



Agenda

PUBLIC PROTECTION COMMITTEE

June 22, 2020

10:30 A.M.

Virtual Meeting

The public may observe and participate in the virtual Zoom meeting by using this link:

<https://zoom.us/j/93441224218> Or by dialing:

USA 214-765-0478

or USA 888-278-0254 (US Toll Free)

Conference code: 507994

Supervisor Candace Andersen, 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 February 24, 2020 meeting. **(Page 4)**
4. CONSIDER receiving a report on each fee impacted by the County's moratorium and provide direction to staff regarding next steps on implementation of the moratorium on the collection of certain criminal justice fees assessed by the County. **(Paul Reyes, Senior Deputy County Administrator) (Page 7)**
5. CONSIDER reviewing and approving a revised fiscal year 2020/21 AB 109 budget proposal, as recommended by the Community Corrections Partnership-Executive Committee. **(Paul Reyes, Committee Staff) (Page 16)**
6. CONSIDER providing direction to staff regarding the recruitment process for the Community-based Representative Seat 4 on the Contra Costa County Racial Justice Oversight Body. **(Lara DeLaney, Office of Reentry and Justice) (Page 22)**
7. CONSIDER accepting a report from the W. Hayward Burns Institute detailing the progress made to date by the County's Racial Justice Oversight Body. **(Donte Blue, Deputy Director, ORJ) (Page 26)**
8. The next meeting is currently scheduled for July 27, 2020.
9. 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
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	HIV	Human Immunodeficiency Syndrome
ABAG	Association of Bay Area Governments	HOV	High Occupancy Vehicle
ACA	Assembly Constitutional Amendment	HR	Human Resources
ADA	Americans with Disabilities Act of 1990	HUD	United States Department of Housing and Urban Development
AFSCME	American Federation of State County and Municipal Employees	Inc.	Incorporated
AICP	American Institute of Certified Planners	IOC	Internal Operations Committee
AIDS	Acquired Immunodeficiency Syndrome	ISO	Industrial Safety Ordinance
ALUC	Airport Land Use Commission	JPA	Joint (exercise of) Powers Authority or Agreement
AOD	Alcohol and Other Drugs	Lamorinda	Lafayette-Moraga-Orinda Area
ARRA	American Recovery and Reinvestment Act	LAFCo	Local Agency Formation Commission
BAAQMD	Bay Area Air Quality Management District	LLC	Limited Liability Company
BART	Bay Area Rapid Transit District	LLP	Limited Liability Partnership
BCDC	Bay Conservation & Development Commission	Local 1	Public Employees Union Local 1
BGO	Better Government Ordinance	LVN	Licensed Vocational Nurse
BOS	Board of Supervisors	MAC	Municipal Advisory Council
CALTRANS	California Department of Transportation	MBE	Minority Business Enterprise
CalWIN	California Works Information Network	M.D.	Medical Doctor
CalWORKS	California Work Opportunity and Responsibility to Kids	M.F.T.	Marriage and Family Therapist
CAER	Community Awareness Emergency Response	MIS	Management Information System
CAO	County Administrative Officer or Office	MOE	Maintenance of Effort
CCHP	Contra Costa Health Plan	MOU	Memorandum of Understanding
CCTA	Contra Costa Transportation Authority	MTC	Metropolitan Transportation Commission
CCP	Community Corrections Partnership	NACo	National Association of Counties
CDBG	Community Development Block Grant	OB-GYN	Obstetrics and Gynecology
CEQA	California Environmental Quality Act	O.D.	Doctor of Optometry
CIO	Chief Information Officer	OES-EOC	Office of Emergency Services-Emergency Operations Center
COLA	Cost of living adjustment	ORJ	Office of Reentry & Justice
ConFire	Contra Costa Consolidated Fire District	OSHA	Occupational Safety and Health Administration
CPA	Certified Public Accountant	Psy.D.	Doctor of Psychology
CPI	Consumer Price Index	RDA	Redevelopment Agency
CSA	County Service Area	RJOB	Racial Justice Oversight Body
CSAC	California State Association of Counties	RJTF	Racial Justice Task Force
CTC	California Transportation Commission	RFI	Request For Information
dba	doing business as	RFP	Request For Proposal
EBMUD	East Bay Municipal Utility District	RFQ	Request For Qualifications
EIR	Environmental Impact Report	RN	Registered Nurse
EIS	Environmental Impact Statement	SB	Senate Bill
EMCC	Emergency Medical Care Committee	SBE	Small Business Enterprise
EMS	Emergency Medical Services	SWAT	Southwest Area Transportation Committee
EPSDT	State Early Periodic Screening, Diagnosis and treatment Program (Mental Health)	TRANSPAC	Transportation Partnership & Cooperation (Central)
et al.	et ali (and others)	TRANSPLAN	Transportation Planning Committee (East County)
FAA	Federal Aviation Administration	TRE or TTE	Trustee
FEMA	Federal Emergency Management Agency	TWIC	Transportation, Water and Infrastructure Committee
F&HS	Family and Human Services Committee	UCC	Urban Counties Caucus
First 5	First Five Children and Families Commission (Proposition 10)	VA	Department of Veterans Affairs
FTE	Full Time Equivalent	vs.	versus (against)
FY	Fiscal Year	WAN	Wide Area Network
GHAD	Geologic Hazard Abatement District	WBE	Women Business Enterprise
GIS	Geographic Information System	WCCTAC	West Contra Costa Transportation Advisory Committee
HCD	(State Dept of) Housing & Community Development		
HHS	Department of Health and Human Services		
HIPAA	Health Insurance Portability and Accountability Act		



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

3.

Meeting Date: 06/22/2020

Subject: RECORD OF ACTION - February 24, 2020

Department: County Administrator

Referral No.: N/A

Referral Name: RECORD OF ACTION - February 24, 2020

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 February 24, 2020 meeting.

Recommendation(s)/Next Step(s):

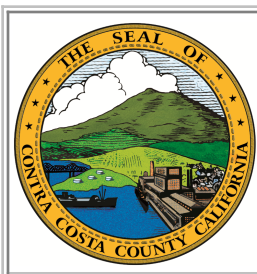
APPROVE Record of Action from the February 24, 2020 meeting.

Fiscal Impact (if any):

No fiscal impact. This item is informational only.

Attachments

Record of Action - February 24, 2020



PUBLIC PROTECTION COMMITTEE

RECORD OF ACTION FOR
February 24, 2020

Supervisor Candace Andersen, Chair
Supervisor Federal D. Glover, Vice Chair

Present: Candace Andersen, Chair
Federal D. Glover, Vice Chair

1. Introductions

Convene - 10:30 am

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

No public comment.

3. APPROVE Record of Action from the February 3, 2020 meeting.

Approved as presented.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

- ### 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. CONSIDER directing staff to return to the Board of Supervisors to present the discharge from accountability for the impacted accounts for approval.

The Committee accepted the update and directed staff to return to Committee with the following information:

- ***For each fee included in the moratorium, provide additional information on where the fee revenue is going, what it is used for, and how much revenue is actually being earned.***
- ***Updated information on the Sheriff's Office ability-to-pay process.***
- ***How much the Court has spend so far on implementing the County's moratorium.***

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

5. The next meeting is currently scheduled for March 23, 2020.
6. Adjourn

Adjourned

For Additional Information Contact:

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



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

4.

Meeting Date: 06/22/2020
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, the community impacts of criminal justice fees, local efforts and legislation (SB 190 & SB 144) to eliminate such fees was discussed. 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. The PPC requested staff to conduct further research and analysis on other fines and fees collected by the Contra Costa Superior Court of California (Court) and remitted to the County. The April staff report can be accessed here: http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=4&get_year=2019&dsp=ag&seq=1351

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. The PPC 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. The July PPC staff report can be accessed here: http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=7&get_year=2019&dsp=ag&seq=1354

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 additional 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 B).

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 PPC 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. The September 2019 staff report can be accessed here: http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=9&get_year=2019&dsp=ag&seq=1438

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.

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. The November 2019 staff report can be accessed here:

http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=11&get_year=2019&dsp=ag&seq=1446

On December 2, 2019, the Committee was provided with a summary report outlining the data, policies, and practices related to criminal justice fees within Contra Costa County. The Committee directed staff to return to the Board of Supervisors to continue the moratorium and to request approval to notify the Court to proceed with necessary programming to implement the moratorium. The full staff report can be accessed here:

http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=12&get_year=2019&dsp=ag&seq=1447

On December 17, 2019, the Board of Supervisors accepted an update on the moratorium on the assessment and collection of certain criminal justice fees and authorized the County Administrator to request the Court to incur the necessary expenditures to fully implement the moratorium. The Board also directed the County Administrator to report back to the Board in 90 days for an update.

Following the December 17, 2019 Board meeting, the County Administrator's Office contacted the Court to request the Court to move forward with the programming and other work necessary to identify the accounts and balances impacted by the moratorium. Since waiving or suspending the impacted fees is irreversible, the waiving or suspending of these fees would be a discharge from accountability for collection of accounts and will require authorization from the Board of Supervisors before such fees can be waived or suspended.

On February 24, 2020, the PPC received an update on the implementation of the moratorium, which include a review of current outstanding fee balances from the Court totaling approximately \$36 million. Each fee included in the moratorium was discussed and staff was directed to return to the PPC with additional information on each fee, including where the funds are going, how much is collected, costs of collection, and how the funds are used. The staff report can be accessed here:

http://64.166.146.245/agenda_publish.cfm?id=&mt=PBP&get_month=2&get_year=2020&dsp=ag&seq=1555

Referral Update:

In May 2020, the Court completed a discharge from accountability of old criminal cases pursuant to GC 25259.7 – 25259.9. Some of the county moratorium fees met the criteria for discharge under GC 95959.7 and were included in the Court discharge. The discharge was based on one or both of the following: 1) the amount is too small to justify the cost of collection; and 2) the likelihood of collection does not warrant the expense involved.

An updated list of current county moratorium fee balances to be considered for discharge by the County Board of Supervisors has been provided to the County. The total balance outstanding is approximately \$26 million. As previously discussed, waiving or suspending the fees collected by the Court is irreversible and would be considered a discharge from accountability for collection of accounts and will require authorization from the Board of Supervisors before such fees can be waived or suspended.

The following table shows the balance by fee type:

Fee	Balance Owed
Cost of Probation Fee	10,830,659
Drug Diversion Fee	410,001
Probation Drug Test Fee	1,135,254
Probation Report Fee	850,430
Public Defender Fee	5,480,669
Sheriff Booking Fee	421,841
Victim Restitution Admin Fee	7,159,973
Grand Total	26,288,827

Per the PPC's request, additional information on cost collections and each fee included in the moratorium is provided below:

Cost of Collections

For court collected fee revenue, the collection cost through the Court Collection Unit is approximately 3% of total revenue

remitted to the County. However, collection costs through the Franchise Tax Board and the Court's contract collection agency can range from 12.75% to 15% for delinquent accounts.

With regards to the cost of County staff to process ability-to-pay determinations (Sheriff's Office and Probation Department) and collect fee revenue (Sheriff's Office only), staff is unable to provide a cost estimate. The Sheriff's Office and Probation Department are not currently conducting any cost collection duties and therefore is unable to conduct a time-study to estimate the cost of collection.

Fees Impacted by Moratorium

10% Fee (Victim Restitution Admin 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.

Fiscal Impact: The County receives approximately \$80,000 per year from this fee which is used to offset any related collections costs. This revenue is also utilized to fund the County's subsidy for Court operations to the State of California. Elimination of this fee would not impact collection of Victim Restitution but would result in an increased General Fund to backfill the lost revenue.

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. This penalty is part of a larger local penalty pursuant to Government Code section 76000(a)(1) which established 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.

The Board of Supervisors does not have the authority to eliminate this penalty, but does have the authority to direct the into another local fund authorized under Government Code sections 76100-76110.

Fiscal Impact: The County receives approximately \$170,000 per year to support the operation and maintenance of the County's automated fingerprint equipment. Since the County does not have the authority to eliminate this fee, the County would either keep the current funding in place or the County may deposit the funds into another fund authorized under GC section 76100-76110.

Probation Fees

Probation fees include Cost of Probation, Probation drug test fee, and probation report fee. Probation also receives nominal revenue for a "Probation Drug Diversion Fee" that is an administrative fee ordered for felony drug diversions.

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.

Fiscal Impact: The collects approximately \$540,000 in total probation fee revenue which is used to offset the cost of adult probation supervision. Elimination of these fees would require result in additional costs for the County General Fund.

Drug Diversion Fee

The Court imposes a drug diversion administrative fee for cases where the defendant is sentenced to a pre-trial drug diversion program. This is an administrative fee to cover the costs for processing a defendant on drug diversion.

Fiscal impact: The County collects approximately \$110,000 per year in drug diversion fee revenue. This funding does not go to

the County's Alcohol and Other Drugs Division. Like the Victim Restitution Admin fee, this revenue is utilized to fund the County's subsidy for Court operations to the State of California. Elimination of this fee would not impact drug diversion programs but would result in an increased General Fund to backfill the lost revenue.

Public Defender Fee

The Court imposes 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.

Fiscal Impact: Last year the County collected approximately \$150,000 in public defender fee revenue. This funding does not go to the Public Defender, but is utilized to fund court related operations, such as capital case costs and certain homicide cases.

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. The County moratorium only impacts the booking fee imposed for Contra Costa County Sheriff and not booking fees imposed for local arresting agencies, including contract cities.

Fiscal Impact: The Sheriff's Office earns approximately \$20,000 to \$40,000 in booking fee revenue. This revenue is to cover expenses incurred with respect to the processing of persons arrested by the Sheriff's Office.

Custody Alternative Facility (CAF) Fees

The Sheriff's Office charges CAF fees to participate in the Custody Alternative Facility Program, as an alternative to incarceration. These fees are designed to recover the cost of administering the related programs, such as the Work Alternative Program and Electronic Home Detention.

Fiscal Impact: In FY 18/19 the Sheriff's Office collected \$391,000 in CAF fee revenue. The Sheriff's Office use the funding primarily fund programs for incarcerated individuals.

Fees not Impacted by Moratorium

Alcohol Test Fee

The Court does not impose an additional \$50 penalty pursuant to Penal Code section 1464.14(b) and BOS resolution 88/28 which was suspended by the County moratorium. The Alcohol Test Fee is distributed by the Court pursuant to PC 1463.14(b) which authorizes a distribution of \$50 of each fine collected for DUI and Reckless Driving violations to the special County account used for alcohol testing.

Fiscal Impact: No fiscal impact as the moratorium does not suspend this fee. The County collects approximately \$80,000 per year in Alcohol Test Fee revenue. This funding is utilized by the Sheriff Office to cover operating and maintenance costs associated with alcohol lab testing.

CAP Fee

The Court does not impose an additional \$50 assessment pursuant to PC 1463.16(c) and resolution 88/28 which was suspended by the County moratorium. The CAP Fee is distributed by the Court pursuant to PC 1463.16(a) which authorizes a distribution \$50 of each fine collection for DUI and Reckless Driving violations to the County.

Fiscal Impact: No fiscal impact as the moratorium does not suspend this fee. The County collects approximately \$80,000 per year in Alcohol Test Fee revenue. This funding is split 50/50 between the Sheriff's Office and Alcohol and Other Drugs (AOD). utilized by the Sheriff Office to cover operating and maintenance costs associated with Forensic Services Division's laboratories. The funds support AOD's alcohol abuse programs.

Alcohol and Drug Assessment Fee

The Court does not impose an Alcohol and Drug Assessment Fee of up to \$150 for DUI violations pursuant to Penal Code section 1463.13(d) which was suspended by the County moratorium. The Court imposes an Alcohol Drug Problem Assessment

Fee of \$100 for DUI violations pursuant to Vehicle Code section 23649.

Fiscal Impact: No fiscal impact as the moratorium does not suspend this fee. The County does collect approximately \$180,000 in revenue from this fee which is utilized by Alcohol and Other Drug to support substance abuse education.

Recommendation(s)/Next Step(s):

1. RECEIVE an report on each fee impacted by the County's moratorium on the collection and assessment of certain criminal justice fees assessed by the County; and
2. PROVIDE direction to staff to return to the Board of Supervisors for an update on the moratorium, including consideration to approve the discharge from accountability for the impacted accounts and to maintain the existing fund for receiving California Fingerpring ID Penalty revenue.

Fiscal Impact (if any):

Implementation of the moratorium will result in a loss of revenue of approximately \$1.5 million. A summary of estimated revenue by fee type is included as Attachment D.

Attachments

Attachment A - BOS Referral on Criminal Justice Fees

Attachment B - Resolution No. 2019/522

Attachment C - Fee Revenue Summary



**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

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:	<input type="checkbox"/>	John Gioia
	<input checked="" type="checkbox"/>	Diane Burgis
	<input type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	Candace Andersen
	<input checked="" type="checkbox"/>	Karen Mitchoff
ABSENT:	<input checked="" type="checkbox"/>	
ABSTAIN:	<input checked="" type="checkbox"/>	
RECUSE:	<input checked="" type="checkbox"/>	



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

Fees Impacted by County Moratorium

Fee Description	FY 17/18 Revenue	FY 18/19 Revenue	FY 19/20 Projected
10% Fee	\$ 75,246	\$ 82,293	\$ 76,425
California Fingerprint ID Penalty	\$ 170,986	\$ 175,248	\$ 169,622
Probation Drug Diversion Fee	\$ 1,273	\$ 1,399	\$ 3,123
Probation Supervision Fee	\$ 488,374	\$ 431,805	\$ 419,565
Probation Drug Test Fee	\$ 65,921	\$ 58,291	\$ 49,331
Probation Report Fee PC	\$ 27,995	\$ 27,642	\$ 22,700
Drug Diversion Fee	\$ 111,085	\$ 125,448	\$ 103,931
Public Defense Fee	\$ 28,499	\$ 149,068	\$ 177,441
Booking Fee	\$ 39,464	\$ 41,367	\$ 19,912
Work Alternative	\$ 443,055	\$ 355,137	\$ 55,703
Electronic Home Detention/Alcohol Monitoring	\$ 568,541	\$ 36,842	\$ 12,147
Total	\$ 2,020,438	\$ 1,484,541	\$ 1,109,901

Fees Impacted by County Moratorium

Fee Description	FY 17/18 Revenue	FY 18/19 Revenue	FY 19/20 Projected
Alcohol Test Fee	\$ 86,306	\$ 80,138	\$ 65,011
C.A.P. Fee	\$ 87,338	\$ 81,891	\$ 66,675
Alcohol/Drug Assessment Fee	\$ 207,529	\$ 189,438	\$ 149,308



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

5.

Meeting Date: 06/22/2020
Subject: FY 2020/21 CCP RECOMMENDED BUDGET
Submitted For: David Twa, County Administrator
Department: County Administrator
Referral No.: N/A
Referral Name: AB109 PUBLIC SAFETY REALIGNMENT
Presenter: Paul Reyes, Committee Staff **Contact:** Paul Reyes, 925-335-1096

Referral History:

On November 1, 2019, the Community Corrections Partnership held a workshop, giving departments and funded agencies an opportunity to present and discuss budget proposals. Subsequently, a final vote of the CCP-Executive Committee was held on December 6, 2019. The budget approved by the CCP was submitted to the Public Protection Committee (PPC) for review and approval.

On February 3, 2020, the PPC reviewed and approved a FY 20/21 AB 109 Budget totaling \$31,466,788. A summary of the approved budget is included as Attachment A.

On June 5, 2020, the CCP met to discuss the impacts of COVID-19 and the Governor's May Revise Budget. It was discussed that the economic impacts of COVID-19 are anticipated to result in significant reductions in Vehicle License Fee (VLF) and Sales and Use Tax revenue which funds the statewide 2011 Public Safety Realignment. FY 19/20 will be the first year-over-year decline in revenue for 2011 Realignment (See Attachment B for historical base and growth allocations). The updated revenue projections in the Governor's May Revision were stark, indicating significant declines in 2011 Realignment revenue in the current year and out years. The CCP received updated revenue projections on 2011 Realignment at both the state and County level. For FY 2020/21, the statewide Community Corrections Subaccount projections total \$1.174 billion, a reduction of \$284.5 million compared to the January Governor's Budget projections and again short of reaching the \$1.366 billion base. Additionally, there will be no FY 2019/20 Growth revenue to be received in FY 2020/21. At the County-level, the County is projected to receive \$22,077,678 which is a reduction of \$7.2 million or 25% from the pre-COVID-19 revenue projection of \$29,272,000. Due to these impacts to 2011 Realignment revenue, the County Administrator's Office informed the CCP that the budgets developed for FY 20/21 are no longer viable and a new AB 109 budget recommendation will need to be developed.

Referral Update:

On June 19, 2020, the CCP-Executive Committee will have met to approve a revised/reduced 2011 Realignment (AB 109) budget for consideration by the Public Protection Committee. A summary of the revised CCP approved FY 20/21 Recommended Budget will be provided.

Recommendation(s)/Next Step(s):

REVIEW and APPROVE a revised fiscal year 2020/21 AB 109 budget proposal, as recommended by the Community Corrections Partnership - Executive Committee.

Fiscal Impact (if any):

For Fiscal Year 2019/2020, the County began the year with a fund balance of \$25,146,371. Assuming full reimbursement of AB 109 expenses, there will be a net reduction in fund balance of approximately \$8.2 million resulting in an ending fund balance of approximately \$17 million.

For FY 2020/21, the County is projected to receive \$22,077,678 which is a reduction of \$7.2 million or 25% from the pre-COVID-19 revenue projection of \$29,272,000. The expenditure budget approved by the CCP in December 2019 included a baseline budget of \$30,631,245 and program modifications of \$835,543 for a total budget of \$31,466,788. To fully fund this appropriation level, would require using \$9.4 million in fund balance, while funding just the baseline budget would require a \$8.5 million draw on the fund balance. A 10% to 20% cut to the total baseline expenditure budget would result in a \$5.5 million to \$2.4 million draw on fund balance.

Attachments

Attachment A - Original Approved FY 20/21 AB 109 Budget Summary

Attachment B - Historical Base and Growth

**AB 109 PUBLIC SAFETY REALIGNMENT PROGRAM
FY 2020/21 CCP TOTAL REQUEST SUMMARY
AS APPROVED BY PPC ON FEBRUARY 3, 2020**

		2019/20	2020/21 BUDGET REQUEST				
		ONGOING	BASELINE	+	PROG. MOD.	=	TOTAL REQUEST
PROGRAM EXPENDITURES							
Sheriff							
Salaries & Benefits	7,321,484	7,451,844	291,805				7,743,649
Inmate Food/Clothing/Household Exp	456,250	456,250	-				456,250
Monitoring Costs	55,000	55,000	-				55,000
IT Support	40,000	40,000	-				40,000
Behavioral Health Court Operating Costs	80,500	80,500	-				80,500
"Jail to Community" Program	243,650	243,650	30,538				274,188
Inmate Welfare Fund re: FCC Ruling	800,000	800,000	197,315				997,315
Sheriff Total	8,996,884	9,127,244	519,658				9,646,902
Probation							
Salaries & Benefits	2,794,803	2,932,605	-				2,932,605
Operating Costs	182,896	127,657	-				127,657
Salaries & Benefits-Pre-Trial Services Program	813,314	852,349	-				852,349
Operating Costs-Pre-Trial Services Program	81,083	69,000	-				69,000
Probation Total	3,872,096	3,981,611	-				3,981,611
Behavioral Health							
Salaries & Benefits ¹	1,090,798	1,123,522	227,234				1,350,756
Occupancy Costs	38,752	38,752					38,752
Contracts	1,113,962	1,113,962	(800)				1,113,162
Vehicle Purchase and Maintenance	24,948	24,948					24,948
Travel	9,200	9,200	800				10,000
Behavioral Health Total	2,277,660	2,310,384	227,234				2,537,618
Health Services--Health, Housing, & Homeless							
Salaries & Benefits	137,432	141,557					141,557
Operating Costs	116,000	130,130					130,130
Health, Housing & Homeless Total	253,432	271,687	-				271,687
Health Services--Detention Health Services							
Sal & Ben-Fam Nurse, WCD/MCD	235,168	282,437	-				282,437
Salaries & Benefits-LVN, WCD	316,673	327,440					327,440
Salaries & Benefits-RN, MCD	534,854	556,848					556,848
Sal & Ben-MH Clinic. Spec., WCD/MCD	134,565	143,177					143,177
Detention Health Services Total	1,221,260	1,309,902	-				1,309,902
Public Defender							
Sal & Ben-Clean Slate/Client Support	664,637	691,222					691,222
Sal & Ben-ACER Program	932,866	970,180					970,180
Sal & Ben-Reentry Coordination	368,376	331,236					331,236
Sal & Ben-Failure to Appear (FTA) Program	541,186	767,235					767,235
Sal & Ben-Pre-Trial Services Program	317,084	329,767					329,767
Stand Together CoCo	500,000	500,000					500,000
Operating/Capital Costs	35,011	36,907	28,000				64,907
Public Defender Total ²	3,359,160	3,626,547	28,000				3,654,547
District Attorney							
Salaries & Benefits-Victim Witness Prgrm	105,452	109,303	-				109,303
Salaries & Benefits-Arrestment Prgrm	703,125	730,149	-				730,149
Salaries & Benefits-Reentry/DV Prgrm	703,934	730,622	-				730,622
Salaries & Benefits-Conviction Integrity	-	-					-
Salaries & Benefits-Neighborhood Courts	90,000	93,233					93,233
Salaries & Benefits-ACER Clerk	69,719	72,141					72,141
Salaries & Benefits-Gen'l Clerk	61,883	63,991					63,991
Salaries & Benefits-Realignment Clerk	24,940	25,808					25,808
Operating Costs	67,006	70,000					70,000
Operating Costs - Neighborhood Courts	60,000	60,000					60,000
District Attorney Total	1,886,059	1,955,246	-				1,955,246

**AB 109 PUBLIC SAFETY REALIGNMENT PROGRAM
FY 2020/21 CCP TOTAL REQUEST SUMMARY
AS APPROVED BY PPC ON FEBRUARY 3, 2020**

	2019/20 ONGOING	2020/21 BUDGET REQUEST				
		BASELINE	+	PROG. MOD.	=	TOTAL REQUEST
PROGRAM EXPENDITURES						
EHSD - Re-Entry Systems						
Salaries & Benefits	106,966	110,175				110,175
Operating Costs	37,438	41,866				41,866
EHSD Total	144,404	152,041		-		152,041
EHSD-- Workforce Development Board						
Salaries & Benefits	204,000	212,000		-		212,000
Travel	4,000	4,160		-		4,160
EHSD-WDB Total	208,000	216,160		-		216,160
County Administrator/Office of Reentry and Justice						
Salaries & Benefits - Prog. Admin	481,832	522,785		7,017		529,802
Salaries & Benefits - Research and Evaluation	189,563	189,563		-		189,563
Ceasefire Program Contract	119,000	119,000		-		119,000
Data Evaluation & Systems Planning	-	-		-		-
Operating Costs	47,520	51,020		49,000		100,020
CAO/ORJ Total³	837,915	882,368		56,017		938,385
CCC Police Chief's Association						
Salaries and Benefits-AB109 Task Force	587,180	610,667		-		610,667
Salaries and Benefits-MHET Teams (3)	440,385	458,000		-		458,000
CCC Police Chiefs' Total	1,027,565	1,068,667		-		1,068,667
Community Programs						
Employment Support and Placement Svcs	2,283,000	2,283,000				2,283,000
Network System of Services	979,000	979,000				979,000
Reentry Success Center	546,335	546,335		33,665		580,000
Short and Long-Term Housing Access	1,322,000	1,272,000				1,272,000
Legal Services	157,000	157,000				157,000
Mentoring and Family Reunification	209,000	209,000				209,000
Connections to Resources	15,000	15,000		5,000		20,000
CAB Support (via ORJ)	3,031	3,031		(31)		3,000
Salesforce Licensing	34,000	34,000		(34,000)		-
Community Programs Total	5,548,366	5,498,366		4,634		5,503,000
Superior Court						
Salaries and Benefits - Pretrial	225,745	231,021		-		231,021
Superior Court Total	225,745	231,021		-		231,021
TOTAL EXPENDITURES	29,858,546	30,631,245		835,543		31,466,788

Notes:

1. The CAO added \$146,000 to the Behavioral Health budget in order to fund a Mental Health Clinical Specialist to work with the Sheriff's Office MHET deputies.
2. Public Defender's original proposal did not include funding for Stand Together Contra Costa (STCC). STCC funding was previously approved by the BOS and FY 19/20 is the last year approved for funding. FY 20/21 funding request in the amount of \$500,000 has been included for STCC
3. ORJ budget as listed includes costs associated with the Community Corrections subaccount only.

2014-15 - 2020-21
Community Corrections Base and Growth Allocations
(As of 2020-21 May Revision)

Attachment B

County	2014-15 Base	2014-15 Growth	2015-16 Base	2015-16 Growth	2016-17 Base	2016-17 Growth	2017-18 Base	2017-18 Growth	2018-19 Base	2018-19 Growth	2019-20 Base*	2020-21 Base*
Alameda	\$ 31,497,960	\$ 4,100,990	\$ 40,861,385	\$ 1,776,165	\$ 42,856,842	\$ 2,422,666	\$ 45,787,995	\$ 5,513,055	\$ 48,375,402	\$ 1,979,224	\$ 42,502,109	\$ 43,306,402
Alpine	\$ 167,152	\$ 13,366	\$ 224,809	\$ 3,481	\$ 235,787	\$ 4,595	\$ 251,913	\$ 5,369	\$ 266,149	\$ 11,982	\$ 233,835	\$ 238,260
Amador	\$ 1,368,104	\$ 516,243	\$ 1,378,795	\$ 382,541	\$ 1,446,128	\$ 75,669	\$ 1,545,035	\$ 34,647	\$ 1,632,342	\$ 124,585	\$ 1,434,158	\$ 1,461,298
Butte	\$ 6,466,722	\$ 1,697,507	\$ 6,931,223	\$ 219,961	\$ 7,269,708	\$ 552,340	\$ 7,766,913	\$ 259,439	\$ 8,205,809	\$ 280,488	\$ 7,209,536	\$ 7,345,966
Calaveras	\$ 992,402	\$ 255,449	\$ 1,114,713	\$ 90,663	\$ 1,169,150	\$ 54,214	\$ 1,249,113	\$ 788,456	\$ 1,319,699	\$ 32,586	\$ 1,159,473	\$ 1,181,414
Colusa	\$ 589,667	\$ 243,850	\$ 693,231	\$ 20,003	\$ 727,085	\$ 49,694	\$ 776,813	\$ 61,480	\$ 820,710	\$ 15,558	\$ 721,067	\$ 734,712
Contra Costa	\$ 20,669,679	\$ 8,765,532	\$ 20,831,204	\$ 727,382	\$ 21,848,491	\$ 1,195,045	\$ 23,342,798	\$ 2,375,791	\$ 24,661,862	\$ 1,152,872	\$ 21,667,648	\$ 22,077,678
Del Norte	\$ 721,629	\$ 436,564	\$ 983,957	\$ 47,756	\$ 1,032,008	\$ 61,952	\$ 1,102,591	\$ 28,279	\$ 1,164,897	\$ 20,396	\$ 1,023,466	\$ 1,042,833
El Dorado	\$ 3,586,615	\$ 1,818,367	\$ 3,614,643	\$ 234,813	\$ 3,791,163	\$ 222,252	\$ 4,050,456	\$ 172,912	\$ 4,279,341	\$ 257,539	\$ 3,759,783	\$ 3,830,932
Fresno	\$ 24,164,305	\$ 2,558,069	\$ 32,711,894	\$ 941,281	\$ 34,309,372	\$ 2,975,703	\$ 36,655,930	\$ 1,920,436	\$ 38,727,298	\$ 912,709	\$ 34,025,388	\$ 34,669,271
Glenn	\$ 846,022	\$ 134,849	\$ 1,153,582	\$ 321,454	\$ 1,209,917	\$ 100,668	\$ 1,292,668	\$ 176,369	\$ 1,365,715	\$ 34,461	\$ 1,199,903	\$ 1,222,609
Humboldt	\$ 3,695,189	\$ 806,028	\$ 4,330,130	\$ 356,079	\$ 4,541,591	\$ 140,475	\$ 4,852,209	\$ 300,685	\$ 5,126,400	\$ 103,323	\$ 4,504,000	\$ 4,589,232
Imperial	\$ 3,501,228	\$ 409,231	\$ 4,777,351	\$ 218,106	\$ 5,010,652	\$ 565,417	\$ 5,353,350	\$ 390,492	\$ 5,655,860	\$ 424,651	\$ 4,969,178	\$ 5,063,212
Inyo	\$ 541,209	\$ 61,046	\$ 691,756	\$ 46,526	\$ 725,537	\$ 56,564	\$ 775,160	\$ 248,762	\$ 818,963	\$ 33,376	\$ 719,532	\$ 733,148
Kern	\$ 31,628,367	\$ 4,872,538	\$ 36,104,558	\$ 3,753,017	\$ 37,867,716	\$ 1,399,164	\$ 40,457,643	\$ 3,346,246	\$ 42,743,840	\$ 1,333,016	\$ 37,554,279	\$ 38,264,941
Kings	\$ 6,894,852	\$ 2,618,439	\$ 6,948,733	\$ 652,823	\$ 7,288,072	\$ 843,929	\$ 7,786,533	\$ 278,805	\$ 8,226,538	\$ 663,267	\$ 7,227,748	\$ 7,364,523
Lake	\$ 1,934,887	\$ 192,832	\$ 2,497,419	\$ 105,656	\$ 2,619,380	\$ 112,486	\$ 2,798,530	\$ 569,592	\$ 2,956,670	\$ 56,977	\$ 2,597,699	\$ 2,646,857
Lassen	\$ 1,080,925	\$ 185,516	\$ 1,358,884	\$ 152,545	\$ 1,425,245	\$ 54,397	\$ 1,522,723	\$ 220,498	\$ 1,608,770	\$ 249,388	\$ 1,413,448	\$ 1,440,196
Los Angeles	\$ 290,538,549	\$ 23,778,008	\$ 344,481,162	\$ 17,755,186	\$ 361,303,819	\$ 22,298,545	\$ 386,014,858	\$ 12,317,969	\$ 407,827,941	\$ 9,641,642	\$ 358,313,252	\$ 365,093,833
Madera	\$ 4,087,031	\$ 640,018	\$ 5,576,210	\$ 318,582	\$ 5,848,523	\$ 639,914	\$ 6,248,528	\$ 602,411	\$ 6,601,622	\$ 314,987	\$ 5,800,114	\$ 5,909,873
Marin	\$ 4,900,330	\$ 2,569,053	\$ 4,938,624	\$ 182,798	\$ 5,179,800	\$ 408,743	\$ 5,534,068	\$ 260,189	\$ 5,846,790	\$ 457,849	\$ 5,136,927	\$ 5,234,136
Mariposa	\$ 472,956	\$ 92,075	\$ 566,924	\$ 169,734	\$ 594,610	\$ 16,152	\$ 635,278	\$ 51,140	\$ 671,176	\$ 113,240	\$ 589,688	\$ 600,847
Mendocino	\$ 2,205,821	\$ 711,297	\$ 2,322,880	\$ 156,857	\$ 2,436,317	\$ 79,842	\$ 2,602,947	\$ 886,932	\$ 2,750,035	\$ 137,047	\$ 2,416,151	\$ 2,461,874
Merced	\$ 5,692,045	\$ 1,444,201	\$ 7,763,704	\$ 539,041	\$ 8,142,842	\$ 714,281	\$ 8,699,764	\$ 336,045	\$ 9,191,374	\$ 262,041	\$ 8,075,443	\$ 8,228,259
Modoc	\$ 235,208	\$ 45,018	\$ 321,108	\$ 88,070	\$ 336,789	\$ 15,502	\$ 359,823	\$ 26,290	\$ 380,156	\$ 38,251	\$ 334,001	\$ 340,322
Mono	\$ 428,294	\$ 70,606	\$ 584,103	\$ 44,113	\$ 612,628	\$ 64,198	\$ 654,528	\$ 37,940	\$ 691,514	\$ 26,130	\$ 607,557	\$ 619,054
Monterey	\$ 8,633,838	\$ 844,532	\$ 11,159,775	\$ 647,463	\$ 11,704,760	\$ 756,797	\$ 12,505,297	\$ 385,741	\$ 13,211,951	\$ 453,955	\$ 11,607,878	\$ 11,827,541
Napa	\$ 2,673,402	\$ 551,811	\$ 3,240,370	\$ 676,311	\$ 3,398,613	\$ 283,400	\$ 3,631,058	\$ 185,871	\$ 3,836,243	\$ 494,904	\$ 3,370,482	\$ 3,434,264
Nevada	\$ 1,918,350	\$ 783,916	\$ 1,933,341	\$ 80,310	\$ 2,027,755	\$ 194,020	\$ 2,166,441	\$ 204,494	\$ 2,288,864	\$ 256,550	\$ 2,010,971	\$ 2,049,026
Orange	\$ 63,045,168	\$ 17,399,444	\$ 70,813,993	\$ 2,931,181	\$ 74,272,178	\$ 6,055,331	\$ 79,351,954	\$ 4,783,418	\$ 83,836,006	\$ 4,943,222	\$ 73,657,415	\$ 75,051,280
Placer	\$ 6,659,794	\$ 1,930,434	\$ 7,176,968	\$ 259,768	\$ 7,527,454	\$ 636,454	\$ 8,042,287	\$ 588,898	\$ 8,496,744	\$ 252,022	\$ 7,465,148	\$ 7,606,415
Plumas	\$ 551,023	\$ 197,629	\$ 609,538	\$ 59,307	\$ 639,305	\$ 25,139	\$ 683,029	\$ 30,491	\$ 721,626	\$ 44,947	\$ 634,013	\$ 646,011
Riverside	\$ 47,744,372	\$ 5,381,263	\$ 65,141,764	\$ 2,142,476	\$ 68,322,947	\$ 6,709,911	\$ 72,995,831	\$ 2,572,932	\$ 77,120,709	\$ 1,975,146	\$ 67,757,427	\$ 69,039,643
Sacramento	\$ 30,485,341	\$ 3,679,007	\$ 41,572,174	\$ 1,337,531	\$ 43,602,342	\$ 2,532,450	\$ 46,584,483	\$ 8,597,884	\$ 49,216,898	\$ 4,519,457	\$ 43,241,438	\$ 44,059,723
San Benito	\$ 1,203,382	\$ 428,214	\$ 1,593,050	\$ 203,766	\$ 1,670,846	\$ 143,765	\$ 1,785,122	\$ 163,847	\$ 1,885,997	\$ 143,408	\$ 1,657,017	\$ 1,688,373
San Bernardino	\$ 68,145,357	\$ 12,157,309	\$ 83,729,133	\$ 4,712,958	\$ 87,818,026	\$ 5,398,263	\$ 93,824,259	\$ 2,276,500	\$ 99,126,118	\$ 1,682,258	\$ 87,091,143	\$ 88,739,222
San Diego	\$ 63,164,783	\$ 16,578,200	\$ 68,458,956	\$ 1,518,743	\$ 71,802,133	\$ 5,740,690	\$ 76,712,973	\$ 2,411,562	\$ 81,047,901	\$ 1,856,503	\$ 71,207,816	\$ 72,555,325
San Francisco	\$ 18,337,440	\$ 6,285,751	\$ 20,359,877	\$ 965,739	\$ 21,354,147	\$ 1,240,372	\$ 22,814,644	\$ 1,374,521	\$ 24,103,864	\$ 2,555,802	\$ 21,177,396	\$ 21,578,149
San Joaquin	\$ 16,066,726	\$ 1,771,257	\$ 21,513,379	\$ 1,142,909	\$ 22,563,980	\$ 989,100	\$ 24,107,222	\$ 2,032,188	\$ 25,469,483	\$ 1,653,065	\$ 22,377,214	\$ 22,800,672
San Luis Obispo	\$ 5,644,308	\$ 545,788	\$ 7,164,312	\$ 284,364	\$ 7,514,180	\$ 691,713	\$ 8,028,105	\$ 288,366	\$ 8,481,761	\$ 254,652	\$ 7,451,984	\$ 7,593,002
San Mateo	\$ 14,450,429	\$ 5,863,388	\$ 14,563,353	\$ 885,694	\$ 15,274,551	\$ 956,884	\$ 16,319,240	\$ 987,971	\$ 17,241,414	\$ 1,654,467	\$ 15,148,121	\$ 15,434,778
Santa Barbara	\$ 8,657,369	\$ 1,118,182	\$ 11,078,836	\$ 551,843	\$ 11,619,868	\$ 993,525	\$ 12,414,598	\$ 760,393	\$ 13,116,127	\$ 590,980	\$ 11,523,688	\$ 11,741,758
Santa Clara	\$ 36,404,725	\$ 8,409,131	\$ 41,313,799	\$ 1,543,990	\$ 43,331,349	\$ 3,580,025	\$ 46,294,956	\$ 3,471,148	\$ 48,911,010	\$ 1,593,405	\$ 42,972,689	\$ 43,785,887

2014-15 - 2020-21
Community Corrections Base and Growth Allocations
(As of 2020-21 May Revision)

Attachment B

County	2014-15 Base	2014-15 Growth	2015-16 Base	2015-16 Growth	2016-17 Base	2016-17 Growth	2017-18 Base	2017-18 Growth	2018-19 Base	2018-19 Growth	2019-20 Base*	2020-21 Base*
Santa Cruz	\$ 5,637,055	\$ 748,732	\$ 6,832,189	\$ 612,916	\$ 7,165,838	\$ 764,181	\$ 7,655,938	\$ 643,431	\$ 8,088,563	\$ 775,738	\$ 7,106,525	\$ 7,241,006
Shasta	\$ 6,741,871	\$ 2,487,750	\$ 6,794,556	\$ 342,732	\$ 7,126,367	\$ 256,950	\$ 7,613,768	\$ 1,093,649	\$ 8,044,010	\$ 193,179	\$ 7,067,381	\$ 7,201,121
Sierra	\$ 178,831	\$ 91,603	\$ 231,033	\$ 5,697	\$ 242,315	\$ 16,329	\$ 258,888	\$ 35,271	\$ 273,517	\$ 3,225	\$ 240,309	\$ 244,857
Siskiyou	\$ 1,110,942	\$ 356,271	\$ 1,296,058	\$ 52,299	\$ 1,359,351	\$ 86,398	\$ 1,452,322	\$ 427,770	\$ 1,534,390	\$ 57,783	\$ 1,348,099	\$ 1,373,610
Solano	\$ 9,077,651	\$ 3,143,755	\$ 10,466,801	\$ 402,396	\$ 10,977,944	\$ 386,517	\$ 11,728,771	\$ 297,427	\$ 12,391,545	\$ 490,823	\$ 10,887,078	\$ 11,093,101
Sonoma	\$ 9,657,516	\$ 4,530,253	\$ 9,732,986	\$ 371,092	\$ 10,208,294	\$ 604,266	\$ 10,906,481	\$ 496,743	\$ 11,522,789	\$ 3,457,472	\$ 10,123,798	\$ 10,315,377
Stanislaus	\$ 13,899,952	\$ 1,440,268	\$ 17,764,873	\$ 1,180,382	\$ 18,632,416	\$ 1,530,289	\$ 19,906,763	\$ 1,126,729	\$ 21,031,663	\$ 512,256	\$ 18,478,193	\$ 18,827,867
Sutter	\$ 2,692,639	\$ 1,024,819	\$ 2,713,681	\$ 287,448	\$ 2,846,203	\$ 161,826	\$ 3,040,867	\$ 225,183	\$ 3,212,701	\$ 737,851	\$ 2,822,645	\$ 2,876,059
Tehama	\$ 2,824,325	\$ 3,101,850	\$ 2,846,396	\$ 46,705	\$ 2,985,399	\$ 266,558	\$ 3,189,582	\$ 1,219,295	\$ 3,369,821	\$ 352,296	\$ 2,960,688	\$ 3,016,715
Trinity	\$ 427,173	\$ 220,005	\$ 580,154	\$ 26,124	\$ 608,486	\$ 27,350	\$ 650,103	\$ 62,243	\$ 686,839	\$ 12,094	\$ 603,450	\$ 614,869
Tulare	\$ 12,723,594	\$ 2,227,867	\$ 15,875,860	\$ 587,520	\$ 16,651,153	\$ 1,502,507	\$ 17,789,994	\$ 1,030,339	\$ 18,795,278	\$ 1,060,021	\$ 16,513,329	\$ 16,825,821
Tuolumne	\$ 1,389,149	\$ 183,692	\$ 1,776,122	\$ 133,987	\$ 1,862,858	\$ 145,887	\$ 1,990,266	\$ 123,527	\$ 2,102,733	\$ 676,050	\$ 1,847,439	\$ 1,882,399
Ventura	\$ 16,115,645	\$ 6,183,310	\$ 16,300,317	\$ 439,395	\$ 17,096,339	\$ 931,118	\$ 18,265,628	\$ 468,066	\$ 19,297,789	\$ 2,647,900	\$ 16,954,830	\$ 17,275,677
Yolo	\$ 6,506,453	\$ 3,279,053	\$ 6,689,128	\$ 221,316	\$ 7,015,790	\$ 644,623	\$ 7,495,628	\$ 347,977	\$ 7,919,194	\$ 132,618	\$ 6,957,719	\$ 7,089,384
Yuba	\$ 2,424,248	\$ 1,447,764	\$ 2,443,192	\$ 126,925	\$ 2,562,505	\$ 70,526	\$ 2,737,765	\$ 206,351	\$ 2,892,472	\$ 57,246	\$ 2,541,295	\$ 2,589,385
California	\$ 934,100,000	\$ 173,428,945	\$ 1,107,528,945	\$ 54,085,919	\$ 1,161,614,864	\$ 79,447,570	\$ 1,241,062,434	\$ 70,130,455	\$ 1,311,192,889	\$ 54,768,879	\$ 1,152,000,000	\$ 1,173,800,000

*Estimated as of the 2020-21 May Revision. The May Revision estimates no growth funding for both 2019-20 and 2020-21.

Note: The 2014-15 growth numbers include an additional \$64.8 million per Government Code section 30027.9, subdivision (a), paragraph (3). Although the Governor's May Revision realignment estimate displays \$998.9 million for base and \$108.6 million for growth, this chart reflects the restoration in the growth column as it was distributed using the growth formula. While the display is different, the total statewide and individual county allocations are the same.



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

6.

Meeting Date: 06/22/2020
Subject: Racial Justice Oversight Body Vacancy and Recruitment
Submitted For: David Twa, County Administrator
Department: County Administrator
Referral No.: N/A
Referral Name: Referral on Racial Justice Oversight Body
Presenter: Lara DeLaney **Contact:** Lara DeLaney, (925) 335-1097

Referral History:

In April 2016, the Board of Supervisors accepted recommendations from the Public Protection Committee (PPC) to form a 17-member Racial Justice Task Force and approved its composition in September 2016. On July 24, 2018, the Board of Supervisors adopted the "Racial Justice Task Force - Final Report and Recommendations" with the exclusion of recommendations #18 and #19, which included the recommendation to create a Racial Justice Oversight Body (RJOB) composed of the following 18 representatives:

1. A representative from the Superior Court, as a non-voting member;
2. The Sheriff or his designee;
3. The Chief Probation Officer or his designee;
4. The Public Defender or her designee;
5. The District Attorney or her designee;
6. A representative from a local law enforcement agency, nominated by the Contra Costa County Police Chiefs' Association;
7. A representative from the Contra Costa County Office of Education;
8. A representative from a Local School District;
9. A representative from Contra Costa County Health Services Department; and
10. Nine community-based representatives, including: two members of the Contra Costa Racial Justice Coalition, two individuals with prior personal criminal or juvenile justice system involvement, three representatives from community-based organizations (CBO) that work with justice involved populations, including at least one person who works directly with youth, one representative from a faith-based organization, and one representative that is either a school age young person, or from a CBO who provides services to school age youth.

On September 18, 2018, a six-week recruitment process was initiated by the County to fill the seven (7) community-based seats. The Racial Justice Coalition selected their two nominations. The deadline for submissions was November 2, 2018 and the County received a total of 14 applications.

On November 13, 2018, the PPC approved the nominations for appointment to the Racial Justice Oversight Body. On December 4, 2018, the Board of Supervisors appointed the individuals identified in Attachment A to serve on the Racial Justice Oversight Body.

Referral Update:

On May 12, 2020, Ledamien Flowers, the Community Representative (Seat 4), notified staff of his resignation from the Racial Justice Oversight Body. The Community Seat 4 is defined as a representative that has prior personal criminal justice or juvenile justice involvement.

On June 16, 2020, the Board of Supervisors accepted the resignation of Ledamien Flowers, declared a vacancy of the Community Representative Seat 4 on the Racial Justice Oversight Body, and directed the Clerk of the Board to post the vacancy.

Staff recommends the following recruitment schedule to fill the vacancy on the RJOB:

6-Week Application Period:

- June 26: Issue press release advertising the vacancy
- August 7: Application Deadline
- August 24: PPC Committee Meeting - Interviews
- September 8: Board consideration of PPC nomination

A list of the current RJOB members and their subcommittee membership can be found in Attachment B.

Recommendation(s)/Next Step(s):

PROVIDE direction to staff regarding the recruitment process for the Community-based Representative Seat 4 on the Contra Costa County Racial Justice Oversight Body.

Attachments

Attachment A - 2019 RJOB Membership

Attachment B - June 2020 RJOB Roster and Subcommittee Membership

ATTACHMENT A - 2019 RACIAL JUSTICE OVERSIGHT BODY

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Superior Court representative	James Paulsen, Director of Family Law and Probate	<i>ex-officio</i>
Sheriff or designee	John Lowden, Assistant Sheriff	<i>ex-officio</i>
Chief Probation Officer or designee	Mike Newton, Probation Director	<i>ex-officio</i>
Public Defender or designee	Robin Lipetzky, Public Defender	<i>ex-officio</i>
District Attorney or disignee	Diana Becton, District Attorney	<i>ex-officio</i>
Local Law Enforcement representative	Bisa French, Interim Chief, Richmond Police Department	December 31, 2020
Contra Costa County Office of Education representative	Lynn Mackey, Superintendent Elect	<i>ex-officio</i>
Local School District representative	Debra Mason, Mount Diablo Unified School District	December 31, 2020
Health Services Department representative	Dr. William Walker	<i>ex-officio</i>
CBO representative Seat 1	Tamisha Walker	December 31, 2020
CBO representative Seat 2	Jeff Landau	December 31, 2020
CBO representative Seat 3	Chala Bonner	December 31, 2020
CBO representative Seat 4	Ledamien Flowers	December 31, 2020
CBO representative Seat 5	Stephanie Medley	December 31, 2020
CBO representative Seat 6	Cheryl Sudduth	December 31, 2020
CBO representative Seat 7	Edward Williams	December 31, 2020
CBO representative Seat 8	Jay LeVine	December 31, 2020
CBO representative Seat 9	Tammy Appling-Cabading	December 31, 2020

Racial Justice Oversight Body Member Roster - June 2020

Seat	RJOB Member	Subcommittee Membership
Superior Court representative	James Paulsen, Director of Family Law and Probate	Data Subcommittee
Sheriff or designee	John Lowden, Assistant Sheriff	Data Subcommittee
Chief Probation Officer or designee	Melvin Russell, Assistant Chief Probation Officer	Diversion Subcommittee
Public Defender or designee	Robin Lipetzky, Public Defender	Diversion Subcommittee
District Attorney or designee	Diana Becton, District Attorney	Diversion Subcommittee
Local Law Enforcement representative	Bisa French, Interim Chief, Richmond Police Dept.	Diversion Subcommittee - Chair
Contra Costa County Office of Education	Lynn Mackey, County Superintendent of Schools	Data Subcommittee Community Engagement & Funding Subcommittee
Local School District Representative	Debra Mason, Mt. Diablo Unified School District	Data Subcommittee - Chair
Health Services Department representative	Dr. William Walker	Data Subcommittee
CBO Representative, Seat 1	Tamisha Walker	Diversion Subcommittee
CBO Representative, Seat 2	Jeff Landau	Community Engagement & Funding Subcommittee - Chair
CBO Representative, Seat 3	Chala Bonner	Data Subcommittee
CBO Representative, Seat 4	VACANT	
CBO Representative, Seat 5	Stephanie Medley	Diversion Subcommittee Community Engagement & Funding Subcommittee
CBO Representative, Seat 6	Cheryl Sudduth	Diversion Subcommittee
CBO Representative, Seat 7	Edward Williams	Community Engagement & Funding Subcommittee
CBO Representative, Seat 8	Jay LeVine	Community Engagement & Funding Subcommittee
CBO Representative, Seat 9	Tammy Appling-Cabading	Community Engagement & Funding Subcommittee



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

7.

Meeting Date: 06/22/2020

Subject: REPORT on progress of the RACIAL JUSTICE OVERSIGHT BODY

Submitted For: David Twa, County Administrator

Department: County Administrator

Referral No.: N/A

Referral Name: N/A

Presenter: Christopher James, W. Hayward Burns
Institute

Contact: Donte Blue, (925)
335-1977

Referral History:

In April 2016, the Board of Supervisors (BOS) accepted recommendations from the Public Protection Committee to form a 17-member Racial Justice Task Force and then appointed members to this Task Force in September 2016. After Resource Developments Associates was awarded a contract by the County in February 2017 to provide facilitation and data analysis services, the Racial Justice Task Force was convened from April 2017 through June 2018. During this time the Task Force reviewed data on local criminal and juvenile justice systems and processes, discussed best practices and emerging practices to address racial disparities in those systems and processes, and ultimately developed a set of recommendations that would help the County reduce the identified disparities.

In July 2018, the Board of Supervisors adopted the "Racial Justice Task Force - Final Report and Recommendations" (see [Attachment B](#)) with the exclusion of recommendations #18 and #19. The first recommendation called for the establishment of a Racial Justice Oversight Body (RJOB) that would "meet on a quarterly basis" to "oversee the implementation of the recommendations" and provide the County with a report of its activities "on an annual basis." Based on this recommendation, in November 2018 the Public Protection Committee nominated individuals for appointment to the RJOB, and on December 4, 2018, the Board made the appointments.

Referral Update:

After the Office of Reentry and Justice staff concluded a contractor solicitation process, on April 16, 2019, the Board of Supervisors approved the execution of a contract with the W. Hayward Burns institute (BI) to provide committee consulting and development services for the Racial Justice Oversight Body (RJOB). A summary of their work is [Attachment A](#).

In this role, BI was contracted to perform the following services:

1. Develop RJOB bylaws and support meaningful participation by all members and efficient and effective decision making;

2. Create a structure that will allow the RJOB to achieve its objectives;
3. Develop a two-year work plan for the RJOB, and facilitate RJOB meetings and activities in a way that ensures the RJOB makes progress towards its objectives;
4. Engage and support stakeholders in their efforts to implement recommendations of the Racial Justice Task Force;
5. Provide the RJOB with research support and subject-matter expertise in areas related to racial justice, criminal and juvenile justice reform, data and evaluation, and community engagement;
6. Produce and present a final public report detailing the RJOB's progress in addressing racial and ethnic disparities of the local criminal and juvenile justice systems.

In July 2019, BI convened the first quarterly RJOB meeting. Since then BI has helped the body develop Bylaws ([Attachment C](#)), structure itself into three subcommittees that have met monthly, and helped each subcommittee develop work plans that will guide the RJOB's work going forward ([Attachments D – G](#)). Additionally, BI has provided a status report detailing the progress the RJOB has made to date ([Attachment H](#)).

Recommendation(s)/Next Step(s):

ACCEPT a report from the W. Hayward Burns Institute on the progress and activities of the County's Racial Justice Oversight Body, and provide direction to staff as needed.

Attachments

[Attachment A - RJOB Progress Report](#)

[Attachment B - Racial Justice Task Force Recommendations](#)

[Attachment C - RJOB Bylaws](#)

[Attachment D - RJOB Work Plan](#)

[Attachment E - RJOB Data Subcommittee Work Plan](#)

[Attachment F - RJOB Diversion Subcommittee Work Plan](#)

[Attachment G - RJOB Community Engagement and Funding Subcommittee Work Plan](#)

[Attachment H - RJOB Progress Report](#)

RJOB Progress Report

Public Protection Committee Meeting
Monday, June 22nd

RJOB Timeline

- Kick-Off Meeting - Jun 2019
- Election of Co-Chairs – August 2019
 - Approval of Bylaws
 - First two subcommittees established –
- Subcommittee meetings begin – October 2019
- Work planning session – November 2019
 - Diversion subcommittee discussed
- Work planning session – February 2020
 - Diversion subcommittee established
- Activities suspended due to COVID-19 – March/April 2020
- RJOB resumes and work plan approved – May 2020
 - Received significant public comment on COVID-19
 - Subcommittee meetings resume

Observations

ATTACHMENT A

- The Body is very well constructed
 - Balance between community and traditional system stakeholders
 - Wealth of knowledge and insight
 - Good mix of personalities
- This kind of work takes a long time, and will likely be expansive
 - Appointments expire 12/31/2020
 - Shouldn't be limited to RJTF Recommendations

Observations

ATTACHMENT A

- Work requires more than quarterly meetings
 - Members came to this conclusion on their own
 - Subcommittees meet monthly
- There has been significant and consistent community support
 - That support seems to have been bolstered by virtual meetings

Recommendations

ATTACHMENT A

- Consider how structure/membership might best facilitate equal progress on both youth and adult matters
- Community engagement
 - Consider changing days/times/locations of the meeting for optimal attendance/participation
 - Consider whether additional feedback sessions may be needed
- REAP
 - Coordination to ensure efforts of both REAP and RJOB are not duplicative
- Resources allocated to support this work are imperative

Additional Considerations

ATTACHMENT A

- Strive to have all ethnic groups within the County represented on the Body
- How do we encourage municipal agencies within the County to participate?
- Clarity on role within government
- Communication with relevant agencies

Current Events

- Time is now for radical change
- RJOB is poised to be a part of that change
 - It must be empowered to do so
 - Important to take unprecedented action to meet unprecedented demands
- Burns Institute is uniquely positioned to help
 - Structural well-being model

Contact Information

The W. Haywood Burns Institute

475 14th Street, Suite 800

Oakland, CA 94612

www.burnsinstitute.org

(415) 321-4100

Christopher James, Site Manager, Ext. 103

cjames@burnsinstitute.org



RJTF Recommendations

Oversight and Accountability

- 1) The Racial Justice Task Force recommends that the Board of Supervisors appoint a Racial Justice Oversight Body (RJOB) to oversee the implementation of the recommendations made by the Task Force, as specified by the Board of Supervisors. The RJOB would meet on a quarterly basis and report to the Board on an annual basis. The RJOB shall be made up of the following members:
 1. A representative from the Superior Court, as a non-voting member
 2. The Sheriff or his designee
 3. The Chief Probation Officer or his designee
 4. The Public Defender or her designee
 5. The District Attorney or her designee
 6. A representative from a local law enforcement agency, nominated by the Contra Costa County Police Chiefs' Association
 7. A representative from the Contra Costa County Board of Education
 8. A representative from Contra Costa County Health Services
 9. Eight community-based representatives, that include at a minimum:
 - a. Two members of the Racial Justice Coalition,
 - b. Two individuals with prior personal criminal or juvenile justice system involvement,
 - c. Three representatives from community-based organizations that work with individuals in the justice system, including at least one person who works directly with youth
 - d. One representative from a faith-based organization*Any individual may meet more than one of these qualifications.*

The RJTF further recommends that the work of this body be staffed by the County Office of Reentry and Justice, and that funds for facilitation be allocated through an RFP process.

- 1) a. The RJOB should or a subcommittee thereof should review local criminal and juvenile justice data in order to identify and report on racial disparities. This will include a review of use-of-force data, as available from the California Department of Justice's Open Justice data.

Diversion

- 2) With the goal of reducing racial disparities in the Contra Costa County criminal justice system, form a committee to recommend countywide criteria and protocols for formal and informal diversion. The recommendations shall be evidence-based and follow established best practices. In considering what criteria and protocols to recommend, the committee shall
 1. Develop separate recommendations for adult and juvenile populations.
 2. Strive to ensure the broadest possible pool of eligible participants.

**Contra Costa County***Racial Justice Task Force – Final Report and Recommendations*

3. Strive to ensure that prior criminal justice involvement does not bar a person's eligibility for diversion.
4. Ensure that the inability to pay for the costs of diversion will not prohibit participation.
5. Recommend, as appropriate, partnerships between law enforcement agencies and community-based organizations to provide diversion services and oversight.

This committee may be a subgroup of the Racial Justice Oversight Body (RJOB) and will report to the RJOB.

- 3) Expand the use of crisis intervention teams, mobile crisis teams, and behavioral health assessment teams so they are available across the County.
- 4) Local law enforcement agencies shall issue citations and establish non-enforcement diversion programs as an alternative to arrests.

Data

- 5) All Contra Costa County criminal justice agencies and local law enforcement agencies shall collect individual-level data on all individual encounters with criminal and juvenile justice systems and processes. In so doing, they should consult best practices to balance data needs with confidentiality regulations.
 - a. Office of Reentry and Justice shall publish race-specific data online on all of the above to create greater transparency and accountability of the County criminal justice agencies and local enforcement agencies.
 - b. All Contra Costa County criminal justice agencies and local law enforcement agencies shall improve capacity for data collection and analysis including expanding staff with data analysis capabilities.
 - c. Office of Reentry and Justice shall support analysis of interventions implemented through the RJTF to measure efficacy and assess impact on racial disparities.

County Support for Local Agencies

- 6) The County shall work with local enforcement agencies to seek funds that support the integration of de-escalation and behavioral health intervention trainings into local enforcement agency regional academy and/or department orientations.
 - a. The County shall work with local enforcement agencies to seek funds to implement improved procedural justice practices and implicit bias training.
 - i. Identify funding for procedural justice training utilizing the train the trainer model.
 - ii. Work with the Chief's Association to create a forum to share information and strengthen promising practices around procedural justice and implicit bias trainings.
- 7) In addition, local enforcement agencies in Contra Costa County should:
 - i. Ensure inclusion of de-escalation and behavioral health intervention trainings into local enforcement agency regional academy and/or department orientations



- ii. Provide procedural justice and implicit bias training to all staff
- 8) The County Office of Education shall provide resources to incentivize school districts to explore, evaluate, implement or expand existing non-punitive discipline practices, such as Positive Behavioral Interventions Support (PBIS) and Restorative Justice (RJ) practices.
 - i. Identify funding for continuous training and technical assistance to all schools in the County to support implementation of PBIS and Restorative Justice, as well as data collection to assess implementation and impact.
- 9) The County Office of Education shall work with school districts to provide behavioral health services such as counseling, peer support, and early intervention services for youth presenting signs of emotional, mental, and/or behavioral distress.

Community Engagement and Services

- 10) County criminal justice agencies shall establish formal partnerships with community-based organizations to provide greater capacity for
 - i. diversion,
 - ii. reentry programs,
 - iii. alternatives to detention
 - iv. pretrial services
 - v. in custody programming
- All community-based organizations receiving funding from the County shall be evaluated for efficacy and effectiveness of program goals and objectives to ensure populations are appropriately served. Community input shall be an integral part of this process.
- 11) Establish a community capacity fund to build the capacity of community-based organizations – especially those staffed by formerly incarcerated individuals – to contract with the County and provide services to reentry clients.
 - 12) The County and/or RJOB shall collaborate with the Community Corrections Partnership- Executive Committee (CCP-EC) to consider increasing realignment funding for community services.

Practices Related to Trial and Adjudication Processes

- 13) Encourage the Superior Court to return to the process of jury selection whereby jurors are called to service to their local branch court for misdemeanor trials.
- 14) The Public Defender's Office shall hire social workers who can assess clients' psychosocial needs and link them to services.
- 15) The Public Defender's Office, either directly or through partnerships with community-based organizations, should offer civil legal representation to clients. For youth, this should focus on educational advocacy.

Confinement

- 16) Expand eligibility for Pre-Trial Services and increase Pre-Trial Services staffing, with a focus on reducing racial disparities and replacing the money bail system.



- 17) Expand the current pre-release pilot to serve all individuals in custody.
- ~~18) Establish an independent grievance process for individuals in custody in County adult detention facilities to report concerns related to conditions of confinement based on gender, race, religion, and national origin. This process shall not operate via the Sheriff's Office or require any review by Sheriff's Office staff.~~
- ~~19) Establish an independent monitoring body to oversee conditions of confinement in County adult detention facilities based on gender, race, religion, and national origin and report back to the Board of Supervisors.~~

Other

- 20) All County staff shall participate in and complete implicit bias training.



**CONTRA COSTA COUNTY
RACIAL JUSTICE OVERSIGHT BODY**

BY-LAWS

(Adopted by the Racial Justice Oversight Body on November 7, 2019)

Article I – Purpose

The Racial Justice Oversight Body (RJOB or Body) was established by the Contra Costa County Board of Supervisors to oversee the implementation of the recommendations made by the Racial Justice Task Force, and accepted, as specified, by the Board of Supervisors.¹

Article II – Membership

A. Composition: The RJOB shall consist of the following 18 members²:

Ex-Officio Members:

1. The Sheriff or his designee;
2. The Chief Probation Officer or his designee;
3. The Public Defender or her designee;
4. The District Attorney or her designee;

Other Appointed Members:

5. A representative from the Superior Court, as a non-voting member;
6. A representative from a local law enforcement agency, nominated by the Contra Costa County Police Chiefs' Association;
7. A representative from the Contra Costa County Office of Education;
8. A representative from a Local School District;
9. A representative from Contra Costa County Health Services Department;

Appointed Members (appointed by the Board of Supervisors):

10. Nine community-based representatives, including:
 - two members of the Contra Costa Racial Justice Coalition,

¹ Item D.8. Contra Costa County Board of Supervisors Meeting. December 4, 2018.

Link 1:

http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=12&get_year=2018&dsp=agm&seq=35972&rev=0&ag=1165&ln=71059&nseq=35992&nrev=0&pseq=35929&prev=0#ReturnTo71059

Link 2 (pdf):

http://64.166.146.245/public//print/ag_memo_pdf_popup.cfm?seq=35972&rev_num=0&mode=CUSTOM

² Racial Justice Oversight Body webpage. <https://contra-costa.granicus.com/boards/w/26cad49fec719903/boards/27221>

- two individuals with prior personal criminal or juvenile justice system involvement,
 - three representatives from community-based organizations (CBO) that work with justice involved populations, including at least one person who works directly with youth,
 - one representative from a faith-based organization, and
 - one representative that is either a school age young person, or from a CBO who provides services to school age youth.
- B. Terms of Office: Ex-Officio and Other Appointed members shall serve during their terms of office or appointment. Members appointed by the Board of Supervisors shall have two-year terms beginning on the date of appointment by the Board, but shall serve at the pleasure of the Board of Supervisors and may be removed from office by a majority vote of the Board of Supervisors (See Board of Supervisors Resolution No. 2011/497).
- C. Resignation: Any appointed member may resign by giving written notice to the Clerk of the Board of Supervisors.
- D. Vacancies: The Body shall comply with the system for new appointments, resignations, and replacements for Appointed Members as specified by the Contra Costa County Board of Supervisors. Whenever an unscheduled vacancy occurs, the Board of Supervisors will fill the vacancy pursuant to Government Code Section 54974. The term for the incoming member will be to fill the vacancy for the remainder of the original term.
- E. Absences: Members of the Body who have two (2) consecutive unexcused absences from the scheduled quarterly meetings or who have not fulfilled their duties for a three-month period may be declared inactive by the Body. This inactive seat may be declared vacant and filled by the Board of Supervisors.
- F. Alternates: Ex-Officio and Other Appointed members of the Body may be represented by an alternate if the member is: (1) a County (or other public entity) officer; and (2) authorized to appoint deputies, pursuant to Government Code Section 24101 (or other applicable law). An alternate has all the duties, rights, and responsibilities of the member they represent.
- G. Training Requirements:
1. Members must view the following training videos within 60 days of appointment.
 - Brown Act and Better Government Ordinance Training Video³
 - Ethics Training⁴
 2. Members must complete "Training Certification for Members of a County Advisory Body".⁵
 3. Members must attend any future trainings deemed necessary by the Body or required by law.

³ Link <https://www.contracosta.ca.gov/7632/Training-Resources>

⁴ Link <https://www.contracosta.ca.gov/7632/Training-Resources>

⁵ Contra Costa County Advisory Body Handbook. Contra Costa County Office of the Clerk of the Board. April 2012. Page 86. <http://www.co.contra-costa.ca.us/DocumentCenter/View/7614/2102MACHandbook?bidId=>

Article III – Structure

- A. Officers: The Body shall have two co-chairs: one Ex-officio member and one Appointed member. The Co-chairs shall be elected by the members of the Body. The Co-Chair(s) will preside at all meetings and proceed with the business of the Body in a manner prescribed in these Bylaws. The Co-chairs will also decide questions of parliamentary procedure as needed. Co-chairs shall serve a term of two (2) years.
- B. Other Committees: The Body may establish up to three Subcommittees to address specific issues or concerns.
 - 1. Subcommittees may only be composed of Body members.
 - 2. Subcommittees must report back to the Body at the Body's regularly scheduled meetings.
 - 3. Subcommittee decisions shall be made by vote and governed by voting and quorum rules set forth in these Bylaws. Decisions and voting tallies will be recorded in the meeting summary report.
 - 4. Subcommittees shall not engage in activities that are not within the purpose and responsibilities outlined in these Bylaws and the BOS approved recommendations from the Racial Justice Taskforce.
 - 5. The Subcommittees may recommend policies and decisions falling within their scope of authority to the full Body for approval, however the Subcommittees have no authority to establish policy, make decisions, or hold non-public meetings.
 - 6. Each Subcommittee will function with a Subcommittee Chair(s). The Subcommittees Chair(s) shall be responsible for conducting the Subcommittee's meetings, developing and distributing agendas, convening any necessary working groups, and ensuring compliance with the Bylaws of the Body. Subcommittee chairs will be elected by the Subcommittee.

Article IV – Meetings

- A. Regular Meetings: Regular meetings of the Body and each Subcommittee shall be held at least once during each calendar year quarter based on a schedule adopted by the Body and that schedule may be changed as needed. In addition, regularly scheduled meetings may be canceled by a majority vote of the Body or, for lack of business or lack of a quorum, by the Chair(s).
- B. Special Meetings: Special meetings of the Body or any other committees may be called by the Chair(s) at any time. Such meetings shall be called in accordance with the provisions of the Brown Act and the Contra Costa County Better Government Ordinance.
- C. Quorum: A quorum of the Body shall be a majority of the members or their alternates. A quorum of a Subcommittee shall be a majority of the Body members or alternates assigned to the Subcommittee. A "majority" of the members means more than half of the authorized members, including any authorized alternates present for an absent member, whether or not all of the positions have been filled. No action shall be taken unless a quorum of members is present for a meeting. If a quorum is not present, the meeting must be adjourned to the next

regular meeting. If a quorum is lost during the course of a meeting, following the loss of the quorum the remaining members present must adjourn to the next regularly scheduled meeting.

- D. Voting: Each member of the Body or any Subcommittee has one vote, and a majority vote of the members present at a meeting is needed to pass a motion. No action can be taken without quorum.
- E. Conflict of Interest: A member of the Body must⁶
 - 1. Avoid even the appearance of a conflict of interest.
 - 2. Serve the needs and wishes of all citizens equally without regard for wealth.
 - 3. Perform duties fairly, free from bias caused by financial interests of one's self or supporters.
 - 4. As a general rule, no member shall participate as a member in any discussion or voting if doing so would constitute a conflict of interest.
- F. Order of Business: The regular order of business of the Body or any other Subcommittee shall be:
 - 1. Call to order
 - 2. Public comment on unagendized items within the Body's (or Subcommittee's) jurisdiction
 - 3. Approve Record of Action from prior meeting
 - 4. Consideration and action on agenda items
 - 5. Adjournment
- G. Public Access: All meetings of the Body and its Subcommittees shall be open and accessible to the general public and held in accordance with the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance. Opportunity for public comment will be included in each agenda item. In the interest of facilitating the business of the Body or standing committee, the Chair(s) may set in advance of the presentation of public input reasonable time limits for oral presentation.

Article V – Administration

The Body shall obtain staff support from the County Administrator's Office of Reentry and Justice. The staff will be responsible for the compilation and distribution of Body and Subcommittee meeting notices and agendas. All records shall be maintained by appropriate staff.

Members of the Body shall serve without compensation and shall not receive reimbursement for any expenses incurred while conducting official business.

Article VI – Changes to Bylaws

The provisions of these Bylaws may be altered, amended or repealed by the Body, within the limitations imposed by the Brown Act, the Contra Costa County Better Government Ordinance and the policies of

⁶ Resolution No. 2002/376: Board Policies Concerning Conflicts of Interest and Open Meeting Requirements (Appendix 5 of the Advisory Body Handbook)

the Contra Costa County Board of Supervisors. No such alteration, amendment or repeal shall be effective unless and until the change has been approved by the Board of Supervisors.

Racial Justice Oversight Body Work Plan

RJOB

Goal: *Oversee the implementation of the recommendations made by the Racial Justice Task Force (RJTF).*

Objective	Activity	Lead & Team	Completion Date	Deliverable
Objective 1: Seek funding to implement improved procedural justice practices and implicit bias training	<ol style="list-style-type: none"> 1. Identify and apply/ask for funding for procedural justice and implicit bias training – recommendations reported out to the RJOB and BOS 2. Identify trainers/agencies to deliver procedural justice and implicit bias training – recommendations reported out to the RJOB and BOS 3. Work with the Chief's Association to create a forum to share information and strengthen procedural justice and implicit bias practices 4. Provide procedural justice and implicit bias training to all staff 	RJOB, Office of Reentry and Justice (ORJ)	<i>ORJ has identified funding and contractor (Fogbreak Justice) to provide Procedural Justice and Implicit Bias trainings for justice-related department staff and RJOB in FY 18-19, 19-20.</i>	Required Deliverables 1: Agenda item at RJOB and BOS meetings to discuss potential sources of funds (including the county itself); finalized applications as approved by the BOS for outside funding sources (grants, etc.); list of potential trainers and recommendation on which can deliver training in the most robust and impactful way within budget; create a planned/publicized forum on improving police practices; certification from all hired law enforcement staff that they completed the training(s)
Objective 2: Ensure inclusion of de-escalation and behavioral health intervention trainings into local enforcement regional academy and/or dept. orientations	<ol style="list-style-type: none"> 1. Identify best de-escalation, behavioral health intervention training(s), and similar or related programs available within the area 2. Recommend the best training(s) from this list 	RJOB, ORJ		Required Deliverables 2: List of possible trainings/trainers; recommendation selecting a trainer; contract to provide this training; agenda item/application for funding for training; contract with training organization.

	<ol style="list-style-type: none"> 3. Ask/apply for necessary funds to hire training staff 4. Contract with training organizations to provide this training 5. Monitor police contacts for signs of effectiveness/improvement 			
<p>Objective 3: Provide resources to incentivize/provide schools with non-punitive discipline practices such as PBIS and RJ as well as behavioral health and early intervention services for youth</p>	<ol style="list-style-type: none"> 1. Identify funding to provide resources to schools which are implementing or expanding non-punitive discipline practices 2. Apply for identified funding sources as approved by the BOS 3. Identify and agree upon schools and programs to be funded 	<p>Diversion Subcommittee, ORJ</p>		<p>Required Deliverables 3: List of identified funding sources; completed funding applications; funds delivered/distributed to participating schools and programs which are highly publicized</p>
<p>Objective 4: County criminal justice agencies shall establish formal partnerships with community-based organizations to provide greater capacity for</p> <ul style="list-style-type: none"> i. diversion ii. reentry programs iii. alternatives to detention iv. pretrial services v. in-custody programming 	<ol style="list-style-type: none"> 1. Identification of program needs within the county, including location needs 2. Identification of community based organizations with the potential or capacity to fill the program needs 3. Identification of county justice system or enforcement agency requirements for each type of program listed in Objective 4 4. Formal recommendations about changes to agency requirements as well as trainings, funding, etc. necessary to support compliant program development by CBOs. 	<p>CEF Subcommittee, Diversion Subcommittee</p>	<p><i>Partnerships are underway in ORJ, Probation, Public Defender, Sheriff's Office, and the District Attorney's Office.</i></p>	<p>Required Deliverables 4: lists of identified and demonstrated needs; lists of identified CBOs/programs to fill the program needs; lists of criteria and requirements for programs to partner with county agencies; list of recommendations about current requirements for county partnership</p>

<p>Objective 5: The Public Defender's Office shall hire social workers who can assess clients' psychosocial needs and link them to services</p> <p>Objective 6: All CBOs shall be evaluated for efficacy and effectiveness of program goals and objectives to ensure populations are appropriately served. Community input shall be an integral part of this process</p> <p>Objective 7: Establish a community capacity fund to build the capacity of community-based organizations – especially those staffed by formerly incarcerated individuals – to contract with the County and provide services to reentry clients</p> <p>Objective 8: Encourage the Superior Court to return to the process of jury selection whereby jurors are called to</p>	<ol style="list-style-type: none"> 1. Support the data subcommittee's work to evaluate program effectiveness 1. Reach out to the BOS for funding to help endow/support the community capacity fund AND identify and apply for other funding sources (grants, RFPs, etc.) 2. Develop list of qualifications and application process for the fund. 3. Establish meeting structure to support CBOs and allocate funds as necessary 1. Review research material done on the issue by area students 	<p>Public Defender's Office</p> <p>ORJ, CEF Subcommittee</p> <p>CEF Subcommittee, ORJ</p> <p>RJOB, ORJ</p>	<p><i>Accomplished in 2019</i></p> <p><i>The ORJ has undertaken program evaluation of reentry programs since 2014.</i></p> <p><i>A Capacity Building project was launched by the ORJ in FY 18-19 with one-time funding of \$125k.</i></p>	<p>Required Deliverable 5: additional social workers were hired to assess clients' psychosocial needs and link them to services.</p> <p>Required Deliverables 5: data template for CBOs; training on data collection/capacity building; regularly collected data reports by race/ethnicity for CBOs</p> <p>Required Deliverable 6: agenda item with BOS; list of other sources, completed applications for funds; list of qualifications for fund, formalized application process; calendared meetings to allocate funds</p> <p>Required Deliverables 7: Formal request for agreed upon changes based on research, potential meeting with Superior Court to further discuss</p>
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<p>service to their local branch court for misdemeanor trials <u>as well as general equitable jury pool selection/inclusion.</u></p> <p>Objective 9: The Public Defender's Office, either directly or through partnerships with community-based organizations, should offer civil legal representation to clients <u>as well as immigration representation and services.</u> For youth, this should focus on educational advocacy.</p>	<p>2. Determine/prioritize potential areas for impact, examples include:</p> <ul style="list-style-type: none"> • Transportation • Funding • Childcare • Parking <p>1. Exploring partnerships with community based organizations to these ends</p> <p>2. Exploring new positions/staffing for education advocacy as well as immigration defense</p>	<p>RJOB, Public Defender's Office</p>	<p><i>The Public Defender has secured grant funding to contract with a CBO to provide some civil legal services to a limited population. Stand Together Contra Costa provides immigration related services. Public Defender also has a fulltime attorney doing education advocacy for juvenile clients, paid for through the Juvenile Block Grant.</i></p>	<p>the justifications for the proposed changes</p> <p>Required Deliverables 8: Meetings with community based organizations to discuss partnerships, MOUs between partner organizations and the Public Defender's Office, relevant job postings</p>
<p>Objective 10: Expand eligibility for Pre-Trial Services and increase Pre-</p>	<p>1. Review current eligibility criteria for Pre-Trial Services with a racial equity lens</p>	<p>RJOB</p>		<p>Required Deliverables 9: Formal written recommendations for Pre-Trial Services eligibility criteria and for bail</p>

<p>Trial Services staffing, with a focus on reducing racial disparities and replacing the money bail system</p> <p>Objective 11: Ensure collection/reporting of accurate data in all criminal justice and law enforcement agencies countywide</p>	<ol style="list-style-type: none"> 2. Make recommendations for new eligibility criteria which reduce racial and ethnic disparities 3. Review bail policies in comparison to other jurisdictions with new approaches, make recommendations for new bail policy 1. Development of excel spreadsheet to be used as data template among all criminal justice and law enforcement agencies in the county 2. Development of memorandum of understanding (MOU) setting forth countywide data collection and reporting practices to be agreed upon by all relevant agencies 3. Supporting development of data capacity and recommending practice changes to ensure that all requested fields and categories of data are accurately recorded and reported by each agency after the template has been finalized (reported out to and approved/supported by the RJOB) 4. Addressing any and all privacy concerns and other issues raised by county agencies through 	<p>Data Subcommittee, Burns Institute, ORJ</p>		<p>policies/practices, potential meeting with Pre-Trial Services to present these recommendations and hear feedback</p> <p>Required Deliverables 10: Spreadsheet template with all relevant fields that will be required to be reported by each agency; finalized MOU document signed by agency executives for each relevant agency in the county; recommendations for improving data capacity as necessary; training materials to support improved data collection practices as necessary; data reports from countywide agencies in compliance with the MOU and data template</p>
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<p>Objective 12: Provide analysis of interventions implemented through the RJTF and RJOB to measure efficacy and assess impact on racial disparities</p>	<p>training, recommendations and negotiations (if necessary) with county agencies (reported out to and approved/supported by the RJOB)</p> <p>5. Collection/review and monitoring of data collected via the processes listed above and sharing of that data with the RJOB</p> <p>6. Development of countywide training on ethnicity data collection best practices to improve the accuracy of data regarding the Latinx population</p> <p>1. Assessment of current data capacity for relevant CBOs and other agencies to report relevant data showing impact of RJTF/RJOB alternatives and interventions</p> <p>2. Support of the development of capacity in relevant agencies to collect/report relevant data showing impact of reforms</p> <p>3. Regular review/monitoring of that data and the development of recommendations to improve programs and/or practices as necessary</p>	<p>Data Subcommittee, Burns Institute, ORJ</p>		<p>Required Deliverable 11: Regular reports by race/ethnicity measuring the effectiveness of programs and interventions; lists of recommendations from the RJOB to improve programs and practices as necessary</p>
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<p>Objective 13: The County and/or RJOB shall collaborate with the Community Corrections Partnership-Executive Committee (CCP-EC) to consider increasing realignment funding for community services.</p> <p>Objective 14: Expand the current pre-release pilot to serve all individuals in custody</p>		<p>CEF Subcommittee, ORJ</p> <p>County Office of Education</p>	<p><i>Already accomplished in Sept 2019</i></p>	<p>Required Deliverable 14: Pre-release planning programs available at all detention facilities in the County.</p>
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RJOB Data Subcommittee Work Plan Goal: Improve racial and ethnic equity in justice systems by developing standard practices for data collection and reporting and improving capacity for county agencies and programs (including those administered by CBOs) to report accurate individual level data disaggregated by race and ethnicity				
Objective	Activity	Lead & Team	Completion Date	Deliverable
Objective 1: Support the collection/reporting of accurate data in all criminal justice and law enforcement agencies countywide	<ol style="list-style-type: none"> 1. Provide links to publicly available data at the national, state and local level (as available) surrounding social justice related factors within the population. These links would include demographic data as well as criminal justice, law enforcement, education and other data sources that are relevant to racial disparities. 2. Identify and disseminate a prioritized list of additional countywide and/or agency specific data that will support meeting the objectives of the RJOB and Racial Justice Task Force. <p>Activities when additional resources become available to the ORJ or a Contra Costa Racial Equity Office opens:</p> <ol style="list-style-type: none"> 3. Implement a marketing and advertising initiative to acknowledge and publicly praise 	Data Subcommittee, Burns Institute, Office of Reentry and Justice		Required Deliverables 1: ORJ or other county entity identified by the BOS shall maintain an up-to-date web site or web page with information about and links to publicly available data related to the demographic, criminal justice, law enforcement, and education patterns present within the jurisdiction of interest (local, state, national). These would be sources of data where data could be viewed by race/ethnicity.

	<p>government agencies (e.g. LEAs, CBOs) voluntarily collecting and providing additional requested data. Initiative can also include publicizing agencies not collecting and sharing requested data.</p> <ol style="list-style-type: none">4. Support development of data capacity and practice changes to ensure that all requested data points and categories of data are accurately recorded and reported by each participating agency.5. Respond to any and all privacy concerns and other issues raised by county agencies through training, recommendations and negotiations (if necessary) with county agencies (reported out to and approved/supported by the RJOB)6. Provide consultation and recommendations to law enforcement and criminal justice agencies on best practices surrounding the collection of data related to ethnicity in an effort to improve the accuracy of the data for the Latinx population.7. Develop a countywide training on ethnicity data collection best practices to improve the accuracy of data regarding the Latinx population.			
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<p>Objective 2: In an effort to create greater transparency and accountability of County criminal justice and law enforcement agencies, the Office of Reentry and Justice shall publish data related to the demographic, criminal justice, law enforcement, and education patterns present within the County by race/ethnicity.</p>	<p>Activities when additional resources become available to the ORJ or a Contra Costa Racial Equity Office opens:</p> <ol style="list-style-type: none"> 1. Develop an online format or dashboard to be easily accessed by the public, public agencies and non-profit organizations. 			<p>Required Deliverables 2: As resources and public agency and law enforcement participation allows, develop local web-based data dashboards for public access. Data should be presented by race and ethnicity, easily accessible to the public and updated annually.</p>
<p>Objective 3: Office of Reentry and Justice shall support analysis of interventions implemented through the RJTF to measure efficacy and assess impact on racial disparities</p> <p>All activities under this objective to be reported to the RJOB and any other bodies/collectives identified by the Board of Supervisors.</p>	<ol style="list-style-type: none"> 1. Conduct annual review of criminal justice and law enforcement outcomes to assess the presence of racial disparities. 2. Make recommendations to improve programs and practices related to the elimination/reduction of any racial disparities. <p>Activities when additional resources become available to the ORJ or a Contra Costa Racial Equity Office opens:</p> <ol style="list-style-type: none"> 3. Conduct assessment of any interventions designed to reduce racial disparities. 			<p>Required Deliverable 3: As resources become available, develop annual reports surrounding criminal justice, law enforcement, and educational outcomes by race/ethnicity. Pending data availability, these reports would also assess programmatic outcomes and interventions by race/ethnicity and provide recommendations to improve programs and practices, as necessary.</p>

	<ul style="list-style-type: none">4. Conduct comprehensive assessment of current data capacity for relevant CBOs and other agencies to report data that allows for an assessment of impact on RJTF/RJOB alternatives and interventions5. Support, through consultation and training, the development of capacity in relevant agencies to collect/report relevant data showing impact of reforms.			
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<u>Diversion Subcommittee Work Plan</u> Goal: <i>Improve racial and ethnic equity in Contra Costa County youth and adult justice systems by developing more diversion opportunities and monitoring race/ethnicity data for all current and future diversion programs</i>				
Objective	Activity	Lead & Team	Completion Date	Deliverable
Objective 1: Form a committee to make diversion recommendations countywide	<ol style="list-style-type: none"> 1. Agree upon and formalize membership of committee 2. Set future committee meeting dates, frequency, meeting locations, etc. 3. Develop standing agenda item for report out to RJOB 	RJOB Full Body		Required Deliverable 1: A committee with members, designated meeting frequency, location, and other relevant details
Objective 2: Develop separate recommendations for adult and youth populations	<ol style="list-style-type: none"> 1. Review of all existing county diversion programs/policies for youth and adults 2. Review of best practices and successful examples of programs and policies in other jurisdictions which may be followed 3. Development/finalization of recommendations for countywide changes to diversion 	Diversion Subcommittee, Burns Institute, ORJ		Required Deliverables 2: Separate countywide recommendations for adult and youth diversion programs and the policies which govern them
Objective 3: Strive to ensure the broadest possible pool of eligible participants in diversion	<ol style="list-style-type: none"> 1. Formal request for data from all county agencies, including law enforcement, which administer diversion programs 2. Regular review of race/ethnicity data in diversion programs to ensure equity 	Diversion Subcommittee, Burns Institute		Required Deliverable 3: Recommendations for policy changes to ensure broadest possible pool

<p>Objective 4: Strive to ensure that prior criminal justice involvement does not bar a person's eligibility for diversion</p> <p>Objective 5: Provide resources to incentivize/provide schools with non-punitive discipline practices such as PBIS and RJ as well as behavioral health and early intervention services for youth</p> <p>Objective 6: County criminal justice agencies shall establish formal partnerships with community-based organizations to provide greater capacity for diversion</p>	<ol style="list-style-type: none"> 3. Development of recommendations for policy changes to ensure broadest possible pool of participants 1. Development of formal recommendation that prior involvement does not make a person ineligible 2. Development and delivery of a presentation/training on eligibility criteria for diversion 1. Define "resources" and "incentivize" as stated in the objective 2. Identification of training and grant funding resources for schools 1. Compile a list of community-based organizations which provide programming in one of the listed areas OR which have the potential to do so with greater capacity 2. Explore what partnerships will look like between the justice agencies and CBOs. 	<p>Diversion Subcommittee, Burns Institute</p> <p>Diversion Subcommittee, Burns Institute</p> <p>Diversion Subcommittee, Burns Institute, ORJ</p>		<p>Required Deliverable 4: Recommendations for policy changes to ensure prior involvement does not bar a person's eligibility for diversion</p> <p>Deliverable Required 5: Recommendations for trainings, grants and other forms of resources and incentives to be provided to schools for them to adopt non-punitive discipline practices such as PBIS and RJ as well as behavioral health and early intervention services for youth</p> <p>Deliverable Required 6: Recommendations for the establishment of formal partnerships between County criminal justice agencies and community-based organizations to provide greater capacity for diversion</p>
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Community Engagement and Funding Subcommittee Work Plan DRAFT

Goal: Racial justice reform and reinvestment led by community members most directly impacted by systemic racial injustice in Contra Costa County.

Objective	Activity	Lead & Team	Completion Date	Deliverable
Increased decision-making accessibility for persons most directly impacted	Hold RJOB meetings at more accessible times and places for impacted community members	Jeff + TBD	2/29/2020	Specifying relevant accessibility criteria to be adopted by RJOB
			3/31/2020	Creating a detailed list of top options for upcoming RJOB meeting times and places
			8/1/2020	Holding an RJOB meeting at a top option time and place in east county
			8/1/2020	Holding an RJOB meeting at a top option time and place in west county
			8/1/2020	Holding an RJOB meeting at a top option time and place in central county
	Targeted outreach to persons most directly impacted to participate in RJOB meetings and decisions <ul style="list-style-type: none"> Prioritizing efforts in areas with most persons of color, poverty, and non-English speakers Going to accessible spaces for persons with disabilities in outreach 	TBD	6/1/2020	Attend local municipal council meetings and give public comment about RJOB
			6/1/2020	Attend local community group meetings and introduce RJOB

Community Engagement and Funding Subcommittee Work Plan DRAFT

Goal: Racial justice reform and reinvestment led by community members most directly impacted by systemic racial injustice in Contra Costa County.

Objective	Activity	Lead & Team	Completion Date	Deliverable
Increased decision-making transparency for persons most directly impacted	<p>Hold pre/post-RJOB meeting welcome and education sessions</p> <p>Provide committee chart with decision-making process and committee members' authority and responsibilities</p> <p>Simplified language in RJOB meeting materials and discussions</p> <p>Increased opportunities for community questions at RJOB meetings</p>	Jeff + TBD	2/29/2020	Hold first session at upcoming CEF subcommittee meeting in February
Increased decision-making power for persons most directly impacted	<p>Additional opportunities for community input and feedback at RJOB meetings</p> <p>Adopt diversity representation goals/requirements for RJOB</p> <p>Propose diversity representation goals/requirements for county- appointed committees</p> <p>Adopt and implement recruitment, retention, and promotion policies for diversity representation on county-appointed committees</p>		2/29/2020	Add invitation for public comment after each agenda item

Community Engagement and Funding Subcommittee Work Plan DRAFT

Goal: Racial justice reform and reinvestment led by community members most directly impacted by systemic racial injustice in Contra Costa County.

Objective	Activity	Lead & Team	Completion Date	Deliverable
<p>County criminal justice agencies shall establish formal partnerships with community-based organizations to provide greater capacity for</p> <p>i. diversion</p> <p>ii. reentry programs</p> <p>iii. alternatives to detention</p> <p>iv. pretrial services</p> <p>v. in-custody programming</p>	<p>Identification of program needs within the county, including location needs</p> <ul style="list-style-type: none"> Solicit community and CJ system actor input regarding existing resources identifying program needs, as well as program needs insufficiently addressed by existing resources <p>Identification of community-based organizations with the potential or capacity to fill the program needs</p>	CEF SC, Burns Institute		<p>Including community and CJ system actor input on program needs as agenda items at priority time and place RJOB meetings in east, west, and central</p> <p>One-on-one/small group meetings between CEF members and key community members on program needs</p> <p>One-on-one/small group meetings between CEF members and key CJ system actors on program needs</p> <p>Creating lists of identified and demonstrated needs prioritized by community and CJ system actor input</p> <p>Including community and CJ system actor input on ideal CBOs as agenda items at priority time and place RJOB meetings in east, west, and central</p> <p>One-on-one/small group meetings between CEF members and key community members on ideal CBOs</p> <p>One-on-one/small group meetings between CEF members and key CJ system actors on ideal CBOs</p>

Community Engagement and Funding Subcommittee Work Plan DRAFT

Goal: Racial justice reform and reinvestment led by community members most directly impacted by systemic racial injustice in Contra Costa County.

Objective	Activity	Lead & Team	Completion Date	Deliverable
	<p>Identification of county justice system or enforcement agency requirements for each type of program listed i-v</p> <p>Formal recommendations about changes to agency requirements as well as trainings, funding, etc. necessary to support compliant program development by CBOs</p>			<p>Creating lists of identified CBOs to fill the program needs</p> <p>Including CJ system actor info on agency requirements as agenda items at priority time and place RJOB meetings in east, west, and central</p> <p>Lists of criteria and requirements for programs to partner with county agencies</p> <p>Including community, CBOs, and CJ system actor input on changes to support compliant program development by CBOs as agenda items at priority time and place RJOB meetings in east, west, and central</p> <p>Interviews with key community members, CBOs, and CJ system actors regarding necessary changes</p> <p>Interviews with CJ system actors and CBOs in other jurisdictions regarding appropriate requirements and necessary changes</p> <p>List of recommendations about current requirements for county partnership</p>

Community Engagement and Funding Subcommittee Work Plan DRAFT

Goal: Racial justice reform and reinvestment led by community members most directly impacted by systemic racial injustice in Contra Costa County.

Objective	Activity	Lead & Team	Completion Date	Deliverable
All CBOs shall be evaluated for efficacy and effectiveness of program goals and objectives to ensure populations are appropriately served. Community input shall be an integral part of this process	Support the data subcommittee's work to evaluate program effectiveness			Data template for CBOs; training on data collection/capacity building; regularly collected data reports by race/ethnicity for CBOs
Establish a community capacity fund to build the capacity of CBOs – especially those staffed by formerly incarcerated individuals – to contract with the County and provide services to reentry clients	<p>Reach out to the BOS for funding to help endow/support the community capacity fund AND identify and apply for other funding sources (grants, RFPs, etc.)</p> <p>Develop list of qualifications and application process for the fund</p> <p>Establish meeting structure to support CBOs and allocate funds as necessary</p>			Agenda item with BOS; list of other sources, completed applications for funds; list of qualifications for fund, formalized application process; calendared meetings to allocate funds
The RJOB shall collaborate with the CCP-EC to consider increasing realignment funding for community services.				



THE W. HAYWOOD BURNS INSTITUTE FOR JUSTICE FAIRNESS AND EQUITY

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Introduction

The W. Haywood Burns Institute (BI) was established to provide local jurisdictions with practical, proven approaches for reducing racial and ethnic disparities (R.E.D.). For over 15 years, the BI has successfully worked with jurisdictions in more than 40 states to reduce R.E.D. by leading traditional and non-traditional stakeholders through a data-driven, community-informed, and consensus-based process. It is the BI's experience that local jurisdictions can implement successful and sustainable strategies that reduce R.E.D. by examining key decision-making points within the justice system.

The purpose of this report is to provide feedback on the progress and potential of the Contra Costa County Racial Justice Oversight Body to promote equity and reduce R.E.D. in Contra Costa County. This report is not intended to be a comprehensive assessment of Contra Costa County's racial equity work nor a full assessment of whether and to what extent R.E.D. exists within the county. Rather, this report is intended to share observations and recommendations with Contra Costa County to guide the RJOB's work with an equity lens.

Structure

The Contra Costa County Racial Justice Oversight Body (hereinafter 'RJOB' or 'Body') is comprised of 18 members, including nine community representatives from local community based organizations (CBOs) and nine representatives from specified local justice system agencies. It is quite rare for the Burns Institute to see such an even representation of system and community stakeholders, an approach for which we consistently advocate but which is usually not fully executed.

In keeping with this composition, we encouraged the Body to elect two co-chairs, one a community stakeholder and one a systems stakeholder. The body duly elected Assistant Sheriff John Lowden of the Contra Costa County Sheriff's Office and Stephanie Medley of the RYSE Center as co-chairs. The RJOB has held five quarterly meetings to date: June 6, 2019; August 29, 2019; November 7, 2019; February 6, 2020, and May 14, 2020.

Additionally, the RJOB has established three subcommittees which meet monthly to allow for more intensive and subject-matter specific action in their respective areas. Those subcommittees are as follows:

- *Community Engagement & Funding Subcommittee*, chaired by Jeff Landau of the Contra Costa County Racial Justice Coalition
- *Data Subcommittee*, chaired by Debra Mason of the Mount Diablo Unified School District



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- *Diversion Subcommittee*, chaired by Interim Chief Bisa French of the Richmond Police Department

To date, the Community Engagement & Funding Subcommittee has met a total of six times since being approved by the Body, while the Data Subcommittee has met a total of four times. The difference in number of meetings is primarily because the Data Subcommittee will take the lead on making data requests, which will be heavily dependent on what data the other subcommittees may need. Thus, the Data Subcommittee elected to give the other subcommittees time to determine what their respective data queries may entail before resuming their meetings. Additionally, the Diversion Committee, which was the final subcommittee to be established, has met three times over the past two months. This committee was approved by the Body at a later quarterly meeting than the other two committees, which is why it has not yet had the opportunity to meet many times.

Observations and Findings

The RJOB was convened to implement the list of recommendations developed by the Racial Justice Task Force (RJTF) and approved by the Board of Supervisors. The term for some of the Body's current members expire on December 31, 2020. However, it is important to note that the work of reducing and/or eventually eliminating racial and ethnic disparities tends to move along slowly over the course of many years, and that even some of the recommendations themselves will take a significant length of time and should be seen as long term projects which will extend beyond this timeframe.

Furthermore, while the recommendations give the Body purpose, additional issues or action items which are not included in the list of recommendations should be considered if relevant to continue the work of equity. Indeed, some of the recommendations themselves may require additional steps not considered when the recommendations were finalized. An example of this is that the Community Engagement & Funding subcommittee added some objectives to its work plan to reflect its desire to engage members of the community in outreach events such as town hall meetings and other structured dialogues and listening sessions between system stakeholders, the RJOB, and members of the public. They were supported in doing so, and it is noteworthy to mention that real-time events, circumstances, or realizations may emerge in such a way that the Body must act and that these additional projects should continue to be welcomed.

Overall, it is readily apparent that this is a highly competent and engaged roster of members who seem to be truly committed to this work and very thoughtful in their approach. Again, the equal representation of community and system stakeholders is a grounding and promising strength in that regard. Also, several stakeholders have their own lived experiences with the local justice systems which allows them a unique perspective to bring – and these perspectives are imperative to the overall success of promoting racial equity. Many of the stakeholders are experienced



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enough in such settings that they do not hold back from putting forth contested or contradictory points, and that willingness to engage in direct, respectful confrontation is also extremely important in terms of reaching actual solutions and creating buy-in for all involved with this effort. The thoughtfulness in putting this group together and each individual's potential and execution to rise to the occasion are crucial and cannot be overstated.

Additionally, the justice agencies represented within the RJOB, including the District Attorney's Office, the Public Defender's Office, Richmond Police Department, Contra Costa County Sheriff's Office, among several others and often with the elected official serving on the Body and attending meetings consistently are of great importance to this overall effort. Executive level participation from justice agencies endows the Body with the authority, at least within the respective agencies, to implement the policy and practice changes which may come forth from it.

Furthermore, it is commendable that there has been regular attendance by members of the public who have not been assigned to the Body, many of whom have shown willingness to speak and a desire to be heard on various issues or matters which may arise over the course of a meeting. The Body has done an exemplary job in welcoming and considering these contributions when they arise, and this type of direct community engagement is an essential component of justice reform work, which should be invited and encouraged as much as possible. After all, the RJOB is doing its work on behalf of the County for the purpose of making a positive impact, so citizens of the County should have ample opportunity to provide feedback and hold its members accountable.

Finally, the body was originally convened to meet on a quarterly basis, and the RJOB will continue to do this. However, for the many ambitious and important goals the RJTF set forth for the RJOB to implement, quarterly meetings are not enough. We typically recommend workgroups to monitor data on a monthly basis to ensure any policy or practice changes enacted to address racial and ethnic disparities are working properly, and that any negative changes in jail or detention population trends can be triaged in real time. To the tremendous credit of the RJOB, its subcommittees which were also originally designed to meet on a quarterly basis have all committed to meeting monthly— and did so without being prompted by BI or the Office of Reentry and Justice but because of their own acknowledgment of and dedication to the work they have been convened to do and the time commitment such an endeavor will take.

However, this change did create a series of scheduling irregularities for BI as technical assistance providers as well as some among the group, leaving two subcommittee meetings (among the several which were successfully held) unable to make quorum. The meetings should absolutely continue on a monthly basis, but this would have been a smoother development as an original planning concept rather than an ad-hoc development, although that development is deserving of much applause. It is important to note that the Office of Reentry and Justice has been able to guide the RJOB to solutions to correct these irregularities.



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Recommendations

Many of the RJTF's recommendations thoughtfully require action to be taken among system-involved youth and adults separately. This distinction's importance cannot be understated as the policies, practices, governance, and administration of justice in youth systems are very different from those within adult systems. The importance of this distinction results in many jurisdictions across the country electing to have separate committees or working groups for youth and adult efforts. While BI does not make that recommendation here, BI does recommend paying attention, over the life of this Body, to how the structure could facilitate or impede progress for both populations.

Consider whether there are agencies or department heads within agencies which should be invited to certain meetings based on relevance to the population they serve and whether or not there is enough representation for each population in the Body as currently constructed. Additionally, consider the extent to which the Body is properly situated to field input from youth. Prior to the shelter-in-place order due to the pandemic, meetings have been happening in a county building on a weekday during school hours. It is not likely that many youth know about this Body, its work, purpose, or goals, meeting details such as time and whereabouts or that they have been directly engaged about potentially contributing in some meaningful way. BI recommends that the RJOB host a series of standing meetings to incorporate youth voice and to determine what youth need to promote racial equity in the County. This feedback should be used to build or expand existing programs for youth and to guide recommendations for policy and practice change in youth systems. This is essential because due to the nature, time, and place of the RJOB, youth voice must be incorporated ad-hoc. These conversations should be held at various times and places throughout the county with some regularity and should be scheduled based on direct feedback from youth about best dates and times for such meetings to be held. These meetings may also require some level of training for RJOB members on how to talk to, build rapport with, and extract pertinent information from youths who otherwise may not be comfortable or interested in speaking with adults candidly about such things.

Similarly, finding ways to engage more adults from the community and garner feedback which guides recommendations for policy and practice change is highly recommended. While as noted above, many people do regularly attend the meetings although they are not appointed to the Body, a great number of these individuals seem to work in some capacity for the county such that they may be compensated by county agencies for their time. This is not at all negative, it simply highlights the fact that many of the community members who do not work for the county but might need to be heard on certain matters discussed before the Body are likely unable to do so because of work and/or scheduling conflicts, transportation, or other concerns. It is important to continue to work to make sure the public is aware of this body's existence, its stated purpose and goals, and the work to date – and this may require efforts in addition to posting the agenda in



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public spaces and on the County's website. It is also important to keep the meeting dates, times, and locations as flexible as possible to attempt to accommodate more community participation. Just as with youth, the RJOB has an opportunity to host a series of public discussions with the community. The Community Engagement and Funding Subcommittee of the RJOB has specifically identified educating and informing the community about how the justice system works and each individual's rights as well as hearing from the community on ways that the justice system could improve and incorporating the feedback into the RJOB's recommendations and overall work as objectives moving forward. Those meetings should be held throughout the County, at various times and places and with some community input about which times and places might be the most easily accessible, and also might require some level of training on how to best extract information from such dialogues.

Next, there is a countywide effort underway to create and enact a countywide Racial Equity Action Plan (REAP), and many of the objectives are similar or fit well together. For instance, it seems that the Community Engagement & Funding Subcommittee will work alongside those involved with implementing the REAP to hold some of the community conversations discussed above. This is a very important opportunity for the RJOB to share potential funding as well as manpower with those entrusted with the REAP to help ensure a large reach for efforts to improve racial equity and inclusion throughout Contra Costa County. Thus, diligent efforts should be undertaken to coordinate and plan for how to maximize this opportunity while meeting the goals and objectives of both groups and taking advantage of the many individuals and offices involved as well as any resources either group might bring to the table. Intentional planning and coordination should also ensure that neither group unnecessarily duplicates or cannibalizes the other's work and that they do not end up competing for resources within the county nor from external sources, such as state or other grants.

Additionally, while the RJOB itself and the recommendations it is tasked with implementing are great starts toward reaching racial equity, these efforts will inevitably fall short of their goals and great potential if they are not funded. While funding issues are a necessary part of life at the county administrative level and budgets are always difficult to develop, the BI would strongly recommend and encourage that the RJOB be assigned an operating budget each year. From there, the body can supplement that budget with grants which arise and that they apply for, provided the body has support with grant writing and with searching for appropriate and relevant grants based on upcoming projects. The funding should be reserved for the development or expansion of community based organizations and/or community-led projects which are relevant to the RJOB's stated purpose, goals, and objectives. BI also recommends training for all RJOB members on county budgeting processes, including how to properly request funds from the Board of Supervisors.



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Additional Considerations

Racially proportionate representation – It is important to consider the racial makeup of the Body and whether or not it is representative of County demographics. If all ethnicities are not represented, or some are disproportionately underrepresented within the Body in relation to the overall County population, additional steps may be required to address this issue. No racial or ethnic group should go without direct representation on the Body where possible, and long-term outreach and recruitment efforts may need to be undertaken to reach this goal over time.

Other municipal agencies - One of the earliest questions that arose during BI's engagement with the RJOB was that of how to invite or require smaller municipal agencies to participate. While those smaller municipal agencies are within the county, they are not governed by the county in such a way that participation would be mandated. However, in order to truly ensure that there is impact on racial and ethnic disparities throughout the county at large, municipal agencies which are not required to be a part of this work will need to be engaged. This may require a considerable level of outreach about the work we are doing, why it is important, how it has been effective, and why it should not be considered threatening.

Clarity on role within county government – In order for the RJOB to be successful, all members need to feel comfortable understanding their role within the county government structure, what they may or may not request the Board of Supervisors to do, and how those processes are to be properly completed. This would likely require some level of training for members on how to successfully engage county processes to achieve their desired outcomes. It is commendable for the RJOB to be positioned to leverage the influence and authority of the Board of Supervisors to have a positive impact on racial and ethnic equity in the County's justice systems, but it is also very important that the RJOB be aware of how best to do so.

Attendance – RJOB currently has some members who represent local CBOs who, for scheduling purposes, have been unable to attend a number of the meetings, as well as others who started out consistently attending with vocal participation who have not been attending the most recent meetings. It is important to develop outreach efforts for these participants, including potential schedule and location changes and/or individual follow-up e-mails and phone calls to attempt to ensure that all voices are heard and that all members are in attendance, engaged, and participating.

Recommendations and messaging – the RJOB will make recommendations which are to be vetted and eventually backed by the Board of Supervisors. Inevitably, in order to successfully do this and have the recommendations implemented throughout the county as well as within the agencies implicated, the RJOB will need to communicate with these agencies directly, hopefully engaging executives as well as frontline staff to understand any and all data, findings, and research the recommendations are based upon and giving them the opportunity to ask questions



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for understanding. Messaging why the recommendations exist and what their respective purposes are will be instrumental in ensuring implementation once the recommendations have been made and should be planned for accordingly.

Conclusion

This is a highly engaged and well-informed group who all seem to understand the Body's goals and objectives and to demonstrate noteworthy commitment to them. This is reflected in the high-level discussions and ideas which come out of the group on a regular basis. As we pivot from planning and designing the solutions recommended by the RJTF to implementing them, these discussions and ideas will make the group's work all the more promising. That said, by addressing many of the issues raised above, this group's potential for impact can be more fully realized.

We look forward to working with the RJOB to achieve these goals and to the learning that will come from engaging the various stakeholders involved to promote racial equity in both youth and adult justice systems in the County. By engaging community directly, maintaining the attendance and participation of all stakeholders (especially those who are formerly systems involved), developing a dedicated budget, and coordinating with other local justice agencies to create accountability and feedback loops between those agencies and the RJOB, this body will be positioned to make positive changes in Contra Costa County.

These changes never occur as rapidly as we would like, but through a sustained effort of maintaining focus, diligence, a consistent message, and the power of data as a tool to drive decision making will develop the momentum over time to create more equitable justice policies and practices in the County. The work to address structural racism in justice systems is always evolving and presenting new challenges, and those who engage in that work must continue to evolve with it, taking on new challenges as they arise and always monitoring data and human feedback as you strive to meet the underlying needs which often lead to unacceptable acts or behaviors as opposed to merely punishing the acts themselves. We applaud the RJOB's efforts so far and look forward to continuing to support this work going forward.

Addendum

This document was originally drafted and submitted on March 16th, 2020 in anticipation of the originally scheduled March meeting of the Public Protection Committee. As such, various notable changes have occurred during the interim period. These changes are presented below:

- After suspending activities due to COVID-19 guidelines and safety concerns, the RJOB reconvened on May 14th, 2020. The meeting, held virtually, featured an overwhelming show of community presence and support – and much of the Public Comment section of the meeting was taken up with discussion of concerns that people who are incarcerated



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may become infected with COVID-19 and potentially spread it amongst the community when released. The majority of public attendees advocated for emergency release strategies to decrease this risk, and the RJOB agreed to potentially discuss, vote on, and adopt a formal resolution based on the concerns discussed.

- RJOB Member Ledamien Flowers announced his resignation from the Body to ORJ staff on May 12th. The PPC will determine a process by which a new CBO member may be nominated and, if approved, subsequently appointed to the Body by the Board of Supervisors.
- Since this document was originally drafted, the Diversion Subcommittee has met three times with the latest meeting held on June 18th.
- The Data Subcommittee has met and potentially identified a target population for more intense focus to be discussed at the next RJOB Quarterly Meeting on August 6th.
- The Community Engagement and Funding Subcommittee met on June 11th and decided to host a virtual town hall/community forum at its next monthly meeting on July 9th to hear concerns and suggestions from the community in light of the civil unrest.

Finally, in light of the disgraceful actions which led to the death of George Floyd (among others), massive protests and demonstrations have taken place throughout the County as well as the rest of the nation. The civil unrest has created a virtually nationwide push for radical change to justice systems, their accountability to the citizens within the jurisdictions wherein they operate, and the role they play in racial injustice. The Racial Justice Oversight Body is uniquely positioned to be a key part of the County's response to this intense call for change, but only if joined and supported by the County to take bold and unprecedented action in response to an unprecedented degree of area and national engagement. It will require courage, creativity, and a willingness to work with the community to do the deep work of rooting out structural racism. It is important for the County to strongly consider new ideas and approaches to government which may appear controversial and uncertain, and to work alongside advocates for change to powerfully demonstrate its values in developing a system that more holistically responds to the needs of its citizens. The Burns Institute is committed to supporting this work in a variety of ways and is hopeful that this watershed moment is the beginning of true structural change.