

To: Lara DeLaney
Senior Deputy County Administrator

From: Contra Costa District Attorney

Subject: Fund Request for Federal Community Project funding

Date: January 31, 2022

Overview:

The Contra Costa District Attorney's Office is the sole prosecuting agency within Contra Costa County. Our sole mission is to seek justice and enhance public safety for all residents.

Young people of color are disproportionately represented in the justice system. The main idea of Young Adult Diversion is to implement restorative justice diversion as an alternative pathway for transitional age youth (TAY), aged 18-24, who are arrested for specified felonies and serious misdemeanors. The Young Adult Diversion is part of a larger movement to recognize young adults in the justice system as a distinct group with distinct needs. TAY are disproportionately represented in the justice system, disproportionately arrested, and have the highest recidivism rate of any group. The Young Adult Diversion Program is a shift away from a punitive response, and instead a focus on healing, restoration, and accountability. The primary goal is to redirect youth from the criminal justice system, reduce the pipeline into the justice system, reduce recidivism and reduce disparities in the justice system.

Data:

According to the 2019 data collected by the California Department of Justice (DOJ), youth of color bore the brunt of justice system involvement. Also, based on data from the Final Report of the Contra Costa County Racial Justice Task Force, across the County, Black adults were more than 3 times more likely to be arrested than adults from any other racial/ethnic group, and Black youth were more than 7 times more likely to be arrested than youth from any other racial/ethnic group.

- Black, Latinx, and youth of color are more likely to be arrested in California compared to white youth.
- In California, compared to white youth, Black youth are 8.7 times more likely to be arrested, and Latinx youth are 2.1 times more likely to be arrested.
- Systemic racism has led to the increase of racial and ethnic disparities at each subsequent point of contact within the juvenile justice system.
- Black and Latinx, and youth of color are more likely to have their arrest referred to court, get sentenced, and be incarcerated for longer periods of time. ¹

¹ (Haywood Burns Institute. United States of Disparities. Retrieved from: <https://usdata.burnsinstitute.org/#comparison=3&placement=3&rac=1,2,3,4,5,6&offenses=5,2,8,1,9,11,10&year=2017&view=m>)

Trends:

Data confirms that Youth of color bear the brunt of California's justice system, and that youth of color are primarily impacted by the system. Across the state is that there is a demand for change.

Racial Equity:

Across Contra Costa County, racial and ethnic disparities in arrests and detention of youth plague our system. According to data from the State of California's Department of Justice's criminal Justice Statistics Center, Black people are more likely to be arrested than individuals from any other racial or ethnic group in every city but one in Contra Costa County.² Additionally, both Black and Latinx youth were 50% more likely to be detained than White youth.³

Gaps:

There has never been a post-arrest, pre-charge diversion program in Contra Costa County aimed at prevention over incarceration for TAY (18-24 years old). TAY youth are system impacted and bear the burden of systemic inequities including racial and ethnic disparities. Resources for this group of young people are extremely limited.

Prevention:

A Young Adult Diversion program will divert youth away from punitive solutions and towards rehabilitative services. Youth will be provided with wraparound services that are trauma informed, culturally relevant, and developmentally appropriate.

Intersectionality:

TAY youth, are disproportionately represented in the justice system, disproportionately arrested, and have the highest recidivism rate of any group. The Young Adult Diversion Program is a shift away from a punitive response, and instead a focus on accountability, healing, and restoration, for the youth, the victim, and the community. The program will divert felonies and serious misdemeanor cases for which youth of color are disproportionately arrested and/or incarcerated. Victims are contacted and provide meaningful input, if desired. Victims also have the opportunity to get answers, and to see the youth show remorse for their actions.

² (Contra Costa County Racial Justice Task Force (2017). Final report to board of supervisors. Retrieved from: http://64.166.146.245/docs/2018/BOS/20180724_1121/34430_FINAL%20CCC-RJTF_BoS-memo_20180710_STC.pdf

³ (California Department of Justice. (n.d.). Retrieved from: <https://openjustice.doj.ca.gov/crime-statistics/arrests>

Transformational Bold Ideas:

District Attorney Becton is an advocate for solutions that reduce youth incarceration and vulnerability to the prison pipeline. The District Attorney's office will partner with other justice partners, and with community-based programs to develop case eligibility requirements, avoid net-widening and focus on reducing racial and ethnic disparities

The *bold idea* is to invest in prevention over incarceration. The Young Adult Diversion Program is a shift away from a punitive response, and instead a focus on healing, restoration, and accountability. The primary goal is to redirect youth from the criminal justice system, reduce the pipeline into the justice system, reduce recidivism, increase victim satisfaction, and reduce disparities in the justice system.

Success:

The anticipated successful outcomes are:

- Redirect youth from the criminal justice system
- Lower recidivism
- Development of "life skills"
- Reduce racial and ethnic disparities in the criminal justice system
- Data collection and transparency
- Reduce related fiscal and social costs

Funding Request: \$1Million