



Agenda

PUBLIC PROTECTION COMMITTEE

February 22, 2021
10:30 A.M.

VIRTUAL MEETING

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

<https://cccouny-us.zoom.us/j/86433978237>

Meeting ID: 864 3397 8237

Or by dialing: (214) 765-0478 or (888) 278-0254 (US Toll Free)

Conference code: 507994

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 January 25, 2021 meeting. **(Page 4)**
4. CONSIDER directing staff to return to the Board of Supervisors to consider adopting an updated resolution to increase the age range of the youth seat up to and including 25 years old, as recommended by the Juvenile Justice Coordinating Council. **(Paul Reyes, Senior Deputy County Administrator) (Page 7)**
5. CONSIDER receiving the Community Advisory Board's 2020 Policy Brief, related staff recommendations, and provide additional direction to staff, as necessary. **(Paul Reyes, Senior Deputy County Administrator) (Page 11)**
6. The next meeting is currently scheduled for March 22, 2021.
7. 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 1025 Escobar St., 4th Floor, Martinez, 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
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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: 02/22/2021

Subject: RECORD OF ACTION - January 25, 2021

Department: County Administrator

Referral No.: N/A

Referral Name: RECORD OF ACTION - January 25, 2021

Presenter: Paul Reyes, Committee Staff **Contact:** Paul Reyes, (925) 655-2049

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 January 25, 2021 meeting.

Recommendation(s)/Next Step(s):

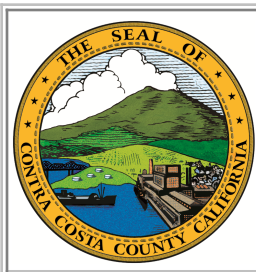
APPROVE Record of Action from the January 25, 2021 meeting.

Fiscal Impact (if any):

No fiscal impact. This item is informational only.

Attachments

Record of Action - January 25, 2021



PUBLIC PROTECTION COMMITTEE

RECORD OF ACTION FOR
January 25, 2021

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

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

1. Introductions

Convene 10:32 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).

Public comment was received.

3. APPROVE Record of Action from the October 26, 2020 meeting.

Approved as presented.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

4. ACCEPT the W. Haywood Burns Institute's summary report on the activities of the Racial Justice Oversight Body.

Approved as presented, with staff directed to bring the RJOB update to the full Board of Supervisors as a discussion item.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

5. RECEIVE the Racial Justice Oversight Body's statement on Racial Justice related to COVID-19 and DISCUSS related policies and practices of the Sheriff's Office and Health Services.

Steve Simpkins (Sheriff's Office) and Dr. Jessica Hamilton (Health Services) discussed detention practices and policies in response to COVID-19. Staff was directed to provide these actions and the RJOB statement to the full Board of Supervisor.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

6. REVIEW and APPROVE the fiscal year 2021/22 AB 109 budget proposal, as recommended by the Community Corrections Partnership - Executive Committee.

Approved as presented.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

7.
 1. APPROVE the proposed 2021 Public Protection Committee meeting schedule and workplan;
 2. PROVIDE direction to staff as appropriate.

Approved as presented.

AYE: Chair Candace Andersen
Vice Chair Federal D. Glover

8. The next meeting is currently scheduled for February 22, 2021.
9. Adjourn

Adjourned - 12:11 pm

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: 02/22/2021
Subject: Juvenile Justice Coordinating Council - Youth Seat
Submitted For: PUBLIC PROTECTION COMMITTEE,
Department: County Administrator
Referral No.: N/A
Referral Name: Juvenile Justice Coordinating Council
Presenter: Paul Reyes **Contact:** Paul Reyes, 925-655-2049

Referral History:

On February 13, 2018, the Board of Supervisors referred to the Public Protection Committee a review of the production of the County's Multi-Agency Juvenile Justice Plan. The plan is due to the state on May 1 of each year, as a condition of Contra Costa's annual funding through the Juvenile Justice Crime Prevention Act (JJCPA) and Youthful Offender Block Grant (YOBG). For Contra Costa County, this amounts to over \$8 million in annual funding specifically for juvenile justice activities.

In 2018, the Public Protection Committee accepted an introductory report on the County's Multi-Agency Juvenile Justice Plan endorsed by the Juvenile Justice Coordinating Council and a summary of the Juvenile Justice Commission (JJC), the Delinquency Prevention Commission (DPC) and the Juvenile Justice Coordinating Council (JJCC).

During its October 2018 meeting, the Public Protection Committee noted that the County had two advisory bodies that were charged with similar duties, specifically, the Delinquency Prevention Commission and the Juvenile Justice Coordinating Council (JJCC), and directed staff to return to the Board of Supervisors (BOS) to combine the functions of the DPC and the JJCC. Also during this meeting, the Public Protection Committee reviewed the composition of the JJCC and recommended to the BOS that the newly consolidated JJCC consist of the following members:

- Chief Probation Officer,
- District Attorney's Office representative,
- Public Defender's Office representative,
- Sheriff's Office representative,
- Board of Supervisors representative,
- Employment and Human Services Department representative,
- Behavior Health representative,
- County Alcohol and Drugs representative,
- City Police Department Representative,
- County Office of Education or a school district representative,

- County Public Health representative, and
- Eight community-based seats, including a minimum of two representing youth-serving community-based organizations and two youth-aged community representatives (14-21 years old).

On December 4, 2018, the Board of Supervisors introduced Ordinance 2018-30 to dissolve the Delinquency Prevention Commission, adopted Resolution 2018/597 to add seats and duties to Juvenile Justice Coordinating Council, and terminated the referral to the Public Protection Committee on this topic. On December 18, 2018, Ordinance 2018-30 was adopted.

Referral Update:

On February 10, 2021, the Juvenile Justice Coordinating Council voted increase the age of the youth seat to include up to 25 year-olds. Today's action is request the Public Protection Committee to consider directing staff to revise the governing resolution (Reso. 2018/597) to increase the youth seat age range up to and including 25 years old.

Recommendation(s)/Next Step(s):

DIRECT staff to return to the Board of Supervisors to consider adopting an updated resolution to increase the age range of the youth seat up to and including 25 years old.

Attachments

Reso. 2018-597

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

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

Adopted this Resolution on 12/04/2018 by the following vote:

AYE: 5 John Gioia
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2018/597

IN THE MATTER OF AUGMENTING THE MEMBERSHIP AND DUTIES OF THE JUVENILE JUSTICE COORDINATING COUNCIL

WHEREAS, pursuant to Section 749.22 of the California Welfare and Institutions Code, Contra Costa County’s Juvenile Justice Coordinating Council was created to develop and implement a continuum of county-based responses to juvenile crime;
WHEREAS, the Juvenile Justice Coordinating Council is composed of thirteen members in the categories required by Welfare and Institutions Code section 749.22;
WHEREAS, the Delinquency Prevention Commission was created to coordinate countywide activities related to juvenile delinquency prevention;
WHEREAS, the Board of Supervisors intends to abolish the Delinquency Prevention Commission and to delegate the responsibilities of the Delinquency Prevention Commission to the Juvenile Justice Coordinating Council;
WHEREAS, the Board of Supervisors desires to designate the Juvenile Justice Coordinating Council to coordinate on a county-wide basis the work of those community agencies engaged in activities designed to prevent juvenile delinquency; and
WHEREAS, the Board of Supervisors desires to increase the number of members of the Juvenile Justice Coordinating Council by six additional members to include three additional At-Large Community members, one Public Health Department representative, and two At-Large youth members.
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS, in its capacity as governing Board of the County of Contra Costa, that:

1. Establishment of the Juvenile Justice Coordinating Council.

Pursuant to Section 749.22 of the California Welfare and Institutions Code and Resolution No. 96/500, the Juvenile Justice Coordinating Council (“Council”) was established. This Resolution (No. 2018/597) supersedes Resolution No. 96/500 establishing the Council and any subsequent Board actions amending the Council.

2. Territorial Area.

The area the Council will serve is the County of Contra Costa.

3. Membership.

The Council will consist of nineteen (19) members:

- a. Nine (9) ex-officio voting members:
 - (i) Chief Probation Officer, as Chair;
 - (ii) District Attorney’s Office representative;
 - (iii) Public Defender’s Office representative;
 - (iv) Sheriff’s Office representative;
 - (v) Board of Supervisors’ representative;
 - (vi) Employment and Human Services Department representative;
 - (vii) Behavioral Health Services representative;
 - (viii) Alcohol and Other Drugs Division representative; and
 - (ix) Public Health representative.
- b. Ten (10) additional voting members are to be selected and appointed by the Board of Supervisors, as follows:
 - (i) City Police Department representative;
 - (ii) one County Office of Education or a School District representative;
 - (iii) four At-Large members, residing or working within County of Contra Costa;
 - (iv) two Community-Based Organization representatives; and
 - (v) two At-Large youth, fourteen to twenty-one years old and residing or working within County of Contra Costa.
- c. The community based representatives should reflect the geographic, ethnic, and racial diversity of the County and should include youth or those providing restorative justice, faith-based, or mentoring services, to justice, homeless, or foster involved youth.

4. Term of Office.

The term of office for the non-ex-officio members appointed by the Board of Supervisors will be two years. If a vacancy occurs, a replacement will be selected and appointed by the Board of Supervisors upon the nomination of the entity that nominated the prior holder of the seat. The newly-appointed member will serve the remainder of the term of the prior holder of the seat. Upon the expiration of a member's term, the member is eligible to be reappointed by the Board of Supervisors.

5. Removal from Office

Each non-ex-officio appointed member of the Committee serves at the pleasure of the Board of Supervisors and may be removed, at will, by a majority vote of the Board of Supervisors.

6. Council Purpose and Duties

The Council will advise the Board of Supervisors on the development and implementation of a multi-agency juvenile justice plan composed of several critical parts, including, but not limited to:

- a. An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol and youth services resources which specifically target at-risk juveniles, juvenile offenders, and their families.
- b. An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substance sales, firearm-related violence, and juvenile alcohol use within the council's jurisdiction.
- c. A local action plan (LAP) for improving and marshaling the resources set forth in subdivision (a) to reduce the incidence of juvenile crime and delinquency in the areas targeted pursuant to subdivision (b) above and the greater community.
- d. Develop information and intelligence-sharing systems to ensure that county actions are fully coordinated, and to provide data for measuring the success of the grantee in achieving its goals.
- e. Identify outcome measures.

The Council will also coordinate on a countywide basis the work of those governmental and non-governmental organizations engaged in activities designed to prevent juvenile delinquency.

7. Quorum and Vote Necessary for Action

A quorum is a majority of the total number of authorized positions on the Council, not a majority of the total number of filled positions. The Council may only take action by a majority vote of the quorum. (With 19 authorized positions, a quorum is 10 members; 6 affirmative votes are necessary for action.)

8. Compensation

The non-ex-officio Council members shall serve without compensation of any kind, and the Board of Supervisors shall not provide funds for the payment of Council meeting stipends or reimbursement of Council members' expenses.

9. Administrative Support

Administrative support will be provided to the Council by the County's Probation Department.

10. Council Funds

Any funds transferred to or received by the County for the Council may only be used for the benefit of the Council.

11. Council Operation and Procedural Rules

Within the parameters of this Resolution, the Council may organize itself and operate as it determines but shall hold regular meetings, at intervals to be established by the Council, at an established time and place. The Council may develop bylaws for the operation of the Council, but such bylaws must be approved by the Board of Supervisors to be effective. The Council meetings are to be conducted in accordance with the provisions of the Brown Act (Government Code sections 54950 et seq.), including the pre-meeting posting of meeting calendar notices, and the County Better Government Ordinance (County Ordinance Code, Division 25). In addition, the Council must fully comply with the Board of Supervisors' policy concerning conflict of interest and open meetings (Resolution No. 2002/376), and the Board's policy governing appointments to boards, committees, and commissions (Resolution No. 2011/497), as applicable.

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: December 4, 2018

Contact: Paul Reyes, (925) 335-1096

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

By: June McHuen, Deputy

cc:



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

5.

Meeting Date: 02/22/2021
Subject: 2020 CAB Policy Brief
Submitted For: PUBLIC PROTECTION COMMITTEE,
Department: County Administrator
Referral No.: N/A
Referral Name: Community Corrections Partnership
Presenter: Paul Reyes **Contact:** Paul Reyes, 925-655-2049

Referral History:

Since its formation in 2012, the Community Advisory Board (CAB) has consistently provided advice to this Partnership in a variety of forms. This includes providing white papers from time to time, and a Policy Brief annually to provide advice on issues related to needed reentry services and enhancement of AB 109 administration.

Referral Update:

On December 4, 2020, the CAB submitted the attached Policy Brief to the Community Corrections Partnership (Attachment A) seeking to provide the County advice in the following areas: Annual AB 109 Program Survey; Housing; Pandemic Emergency Fund; Expansion of MHET services; the Office of Reentry and Justice; funded agencies' periodic reporting; evaluation of programs and services; and the AB 109 budget process.

Staff have reviewed the recommendations of the CAB and have included the recommended next steps for each CAB recommendation, see Attachment B.

Recommendation(s)/Next Step(s):

RECEIVE the Community Advisory Board Policy Brief and staff's recommendations, and PROVIDE direction to staff.

Attachments

Attachment A CAB Policy Brief

Attachment B - Staff Recommendations

MEMORANDUM

FY 2021-2022 Policy & Budget Recommendations

Community Advisory Board to the Contra Costa County Community Corrections Partnership

Introduction

The year 2020 has been one none of us will soon forget. Amid the widespread confusion, commotion, and constant change we have all experienced this year, the international pandemic and nationwide protests against racism have left limited opportunities to celebrate the fact our local jail population has hit lows the county hasn't experienced in decades (including a monthly average that dropped below 700 incarcerated individuals at one point).¹

In the midst of these ups and downs, CAB has done its best to continue support of the county's efforts to enhance public safety through innovation and a reliance on quality information. Since its inception in 2012, CAB has encouraged the Community Corrections Partnership (CCP) to prioritize investments into community-based services in its effort to realize the intentions of the AB 109 legislation from 2011.² In the face of the strong economic headwinds it was confronted with in 2020, the CAB applauds the CCP for successfully working through the first ever cuts to the Community Corrections budget and its commitment to protecting the important investments being made into our local community based service providers.

Each of CAB's Members and everyone from the constituencies CAB represents feel blessed to have just survived 2020.³ Looking forward, CAB is encouraged by the fact that the 10th anniversary of AB 109 is fast approaching and brings with it the chance to think about what the next 10 years could look like. To help chart this course, this document presents ten recommendations that seek to highlight opportunities for growth that promote transparency through shared accountability, are consistent with CAB's belief of keeping people in the community by investing in people in the community, and the community's desire to understand what works...to do more of that.

CAB Policy and Budget Recommendations

CAB has clearly and consistently established that its policy platforms are informed by the following:⁴

As County residents and representatives of the community, we want a fair and effective justice system in Contra Costa County. Our approach to policy rests on four pillars:

- *We want to invest in what works.*
- *We believe that true justice requires social justice.*
- *We believe that incarceration should serve as a last resort.*

¹ Jail data on average daily population (ADP) retrieved on 10/28/20 from: <https://app.smartsheet.com/b/publish?EQBCT=82b29a92ea9a4a0ea7aa480f1287e137>.

² See CAB Key Recommendations, presented to the CCP August 7, 2012.

³ At the time of this writing America continues to lead the world in COVID-19 deaths as the number of lives lost surges past 232,000 – including the 29 people who didn't survive the outbreak in nearby San Quentin Prison.

⁴ See item 5 of the CAB 9/10/20 agenda packet, retrieved on 10/20/20 from: https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/_09102020-2911.

- *We believe that safety for all depends on justice for all.*

Building from these pillars CAB has made multiple recommendations over the past couple of years and would be remiss to not begin by acknowledging the progress the CCP has made on the issues raised. Firstly, CAB is thrilled to recognize that the county has taken the bold and momentous step of institutionalizing the ORJ and finding it a permanent home in the Probation Department. It is now time to build on the momentum and potential of this decision to ensure the ORJ is poised to maximize the effectiveness of the county's investments into reentry and public safety outcomes. Following CAB's recommendation that the county look to diversify the housing options available to returning residents, the Probation Department and Health, Housing, and Homeless Services Division of the Health Services Department (H3) forged a collaborative that resulted in significant investments being made into H3's Housing Security Fund and the provision of housing navigation services that are both aimed at improving the housing outcomes of Probation's clients. Since presenting the CCP with the findings and recommendations from its expenditure analysis in 2016,⁵ the CAB has made a series of recommendations to improve transparency, accountability, and meaningfulness embedded within the budgeting process. CAB greatly appreciates CCP responding to these series of recommendations by making changes to its budget request template, creating a standard expense reporting template for the public partners to use, and most recently agreeing to having a midyear expenditure review at its March meeting followed by an end of year review in September. CAB recognizes that this plan was derailed by the chaotic events of 2020, but fully expects that the CCP will make a good faith effort to honor its commitment to this bi-annual process to review the financials of the Partnership in 2021. While worthwhile progress has been made on issues related to the ORJ, housing, and the budget process, CAB's Policy and Budget Committee has identified several opportunities for growth in these areas.

The recommendations that follow are based upon the discussions CAB has had among its membership, with the public, and with various other stakeholders throughout the past year. Additionally, CAB surveyed AB 109 funded partners, and begins its recommendations with findings from this survey before making additional recommendations related to the ORJ, housing, and CCP budget process.

2020 CAB Survey

RECOMMENDATION #1:

Direct QAC to work with CAB to issue a joint annual survey each June to all public and private agencies receiving AB 109 funding, with the goal of reporting the survey's results (including agency participation) to the CCP on or around September, and the understanding that the CCP will consider an agency's failure to participate in this process when making its budget recommendations each December.

Recognizing the unprecedented nature of the moment, immediately following the shutdown of non-essential services by the County Public Health Officer, CAB's Program and Services Committee (P & S) partnered with the Office of Reentry and Justice (ORJ) to survey the more than 15 public entities and 10

⁵ See item 4 of the CCP 12/16/16 agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/DocumentCenter/View/43697/CCP-Agenda-Packet-12-16-16>.

or so community-based partners that receive AB 109 funding. As stated by CAB, the goal of the survey was “to better understand the goals, challenges, and barriers to achieving the programmatic goals of” partner agencies/organizations to “inform the CAB’s recommendations to the Community Corrections Partnership” by providing it with “[a] better understanding of the needs and obstacles [these] programs face as well as their future direction.”⁶ Given the general importance of this scope, and its exponential importance in this moment, CAB was simultaneously encouraged by the 80% response rate of the community based partners and left somewhat somber and sullen by the underwhelming response rate of about 35% from the public entities.⁷ In the spirit of shared accountability and supporting processes that allow us all to do more of what is working, CAB submits this first recommendation.

RECOMMENDATION #2:

To address the affordable housing needs of the justice involved population, establish regularly reviewed metrics related to obtaining and maintaining permanent housing and allow this metric to drive future levels of AB 109 investments into housing resources.

Because the need for housing is such an ongoing area of concern, CAB believes that metrics in this area would help act as guideposts to the variety of efforts that are being undertaken to address this issue. The more clear the expectations of the CCP are, the better positioned the Partnership, and County more broadly, will be able to understand the underlying reasons for unmet housing needs. That is to say whether such unmet needs are the result of limited availability for affordable housing, insufficient dedicated funding, the misalignment of housing types to need, or some combination of these and other relevant concerns. Without a more structured approach to addressing the need for housing, it is likely this will remain an area where those in need will continue to confront barriers to their reentry success.

RECOMMENDATION #3:

The CCP should encourage the Probation Department to establish a Pandemic Emergency Fund to address the emergent needs of returning residents that are related to transportation, PPE, improving access to the technology required to engage in virtual service provision, or responding to other CCP approved needs, and this fund should be created by matching up to \$100,000 dollar for dollar with some other funding source and include the requirement that Probation provide the CCP with a report each year on the sources and uses of Pandemic Emergency Fund money with a general description of the benefits this fund provided.

⁶ CAB Program and Services 9/17/20 agenda packet at page 5, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/09172020-2923>.

⁷ Item 4 of the CAB Program and Services 10/15/20 agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/10152020-2971>.

Based on the public discussions that occurred when the Program and Services Committee reviewed the results of the 2020 CAB Survey, CAB would like to ensure that the CCP is being responsive to emergent needs of returning residents that are related to the pandemic. Because the Probation Department has the strongest connection to our community's justice involved residents, this agency seems to be best situated to administer a Pandemic Emergency Fund that would provide this population with the support needed to address the effects of the current crisis. The Partnership should encourage Probation to create this fund by matching any funding the department is currently utilizing for this purpose with an equal match of AB 109 dollars to maximize the reach of this severely needed support. Thus, a maximum match of \$100,000 in AB 109 funding would ensure that at least \$200,000 were available for a Pandemic Emergency Fund. While this fund should be allowed to augment and complement any service currently funded by AB 109, the partnership should also allow this fund to be used for new and heightened needs like housing, transportation, personal protective equipment, a technology access. Furthermore, requiring the Probation Department to monitor and report the amount of emergency money used, the source of the money making up the fund, and the types of support the use of this funding provided to returning residents would promote transparency and accountability.

RECOMMENDATION #4:

The CCP should explore using the current amount allocated to law enforcement for MHET so that up to three additional cities in the County receive partial funding from this allocation for MHET police officers with additional funding provided to the Health Services Department for three new MHET clinicians to support the expansion of MHET to six teams in the County.

Findings from the 2020 CAB Survey also served to highlight concerns about the mental health impacts of the pandemic, and the impact extended periods of social isolation has had on the most vulnerable among us. In discussing this issue, CAB's Program and Services Committee was reminded that advancing justice reinvestment in the County is a primary purpose of its work.⁸ With this CAB believes that the County's AB 109 funded Mental Health Evaluation Teams (MHET) provide an excellent opportunity to redirect local resources into a well-established method of increasing public safety. Currently the County provides a local police agency in each of the County's three regions (Antioch in east, Walnut Creek in central, and Richmond in west) with a mental health clinician from the County's Health Services Department and AB 109 funding to cover most of the local police officer's salary teaming up with the mental health clinician. Last year the County agreed to add a fourth team consisting of a county clinician and Sheriff Deputy to support the three regional city police teams. Nonetheless, based on the findings of the 2020 CAB Survey and other discussions on this issue, CAB supports increasing AB 109 investments in community-based mental health clinicians. Consistent with the ideas of justice reinvestment, CAB recommends the Partnership incentivize local law enforcement partners to redirect additional resources that would allow the MHET program to add three additional teams. By using additional AB 109 funding for three additional mental health clinicians, the current amount spent on three MHET police officers could then be spread to six local jurisdictions. While cities would be asked to pay a higher portion of the costs for their officer participating in MHET, the expectation is that the substantial benefits additional crisis management resources would provide to each agency would be sufficient encouragement for

⁸ CAB Operating Guidelines, adopted 3/14/19 and accessible at: <https://www.contracosta.ca.gov/DocumentCenter/View/59610/CAB---Operating-Guidelines-March-2019--FINAL>.

them to reinvest a portion of their law enforcement budgets into this proven, and desired, public safety strategy.

The Office of Reentry and Justice

RECOMMENDATION #5:

The county should immediately invest the resources necessary to add additional support staff to effectively complement and advance the important work of the ORJ Research and Evaluation Manager.

When CAB first recommended the creation of the ORJ as a three year pilot project, it noted that doing so would provide the county with the expertise required to “undertake the day-to-day efforts of cross-sector, inter-agency program development, coordination, implementation, evaluation, and modification.”⁹ CAB noted that among the primary responsibilities of the ORJ would be “advancing knowledge on relevant issues, research, and best practices ... [and] ... managing data and evaluation of AB109-funded services.”¹⁰ The importance of these functions is greater than this isolated statement suggests. Understanding what is known to work and whether what we are doing is working as expected is at the heart of the county’s ability to make smart public safety investments. It is CAB’s view that expecting a single ORJ staff member to successfully take on such a herculean task is as unreasonable as it is unrealistic. So long as this underinvestment continues there exists limited ability for the county to just collect and manage, let alone understand, data and information from a cross-sector collaboration of over 20 interconnected agencies, programs, and organizations. Given this CAB recommends this deficit be given immediate and urgent attention.

RECOMMENDATION #6:

Immediately direct the ORJ to provide CCP with a report at its first meeting following the conclusion of each fiscal year detailing each AB 109 funded agency’s strict compliance with periodic reporting requirements, and establish a policy that prevents recommending new or continued funding of agencies with outstanding periodic reports or that have not shown a good faith compliance with the reporting requirements.

As CAB has continued to work closely with the ORJ it has become more aware of the various challenges the agency has been confronted with in trying to get access to data and information from the various AB 109 funded agencies. The aforementioned lackluster response from public agencies to the 2020 CAB Survey is an example of the challenges faced and the stark contrast on this issue between public and

⁹ Item 7 CCP 5/6/16 agenda packet, retrieved on 10/20/20 from:

<https://www.contracosta.ca.gov/DocumentCenter/View/40869/May-2016-CCP-Agenda-Packet>.

¹⁰ Ibid.

community-based partners. Indeed, CAB has become aware through its representative on the CCP Quality Assurance Committee (QAC) that the ORJ's ability to comply with the CCP's request that it produce a timely and robust AB 109 Annual Report has been hampered by the failure of a number of agencies, most of them from the public sector, to submit timely periodic reports to the ORJ. What was shared during QAC was that after the ORJ reduced the number of reports agencies would have to submit throughout the year from 4 to 2 to ease the burden of reporting, it was told by the Superior Court that they would not be submitting any data reports for the year citing the lack of available staff time. Worth noting is that after multiple requests the District Attorney's office has also not provided data for the fiscal year 2019-2020.

It is CAB's position that this stark double standard does little to advance the goal of shared accountability, fails to provide the necessary transparency that is germane to the use of public funds for a shared public good like "safety," and ultimately thwarts the CCP's (and more importantly public's) ability to ascertain the comparative value of various investments being made. Furthermore, it is CAB's understanding that on more than one occasion reimbursements to community-based organizations have been withheld by the county for the failure to submit a timely data report as required by the CCP policy that approved unanimously¹¹ and applies equally to both community-based organizations and public departments alike.¹² Because the ORJ receives the required reporting from AB 109 funded agencies, but doesn't necessarily process all requests for reimbursement the CCP must immediately take on Recommendation #6 from CAB to reaffirm periodic reporting as a requirement of partners receiving funding through AB 109, assert the value of data and evidence in the funding process, and reestablish parity as the enforced norm among the partners. Recommendation seven looks to address the reality that there has been no comprehensive evaluation of the programs or services funded through AB 109 since 2016 when Resource Development Associates provided a report on the performance of AB 109 funded departments.¹³

RECOMMENDATION #7:

Direct the ORJ to facilitate a comprehensive evaluation of the programs and services paid for through AB 109 for any evidence of their effectiveness, their impact on key performance indicators of the criminal justice system and provide adequate resources for the completion of this effort.

To be clear, by stating that ORJ should facilitate this effort CAB is attempting to be sensitive to the herculean effort this would be for ORJ with its current staff. It is likely that a large proportion of this work would need to be outsourced given the number of programs and partners that are funded.

¹¹ See Record of Action for the 11/6/15 CCP Meeting in the 12/4/15 CCP agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/DocumentCenter/View/38967/December-2015-CCP-Agenda-Packet-Final>.

¹² Item 6 of the CCP 11/6/15 agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/DocumentCenter/View/38543/November-2015-CCP-Agenda-Final-11-2-15>, stating "future expenditure reimbursements to community based organizations and departments be approved only if monthly quantitative metrics are submitted ... to ensure that all parties receiving CCP funding are complying with requirements to submit data in a timely manner for use in policy and budgetary decisions by the CCP."

¹³ Item 4 of the CCP 1/22/16 agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/DocumentCenter/View/39638/January-2016-CCP-Agenda-Packet>.

Previously when such an inquiry was done, it was over two years with one year dedicated to public agencies and the second dedicated to community-based programs. A similar approach may also be required now to make this more feasible. It is likely the additional resources required to do this type of review will likely be several hundred thousand dollars. Without such an investment, however, it will continue to be difficult to determine the value of the multiple hundreds of millions of dollars already spent by the County under AB 109.

Housing for the County's Returning Residents

RECOMMENDATION #8:

Provide the Office of Reentry and Justice direction to work with H3 and CAB to assess housing options that are currently funded through AB 109, and see if any recommendations exist to create more flexibility in the use of housing funding, and variety in the housing options that are offered, so that the housing services provided better align with the range of circumstances and characteristics of the county's reentry population.

The challenges brought about in 2020 served to highlight the concerns with using sober living environments (SLE) as the primary source of housing for the reentry population. With this population more likely to be in essential worker jobs and unable to work from home, this heightened risk for COVID-19 exposure is only further exacerbated by a congregate living situation with multiple similarly situated individuals sharing a room. When this reality is combined with the fact that an SLE is often not ideal for individuals who are not in SUD recovery, that suffer from co-occurring disorders, or whom suffer from some chronic health conditions CAB's continued call for more flexibility in available AB 109 housing funding is at least reasonable. Furthermore, most other housing resources in the community require individuals to actually be homeless or facing some other imminent housing crisis. More flexible funding would provide people with the support needed at the first hint of housing instability to prevent them from nearing the point of crisis to better preserve permanent housing that is already in their possession. Since the goal of the AB 109 housing programs should be to get people into permanent housing, the CCP should look to understand how well a program designed around the provision of six months of housing actually achieves this objective. The anecdotal information CAB members have seems to suggest that six months of housing for system impacted people leads to episodic events of homelessness more times than not. The recommendation that follows is imperative if the CCP wants to understand the housing needs of the reentry population, and the potential types of housing that will be most responsive to these needs and this specific population.

The Budget Request and Recommendation Process

As CAB has continued to work with the CCP over the past several years, while the progress has been great there are still a few places where further improvements can be made. When the county published its midyear expenditures report in June of this year,¹⁴ CAB's Policy and Budget Committee discussed the content of this report and made several observations that led to the following three recommendations.

¹⁴ Item 4 of the CCP 6/5/20 agenda packet, retrieved on 10/20/20 from: <https://www.contracosta.ca.gov/DocumentCenter/View/67254/June-6-CCP-Agenda>.

RECOMMENDATION #9:

Establish a policy directing AB 109 funded agencies to submit budget requests with line-item descriptions that clearly explain all expenses intended and ensures that each contract or expense passing through to another agency is listed on its own line in the request.

RECOMMENDATION #10:

Establish a policy directing AB 109 funded agencies to use the same line-item descriptions from its approved budget request documents when reporting any expenses made on those items – even where this would result in reporting when no spending has occurred for a particular item.

RECOMMENDATION #11:

Establish a policy directing AB 109 funded agencies to explain any significant under/overspending on any line items.

Despite the use of a standardized reporting template, agencies were not consistent in how this template was used. Some agencies ensured that the description of line item being reported matched identically with its approved budget request, others collapsed multiple line items of their approved budget request into a single line item on their financial report with a categorical description, still others basically only reported on two subtotals with one for total staffing costs and a second for the total cost of operations. This variation not only made the financial reports for some more difficult to decipher than others, but also resulted in the agencies submitting their finances to differing levels of transparency. This review also illuminated the problem created by approving a budget request that uses a broad categorical line item like “Program Services” that is a collection of four or more independent expense types. The problem here is that even where the financial report identically matches the budget request document, the goal of transparency is hindered since what is reported provides limited insight into how the amount spent is related to what was ultimately purchased. Given this, CAB’s final two recommendations seek to make the budget request and expense reporting processes more uniform, transparent, and representative of the money’s uses.

Conclusion

CAB believes that best way to keep people in the community is to invest in people in the community. This means prioritize community-based solutions to problems a particular community is faced with. Because the CCP is focused on shared objectives and the use of a shared funding source, it must remain committed to promoting transparency through shared accountability. In this way not only is all the

information on the table for everyone to learn and benefit from, but there is also parity in the expectations of both public agencies and community-based organizations. Trying new practices and making changes to the way things are done is attempted in the hopes of improving outcomes. While having good intentions are great, evidence of achieving these intentions (or not) is even better. Understanding what works should drive the decision-making process. With the eleven recommendations presented in this memorandum, CAB hopes to enhance what is produced by the collective efforts of the Partnership and the process leading there. We value the progress the CCP has made on past CAB recommendations to date and encourage it to seize the moment for further advancements by fully adopting each of the recommendations included here.

Community Advisory Board FY 2021-22 Policy & Budget Recommendations - Analysis

| Rec # | Description | Staff Recommendation |
|-------|---|---|
| 1 | Direct QAC to work with CAB to issue a joint annual survey each June to all public and private agencies receiving AB 109 funding, with the goal of reporting the survey's results (including agency participation) to the CCP on or around September, and the understanding that the CCP will consider an agency's failure to participate in this process when making its budget recommendations each December. | Agendize CCP discussion - The CCP should consider agendizing discussion around the survey that was submitted to public entities and community-based partners to determine the recurrence and establish buy-in from all stakeholders for completion of the survey. Discussion should include any concerns that stakeholders may have around the details of the survey questions to ensure that information received will best assist the CCP in identifying future funding priorities. |
| 2 | To address the affordable housing needs of the justice involved population, establish regularly reviewed metrics related to obtaining and maintaining permanent housing and allow this metric to drive future levels of AB 109 investments into housing resources. | Agendize CCP discussion - ORJ (including community programs) and H3 have housing data that could be used to establish metrics that can be updated regularly, based on CCP determination. CCP should agendize this discussion to give direction as needed. |
| 3 | The CCP should encourage the Probation Department to establish a Pandemic Emergency Fund to address the emergent needs of returning residents that are related to transportation, PPE, improving access to the technology required to engage in virtual service provision, or responding to other CCP approved needs, and this fund should be created by matching up to \$100,000 dollar for dollar with some other funding source and include the requirement that Probation provide the CCP with a report each year on the sources and uses of Pandemic Emergency Fund money with a general description of the benefits this fund provided. | No further action needed - The Probation Department has mechanisms in place to assist clients with housing, transportation and technology-related needs. Deputies can issue clients gift cards for groceries. In addition, Probation has ample supplies and can issue PPE as requested/needed. Probation has also recently increased their contract with Rubicon by \$75K to issue ChromeBooks with 1 year of WiFi access to adult clients so they can access online programming and services. As such, creating such a fund is unnecessary. |
| 4 | The CCP should explore using the current amount allocated to law enforcement for MHET so that up to three additional cities in the County receive partial funding from this allocation for MHET police officers with additional funding provided to the Health Services Department for three new MHET clinicians to support the expansion of MHET to six teams in the County. | Agendize CCP discussion - Given the impact that the pandemic has had on city budgets, it would be a challenge to ask for our partner cities to pay for a higher portion of costs for their officers at this time. It would be helpful to have the MHET response data from Antioch, Richmond and Walnut Creek in order to evaluate utilization and effectiveness to better gauge future needs. The need for data around this recommendation ties into #6 below. |
| 5 | The county should immediately invest the resources necessary to add additional support staff to effectively complement and advance the important work of the ORJ Research and Evaluation Manager. | In progress by Probation - Probation is currently in the process of establishing and hiring a new Planner/Evaluator position in the ORJ by the end of FY 2020-21 to assist staff with the workload. |

| Rec # | Description | Staff Recommendation |
|-------|--|---|
| 6 | Immediately direct the ORJ to provide CCP with a report at its first meeting following the conclusion of each fiscal year detailing each AB 109 funded agency's strict compliance with periodic reporting requirements, and establish a policy that prevents recommending new or continued funding of agencies with outstanding periodic reports or that have not shown a good faith compliance with the reporting requirements. | Agendize CCP discussion - CCP should agendize a discussion around data needs. While it would be challenging for ORJ to police reporting compliance, understanding the data issues/needs would help to understand the reporting challenges for all stakeholders. This ties into feedback regarding recommendation #4 above. |
| 7 | Direct the ORJ to facilitate a comprehensive evaluation of the programs and services paid for through AB 109 for any evidence of their effectiveness, their impact on key performance indicators of the criminal justice system and provide adequate resources for the completion of this effort. | Agendize CCP discussion - Current staffing challenges in ORJ would prevent this from being done internally, however, the CCP should consider if contracting an outside consultant for this recommendation is fiscally feasible. This ties into previous responses around discussing data needs as the CCP. |
| 8 | Provide the Office of Reentry and Justice direction to work with H3 and CAB to assess housing options that are currently funded through AB 109, and see if any recommendations exist to create more flexibility in the use of housing funding, and variety in the housing options that are offered, so that the housing services provided better align with the range of circumstances and characteristics of the county's reentry population. | Agendize CCP discussion - The funding isn't very flexible in that all AB 109 housing are in contained programs and the type of housing the providers use are fairly static. A housing assessment would best be performed in collaboration with H3 and ORJ could assist by framing the types of housing potentially needed based on reentry population data. CCP should agendize this discussion to give direction as needed. |
| 9 | Establish a policy directing AB 109 funded agencies to submit budget requests with line-item descriptions that clearly explain all expenses intended and ensures that each contract or expense passing through to another agency is listed on its own line in the request. | Maintain current practice - Line item requests more granular than they are currently is impractical and would not provide significant fiscal benefit. Such a policy would also not be aligned with current countywide practices in place for budget submissions, which provides for broad budget categories. Staff recommendation is to maintain the status quo. |
| 10 | Establish a policy directing AB 109 funded agencies to use the same line-item descriptions from its approved budget request documents when reporting any expenses made on those items – even where this would result in reporting when no spending has occurred for a particular item. | Maintain current practice - Similar to the response to recommendation #9, more granular reporting would be inconsistent with current countywide budget of using expenditure categories for budget and expense reporting. Staff recommendation is to maintain the status quo. |
| 11 | Establish a policy directing AB 109 funded agencies to explain any significant under/overspending on any line items. | Maintain current practice - While there is no formal policy around this recommendation, quarterly reviews of budget and expenses are agendized in CCP meetings and provide the opportunity for committee members, CAB and the public to ask questions or make suggestions. Staff recommendation is to maintain the status quo. |