



Contra
Costa
County

To: Board of Supervisors
From: PUBLIC PROTECTION COMMITTEE
Date: April 12, 2016

Subject: REPORT ON REFERRAL OF LETTER FROM THE CONTRA COSTA COUNTY RACIAL JUSTICE COALITION

RECOMMENDATION(S):

1. ACCEPT report from the Public Protection Committee on a letter received by the Board of Supervisors from the Contra Costa County Racial Justice Coalition and referred to the Committee for review on April 21, 2015 (Agenda Item No. C.76); and
2. APPROVE formation of the *ad hoc* Contra Costa County Disproportionate Minority Contact Task Force, including composition as outlined in Attachment H, to review and update the 2008 Disproportionate Minority Contact Report and integrate the findings into the scheduled update of the Countywide Reentry Strategic Plan, following review by the Public Protection Committee and Board of Supervisors; and
3. DIRECT the Public Protection Committee to initiate a recruitment process for the five community based organization seats outlined in Attachment H and return to the Board of Supervisors with recommendations for appointment to the Task Force; and
4. DIRECT the Public Protection Committee to continue monitoring the progress of staff participating in the Government Alliance on Racial Equity training cohort and report back to the Board of Supervisors with any recommendations following the conclusion of that

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **04/12/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: April 12, 2016

Contact: Timothy Ewell,
925-335-1036

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

By: , Deputy

cc:

process.

FISCAL IMPACT:

No immediate fiscal impact. Contract facilitation services related to the work of the proposed DMC Task Force will be bid out concurrent with the planned, and funded, County Reentry Strategic Plan and AB 109 Operations Plan RFPs in Summer 2016.

BACKGROUND:

Over the past year, the Public Protection Committee (PPC) held five public meetings on this issue. Below is an outline of events, commencing with receipt of a letter from the Contra Costa County Racial Justice Coalition (the "Coalition"):

On April 7, 2015, the Board of Supervisors (BOS) received a letter (Attachment F) from the Coalition requesting the review of certain topics within the local criminal justice system. The PPC generally hears all matters related to public safety within the County and was tasked with reviewing this referral by the BOS (Attachment G).

On July 6, 2015, the PPC initiated discussion regarding this referral and directed staff to research certain items identified in the Coalition's letter to the BOS and return to the PPC in September 2015. Specifically, this was with regard to current workplace diversity training for county employees and current data on race in the County criminal justice system.

On September 14, 2015, the PPC received a comprehensive report (Attachments A - D) from staff on current data related to race in the County criminal justice system, information regarding the County workplace diversity training and examples of diversity and implicit bias trainings from across the country.

At the November 9, 2015 meeting, the PPC received a brief presentation reintroducing the referral and providing an update on how a 2008 Disproportionate Minority Contact (DMC) report (Attachment E) compares with the statistical data presented at the September meeting. Following discussion, the PPC directed staff to return in December 2015, following discussions between the County Probation Officer, District Attorney and Public Defender, with thoughts about how to approach a new DMC study initiative in the County.

On December 14, 2015, the PPC received an update from the County Probation Officer, District Attorney and Public Defender on how best to proceed with an update to the 2008 DMC report; including, establishing a task force to review and update findings from the 2008 report. During the 2008 study, the concept of establishing a new task force was discussed; however, the task force was not formed at that time. The PPC directed the three departments above to provide a written project scope and proposed task force composition for final review.

On February 29, 2016, the PPC received written description of the proposed task force discussed at the December 2015 meeting from the County Probation Officer, District

Attorney and Public Defender (Attachment H). The PPC accepted the proposed task force composition and clarified that the three school district seats should be represented by the West Contra Costa Unified School District, the Mount Diablo Unified School District and the Antioch Unified School District. The PPC directed staff to prepare a report for consideration by the full Board of Supervisors and schedule for early April 2016.

Below is an outline of attachments included in this staff report:

Attachment A – Contra Costa County Data on Race in Criminal Justice

Summary of race data in criminal justice systems in Contra Costa County

- Contra Costa County population estimates
- Probation Department data on Pretrial, AB 109 adult and juvenile probation populations
- Superior Court data on criminal case filings and jury service

Attachment B - San Francisco Reinvestment Initiative: Racial and Ethnic Disparities Analysis

Related article:

<http://sfpublicdefender.org/news/2015/06/study-shocking-racial-disparities-in-sf-courts/>

Attachment C – Contra Costa County’s Workplace Diversity Training

- Summary of eLearning vendor Target Solutions' Workplace Diversity training materials
- Risk Management memo on diversity training, including completion data by department
- Board policy on required sexual harassment and workplace diversity training

Attachment D – Other Diversity and Implicit Bias trainings and presentations:

- Governing for Racial Equity (GRE) Conference presentation on Incorporating Race and Justice Principals into Criminal Justice System Policies.

The GRE Network is a regional consortium of government, philanthropy, higher education and the community partnering to achieve racial equity. The GRE Network brings together public sector employees from across the U.S. to end institutional and structural racism, strengthen regional alliances, and increase public will to achieve racial equity. The 2015 conference took place on June 11 & 12 in Seattle, Washington.

- EmTrain’s guide to the online training on Fostering a Diverse & Inclusive Workplace. EmTrain is San Mateo County’s online training vendor and is an approved provider of continuing education.
- King County participant’s guide to their workshop on Addressing Implicit Bias, Racial Anxiety, and Stereotype Threat.
- Government Alliance on Race and Equity (GARE) presentation on Equity in

Government.

GARE Director Julie Nelson conducts trainings with elected officials, housing, police officers, commissioners and others that is focused on normalizing conversations about race (delineating the differences between implicit and explicit bias and individual, institutional and structural racism), organizing within institutions and with the community and operationalizing equity. GARE has launched a year-long learning cohort for jurisdictions in the Bay Area that are at the beginning phases of working on racial equity. Given the discussions that have been happening within the Public Protection Committee over the past year, departments have elected to send representatives to this training using department training budgets.

Attachment E – Disproportionate Minority Contact, Reducing Disparity in Contra Costa County. December 2008

This is the original report completed following a three-year (2005-08) study period focusing on DMC issues in the local juvenile justice system. The PPC used this document as a reference to illustrate a process similar to the one that is being proposed in today's action.

Attachment F - Letter from Contra Costa County Racial Justice Coalition, April 2015

Attachment G - Contra Costa County Racial Justice Coalition Referral to Public Protection Committee

Attachment H - Proposed Composition for the DMC Task Force, as recommended by the District Attorney, Public Defender and County Probation Officer, and approved by the PPC for consideration by the Board of Supervisors

CONSEQUENCE OF NEGATIVE ACTION:

The Board will not have accepted the report from the Committee. Also, the proposed DMC Task Force will not be formed, requiring the Board to determine alternative next steps related to this referral.

CHILDREN'S IMPACT STATEMENT:

No immediate impact.

CLERK'S ADDENDUM

Speakers: Kaylie Simon, Deputy District Attorney, CCC Racial Justice Coalition; Mei Christian, CCC Racial Justice Coalition; Eli D., resident of Martinez.

ACCEPTED the report; REFERRED it to the Public Protection Committee (PPC) for review on April 21, 2016;

APPROVED formation of ad hoc Contra Costa County Disproportionate Minority

Contact Task Force (CCCDMC Task Force), comprised of no more than 15 members representing governmental agencies and community organizations whose work concerns racial equality within the criminal justice system,

*Chief Probation Officer Public Defender District Attorney Sheriff
Superior Court of Contra Costa County
Local Law Enforcement (member to be name by the CCC Police Chiefs
Association)
Local School Districts (up to 3 representatives)
Department of Health*

Community-based Organizations (up to 5 members), with one representative from a faith-based organization;

*and a member of the public representing the interests of mental health
and one general member of the public- possibly from the Former Grand Juror
Association*

The Task Force will review and update the 2008 Disproportionate Minority Contact Report and integrate the findings into the scheduled update of the Countywide Reentry Strategic Plan, following review by the PPC and Board of Supervisors;

DETERMINED the mission of the CCCDMC Task Force for racial justice is:

- 1. Identify some consensus measures within the County to reduce racial disparities in the criminal justice system*
- 2. Make recommendations for implementation of the measure once identified*
- 3. Report back to the Board of Supervisors on progress made toward reducing racial disparities within the criminal justice system;*

DIRECTED the PPC to move forthwith on the recruitment process to set up the Task Force;

DIRECTED quarterly reports by the Task Force be submitted to the PPC on its progress, to the extent that there is something that could be forwarded to the full Board of Supervisors for consideration; and DIRECTED the Public Protection Committee to continue monitoring the progress of staff participating in the Government Alliance on Racial Equity training cohort and report back to the Board of Supervisors with any recommendations following the conclusion of that process.

ATTACHMENTS

PowerPoint Presentation

Attachment A: Contra Costa County Data on Race in the Criminal Justice System

Attachment B: San Francisco Reinvestment Initiative: Racial and Ethnic Disparities Analysis

Attachment C: Contra Costa County's Workplace Diversity Training

Attachment D: Other Diversity and Implicit Bias Trainings and Presentations

Attachment E: Disproportionate Minority Contact, Reducing Disparity in Contra Costa County. December 2008

Attachment F: Letter from Contra Costa County Racial Justice Coalition, April 2015

Attachment G: Contra Costa County Racial Justice Coalition Referral to Public Protection Committee

Attachment H: Proposed Composition of Disproportionate Minority Contact Task Force, as recommended by DA, PD and Probation