - Adequately funded?
 - Adequately resourced with personnel?
 - Adequately resources with mechanisms to ensure successful implementation and enforcement?
 - Adequately resourced to ensure on-going data collection, public reporting, and community engagement?

If the answer to any of these questions is no, what resources or actions are needed?

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APPENDIX C: RACIAL EQUITY TOOL WORKSHEET

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Step #6**How will you ensure accountability, communicate, and evaluate results?**

1. How will impacts be documented and evaluated? Are you achieving the anticipated outcomes? Are you having impact in the community?
2. What are your messages and communication strategies that will help advance racial equity?
3. How will you continue to partner and deepen relationships with communities to make sure your work to advance racial equity is working and sustainable for the long-haul?

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APPENDIX D

Applications of a Racial Equity Tool
in Madison, WI

Agency/ Organization	Project	Tool(s) Used	Purpose & Outcomes (if applicable)
Clerk's Office	2015–2016 work plan	Equity & Empowerment Lens (Mult. Co.)	Adopted new mission, vision, work plan, and evaluation plan with racial equity goals
Streets Division	Analysis of neighborhood trash pickup	RESJI analysis (comprehensive)	Recommendations to adjust large item pickup schedule based on neighborhood & seasonal needs
Madison Out of School Time (MOST) Coalition	Strategic planning	RESJI analysis (fast-track)	Adopted strategic directions, including target populations, informed by racial equity analysis
Public Health Madison & Dane County	Dog breeding & licensing ordinance	RESJI analysis (comprehensive)	Accepted recommendation to table initial legislation & develop better policy through more inclusive outreach; updated policy adopted
Fire Department	Planning for new fire station	RESJI analysis (comprehensive)	Recommendations for advancing racial equity and inclusive community engagement; development scheduled for 2016–2017
Metro Transit	Succession planning for management hires	RESJI equitable hiring checklist	First woman of color promoted to Metro management position in over 20 years
Human Resources Department	2015 & 2016 work plans	RESJI analysis (fast-track & comprehensive)	2015 plan reflects staff input; 2016 work plan to include stakeholder input (est. 10/15)
Human Resources Department	City hiring process	RESJI analysis (comprehensive)	Human Resources 2015 racial equity report: http://racialequityalliance.org/2015/08/14/the-city-of-madison-2015-human-resources-equity-report-advancing-racial-equity-in-the-city-workforce/
Economic Development Division	Public Market District project	RESJI analysis (comprehensive)	10 recommendations proposed to Local Food Committee for incorporation into larger plan
Public Health Madison & Dane County	Strategic planning	RESJI analysis (fast-track)	Incorporation of staff & stakeholder input, racial equity priorities, to guide goals & objectives (est. 11/15)

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APPENDIX D: APPLICATIONS OF A RACIAL EQUITY TOOL IN MADISON, WI

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Agency/ Organization	Project	Tool(s) Used	Purpose & Outcomes (if applicable)
Planning, Community & Econ. Devel. Dept.	Judge Doyle Square development (public/private, TIF-funded)	RESJI analysis (fast-track); ongoing consultation	Highlight opportunities for advancement of racial equity; identify potential impacts & unintended consequences; document public-private development for lessons learned and best practices
Parks Division	Planning for accessible playground	TBD	Ensure full consideration of decisions as informed by community stakeholders, with a focus on communities of color and traditionally marginalized communities, including people with disabilities.
Fire Department	Updates to promotional processes	TBD	Offer fair and equitable opportunities for advancement (specifically Apparatus Engineer promotions)

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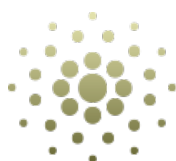
The Haas Institute for a Fair and Inclusive Society at the University of California, Berkeley brings together researchers, community stakeholders, policymakers, and communicators to identify and challenge the barriers to an inclusive, just, and sustainable society and create transformative change. The Institute serves as a national hub of a vibrant network of researchers and community partners and takes a leadership role in translating, communicating, and facilitating research, policy, and strategic engagement. The Haas Institute advances research and policy related to marginalized people while essentially touching all who benefit from a truly diverse, fair, and inclusive society.

HAASINSTITUTE.BERKELEY.EDU / 510.642.3011



The Center for Social Inclusion's mission is to catalyze grassroots community, government, and other institutions to dismantle structural racial inequity. We apply strategies and tools to transform our nation's policies, practices, and institutional culture in order to ensure equitable outcomes for all. As a national policy strategy organization, CSI works with community advocates, government, local experts, and national leaders to build shared analysis, create policy strategies that engage and build multi-generational, multi-sectoral, and multi-racial alliances, and craft strong communication narratives on how to talk about race effectively in order to shift public discourse to one of equity.

CENTERFORSOCIALINCLUSION.ORG / 212.248.2785



LOCAL AND REGIONAL
GOVERNMENT ALLIANCE ON
RACE & EQUITY



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

7.

Meeting Date: 12/02/2019

Subject: Contra Costa County – A Place to Thrive

Submitted For: David Twa, County Administrator

Department: County Administrator

Referral No.:

Referral Name:

Presenter: Devovah Levine & Ali Saidi

Contact: 925-608-4890

Referral History:

At its November 19, 2019 meeting, the Board of Supervisors referred the matter of a Draft Racial Equity Action Plan (REAP) to the Public Protection Committee for their consideration and action, as requested by District I Supervisor John Gioia.

Referral Update:

Part of the discussion on the Racial Equity Action Plan, involves looking at local efforts, such as Contra Costa County - A Place to Thrive, to promote immigration inclusion.

Contra Costa County – A Place to Thrive

The Zellerbach Family Foundation commissioned a research brief to inform their investments in support of a stronger Contra Costa County. This research featured demographics and the economic contributions of New Americans in Contra Costa County and was launched at a cross-sector event on June 19, 2019 cosponsored by: the Y&H Soda Foundation, the Contra Costa Community Colleges District, New American Workforce (a nonprofit that partners with businesses to support immigrant inclusion), The Family Justice Center, First Five of Contra Costa County and Stand Together Contra Costa County.

Following up on recommendations made during the launch, County and community leaders came together for a community strategy session on October 2, 2019 to learn about: local government and community collaborations supporting immigrant inclusion and equity; and existing efforts in Contra Costa County.

Recommendation(s)/Next Step(s):

RECEIVE a presentation on Contra Costa County - A Place to Thrive and PROVIDE direction to staff.

Attachments



Contra Costa County – A Place to Thrive

Public Protection Committee, Contra Costa County Board of Supervisors

December 2, 2019

Board Welcoming Resolution

“... a community is strongest when everyone feels welcomed, and brings immigrants, refugees, and the broader community together to develop policies, programs, and initiatives that build welcoming communities and provide all residents with the knowledge and tools to thrive and fully participate in their communities”

Where We are Now

- Momentum through existing immigrant inclusion and equity efforts in the County
- Community and philanthropic leaders eager to partner with the County to build a more secure, stronger, thriving Contra Costa County
- Potential Grant Opportunity
 - **understand and effectively address gaps in equitable access**
 - **promote economic vitality**
 - **enhance civic participation by all**

New Americans in Contra Costa County

The Demographic and Economic
Contributions of Immigrants
in the County



| State & Local

Zellerbach
FAMILY FOUNDATION

Immigrants in Contra Costa County

25.5 %
Foreign Born

162,950 Citizens
~ 45,042
Eligible

64.4%
Of FB
Homeowners

47% Children
live w/ foreign
born parent

Immigrants in Contra Costa County

31.6% of employed labor
force

\$589M Business Income
generated by Immigrant
Entrepreneurs

1.1 B to Social Security
354.4 M to Medicare

\$18.5 B

GDP Contributions

1.1 Billion

State & Local Taxes

Helped create or
preserve 13442
Manufacturing jobs

Equity Data in Contra Costa County

<https://bayareaequityatlas.org>

**58% POC live in
low resource
neighborhoods**

**Almost 30% renters
are severely
burdened (>50%
income on housing)**

**14.1% are Limited
English Proficient**

**Highest “extreme
commuting” (>90
mins) rates in the 9
county Bay Area**

Recommendations from June 19th Launch

- Disseminate the Data
- Increase equitable access to & understanding of County resources
- Enhance civic participation
- Better coordinate and build on existing County efforts

Existing Immigrant Inclusion and Equity Efforts in Contra Costa County include:

- Board of Supervisors Welcoming Resolution
- Contra Costa Cares
- Stand Together Contra Costa
- Public Charge Efforts through EHSD and Health Services
- Implicit Bias Trainings
- Development of a Racial Equity Action Plan
- Office of New Americans in Pittsburg, Welcoming Proclamation in Concord & “You Me We Oakley”
- Empowerment & development programs by non-profits & faith communities across the county.

Where Do We Go From Here?

A coordinated approach that:

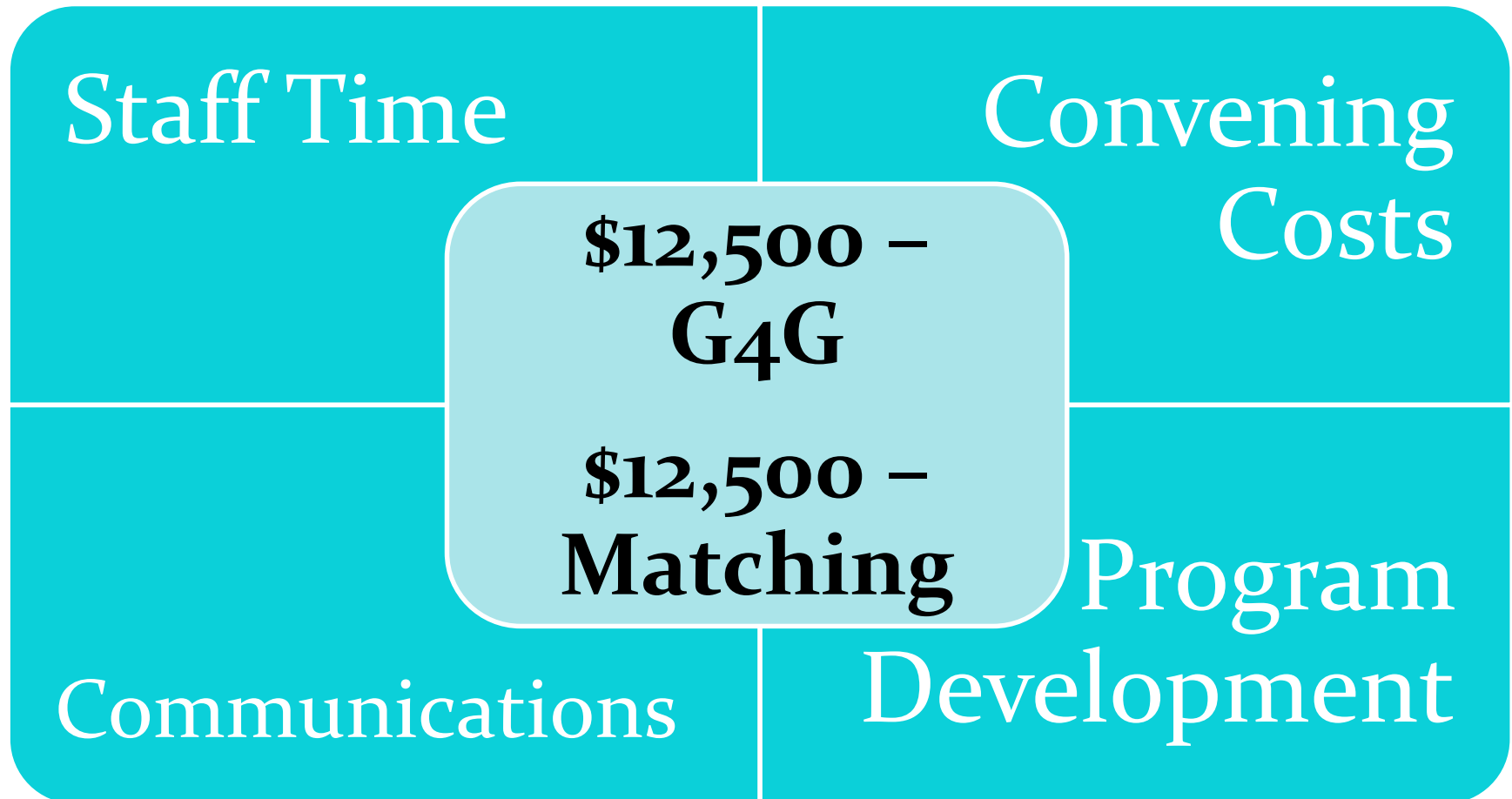
- Understands and effectively addresses the **gaps in equitable access**
- Supports **economic mobility** and **maximizes economic contributions**
- Enhances **civic participation** by all



A competitive opportunity for public and private sector organizations to jointly apply for support to facilitate local immigrant inclusion

RFP expected Early 2020

Planning Grant – up to 10 communities



Technical Assistance - Up to 10 communities

Coaching

Best Practices – regional, national and international

Tool Kits – Welcoming Standard, Citizenship, Schools, Well-being,

Site visit to support development of strategic plans.

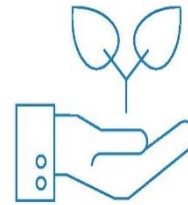
Framework Areas



GOVERNMENT
LEADERSHIP



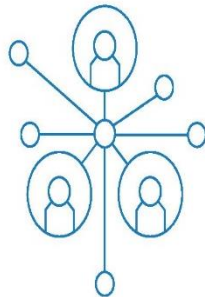
EQUITABLE
ACCESS



CIVIC
ENGAGEMENT



EDUCATION



CONNECTED
COMMUNITIES



ECONOMIC
DEVELOPMENT



SAFE
COMMUNITIES

THE WELCOMING ROI

- + **Competitive and Resilient Local Economies**

Cities/Counties are more open and innovative, and better able to attract and

- + retain global talent and investment

- Stronger Civic Fabric**

- + New Americans more active in civic life

- Equitable Outcomes, Thriving Communities**

More equitable access to services, educational, and workforce opportunities

Community Engagement Results

Better identification
of the public's
values, ideas and
recommendations

More informed
residents - about
issues and about
local agencies

Improved local
agency decision -
making and actions,
with better impacts
and outcomes

More community
buy-in and support,
with less
contentiousness

Faster project
implementation with
less need to revisit

More trust - in each
other and in local
government

Welcoming Communities - + 200

California

Beyond

- Chula Vista
- Los Angeles
- Long Beach
- Oakley
- Redwood City
- San Jose

- Santa Clara County
- San Mateo County

- San Diego
- San Francisco

- Allegheny County, PA
- Kalamazoo County, MI
- Wayne County, MI
- Salt Lake County, UT

- Anchorage, AK
- Charlottesville, VA
- Columbus, OH
- Dallas, TX
- Knoxville, TN
- Lincoln, NE



Local Government Best Practices

Santa Clara County – Results

Grantmaking – legal service providers, outreach and education

Annual Citizenship Day - 14 languages

Rapid Response Network

Public Charge Resources

Navigation Assistance to access safety net systems

San Mateo County– Results

Navigation Assistance to access safety net systems

Bilingual community health workers for isolated coastal communities

Sheriff Office's Community Alliance to Revitalize Our Neighborhood (C.A.R.O.N.) builds trust with law enforcement.

City of San Jose Office of Immigrant Affairs

Leadership & Communication

Vietnamese
Language Civic
Academy

Equitable Access & Engagement

Language Access
Plan
Equity Efforts

Education & Economic Opportunity

Welcoming
Entrepreneur
Fund
Ethnic Chambers
Silicon Valley
Leadership
Group

Safe Healthy & Connected Communities

Rapid Response
Network
Emergency
Response

"You, Me, We = Oakley!"

Know Your
Rights, DACA
and
Citizenship
Workshops

Spanish
Leadership
Academy

Sixty-five
Community
Ambassadors

Oakley Police
mentoring
program for
high school
students.

Cultural
events,
community
meals and
celebrations

Potential Timeline and Process

December, 2019/January 2020	Board Authorization to Apply for G4G Grant
January – March 2020	Ongoing Stakeholder Input to Prepare G4G Application
May 2020	Response from Gateways for Growth
June or September, 2020	Kickoff community driven, multisector planning process Identify & invite Steering Committee Members
September 2020 – April 2021	Steering Committee Meetings ID gaps, opportunities shared values mission, SMART goals Subcommittee Meetings co-led by county & community ID realistic/doable objectives Community input and feedback to ensure gaps and goals are aligned Draft Framework shared for review and feedback
April – June 2021	Framework and Plan Presented to BOS Community Celebration to mark Approval by BOS

Contra Costa County -A Place To Thrive

- Momentum through immigrant inclusion and equity efforts in the County
- Community and philanthropic leaders eager to partner with the County to build a more secure, stronger, thriving Contra Costa County.





Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

8.

Meeting Date: 12/02/2019
Subject: USE of the LOCAL INNOVATION FUND BALANCE
Submitted For: David Twa, County Administrator
Department: County Administrator
Referral No.: N/A
Referral Name: N/A
Presenter: Donte Blue **Contact:** (925) 335-1977

Referral History:

With the passage of SB 1020 in 2012, the County was required to create a Local Innovation Subaccount intended to promote local innovation and county decision making. Revenue deposited in this “Local Innovation Fund” must be used to support local needs, and the law provides the Board of Supervisors with the authority to fund any activity that is otherwise allowable for any of the underlying accounts that fund the innovation subaccount. Beginning with fiscal year 2015-16, any revenue deposited in the Local Innovation Fund each year will come from transferring 10% of the revenue received from the State in the form of growth allocations for the 1) Community Corrections, 2) Trial Court Security, 3) District Attorney and Public Defender, and 4) Juvenile Justice Subaccounts (these are the four source accounts for the Local Innovation Fund).

Based on an RFP process and recommendations from this Committee in December 2017, the Board of Supervisors awarded contracts for innovative reentry programs to Fast Eddie’s Auto Tech Training for \$75,000 and to the Richmond Workforce Development Board for \$175,000. Subsequently, after an RFQ process, Jeweld Legacy Group was similarly awarded a \$75,000 contract in May 2018 for Capacity Building Services.

In March 2019 this Committee considered this item and directed staff to increase Fast Eddie’s contract by \$37,500 so that services could be provided through the end of 2019, and also increase the award to Jeweld Legacy Group by \$50,000 so that micro grants could be provided to the agencies participating in the Capacity Building Program. With these changes the programs from Richmond Workforce Board and Fast Eddie’s were set to conclude on December 31, 2019, and the Capacity Building Program led by Jeweld Legacy would be completed by June 30, 2020.

During this Committee’s March 2019 meeting, it also directed staff to develop a procurement process to identify new programs to award with innovation funds. The County Administrator’s Office of Reentry and Justice (ORJ) subsequently utilized the same process used previously where initial advice was taken from the Community Advisory Board of the Community Corrections Partnership (CAB), and then this advice informed direction from the Community Corrections

Partnership (CCP) on how ORJ would procure providers for new innovative reentry programs. Advice was requested from the CAB in June 2019 and in September 2019 CAB provided the following advice to CCP on the use of the County's Local Innovation Fund:

1. An RFP process be conducted for three \$150,000 awards with one award each provided to:
 - A program for young people up to age 25,
 - An innovative employment program, and
 - A program for at-risk or underserved populations.
2. Remaining money be used to shared learning events with one related to fund two day long symposiums with one related to successful reentry for young people up to age 25, and a second focused on characteristics of effective reentry and diversion programming.

After considering advice from the CAB, the CCP determined that the ORJ should release an RFP for no more than \$300,000 and simply prioritize the types of programs identified by CAB so that some of the Local Innovation Fund revenue could be used to fund some part of the current innovative programs. The Partnership also agreed that remaining revenue should be used towards shared learning events recommended by CAB.

Referral Update:

As RFP #1909-365 for *Local Innovation Fund Projects* was released on October 15, 2019, with a maximum award of \$300,000, the County became aware that revenue to be received in FY 19-20 from the state for the Local Innovation Fund was only going to be \$160,960 when it was originally projected to be \$289,054. This reduction meant there would be a balance of \$350,185 in the Local Innovation Fund for the current fiscal year. Because this would only leave about \$50,000 to support ongoing programs, Fast Eddie's is the only ongoing program that could reasonably be supported for this amount. Thus, the ORJ has begun the process of increasing Fast Eddie's contract by \$50,000 and extending it to December 31, 2020. Finally, because there is approximately \$18,000 left in the agreement with Jeweld Legacy Group for capacity building, the ORJ has also begun negotiations with this organization to extend this contract to December 31, 2020, and redirect the use of these funds for the production of the two shared learning events for 2020 that were endorsed by the CCP.

RFP #1909-365

Responses to the RFP were submitted to the ORJ on November 14, 2019, and considered by a review panel the following week. The panel included a member of the CAB and various County staff that work with the reentry population and are familiar with programs that provide services to this population. The panel's work was facilitated by Donté Blue, Deputy Director, Office of Reentry and Justice, and was comprised of the following representatives:

- Henrissa Bassey, Community Advisory Board on Public Safety Realignment Member
- Michael V. Fischer, CORE Program Manager, Health, Housing & Homeless Division
- Mark Goodwin, Chief of Staff, Office of Supervisor Diane Burgis
- Marina Kisseleva-Cercone, Probation Supervisor
- Christopher Pedraza, Program Manager, Alcohol and Other Drug Services

The panel considered all six responses that were timely received by the ORJ. After reviewing each proposal, those with the three lowest scores were dropped from further consideration and the remaining responders were invited to an interview by the panel.

The scores for the responses that were not invited to an interview were:

Responder	Program Type	Amount Requested	Score
All Hands on Deck	Housing for Transition Age Youth	\$300,000	62
Leaders in Community Alternatives	Cognitive Based Intervention for Transition Age Youth	\$298,856	71
Lao Family Community Development	Employment training and support for Transition Age Youth	\$299,999	71.5

Below are final scores and a synopsis of the programs proposed by the agencies that interview with the review panel.

Community and Youth Outreach (requested \$265,551)

Score: 79 points

Community and Youth Outreach (CYO) proposed an expansion of the County's current Ceasefire program to reduce gun violence in East County. Currently, AB 109 revenue is used to fund a single coordinator for this program and this proposal sought to augment that investment with direct services to Ceasefire participants. This program would replicate services the agency is current providing in the City of Oakland. Specifically, this would enroll up to 80 participants in services lasting 6 – 12 months where they would be provided with peer-led Intensive Adult Life Coaching and cognitive behavioral services through CYO's Healthy, Wealthy, and Wise facilitated groups. The program would focus on providing services to young people ages 18 – 25 who have been assessed as high risk by the Probation Department's risk assessment tool or who exhibit at least three of the following: four or more prior arrests, prior arrest for gun violence, active member of a gang, previously shot, has a close friend of family member who has been shot in the past year. While participating in the program, participants would be provided cash incentives for achieving various benchmarks that could amount to as much as \$200 in a month.

Shelter Inc. (requested \$300,000)

Score: 83 points

The Bright Futures program by Shelter Inc. sought to provide up to 30 incarcerated young people between the ages of 18 – 25 with reentry planning prior to their release from custody and case management with career coaching upon the person's release from custody. The program would work with young people during their final month of incarceration in a local jail or juvenile detention facility, and for up to a year after the person's release from custody. Case management would look to connect the person to needed services with particular attention paid to helping the person meet their transportation needs. The program would have a "flex fund" available for each client that would allow creative remedies to be fashioned for the unique needs and challenges faced by those in the program. Bright Futures would leverage existing employment providers for needed training, and its own internal program for housing resources the population might require.

Rubicon Programs (requested \$120,000)

Score: 87.5 points

The Evening Connections Program would extend operating hours for the Reentry Success Center (RSC) in Richmond by providing evening hours from 5:00 p.m. – 8:30 p.m. each weekday with interest in also opening for a half day on Saturdays. This program is intended to provide services to populations in need of evening services because they are unavailable during the day or released from custody outside of regular business hours and at an increased risk of returning to custody if not quickly engaged in needed supportive services. As part of the evening connections program, individuals would be transported to the RSC directly from custody, even if they will ultimately be returning to the east or central region of the County. The activities to be provided at the center during these extended hours would vary night to night and include support groups, employment readiness support, reentry coaching, triage of needs and referrals to services, and prosocial recreational activities.

Panel Recommendation

After conducting interviews, the panel determined that the program proposed by Rubicon would be the best use of the Local Innovation Fund. To ensure that weekend hours and other program enhancements could occur the panel recommends that \$150,000 be awarded to Rubicon Programs for FY 2020-21 to provide its Evening Connections Program at the Reentry Success Center in West County.

Because the other requests were so much more than the remaining \$150,000, the panel didn't feel it could recommend funding any of the remaining program while still maintaining the character of what was proposed. The panel also recognized that while need for services is steadily increasing in East County, and in some cases already exceeds that of West County, there are generally substantially less services available to the residents of East County. For these reasons, and because they believed the value of what was proposed by Rubicon Programs should also directly benefit East County residents, the panel also recommended funding the remaining \$150,000 to Rubicon Programs for FY 2020-21 with the contingency that this additional funding be used to provide an Evening Connections Program in an East County location. If Rubicon is unable or unwilling to provide these services in East County, then the panel would not have a recommendation for the remaining \$150,000.

It should be noted that during its deliberations the panel was made aware that Rubicon Programs was currently funded for a similar program at the RSC through the Probation Department. They were also made aware that it was the belief of the ORJ that it was very likely Probation would continue to support this program for FY 2020-21, although no decision on this had been made because the County had not yet awarded the FY 2020-21 contract for the RSC. Prior to this Committee's meeting on December 2, staff plans to discuss the availability of this funding from Probation to support this program during FY 2020-21, so this information can inform the Committee's decision on this item.

Recommendation(s)/Next Step(s):

1. RECOMMEND the Board of Supervisors Award \$300,000 from the Local Innovation Fund to Rubicon Programs for an Evening Connections Program, and
2. DIRECT staff to take appropriate action for the use of Local Innovation Fund revenue.

Fiscal Impact (if any):

Attachments

No file(s) attached.
