



**RJOB PROGRESS
REPORT**

WHAT IS THE RACIAL JUSTICE OVERSIGHT BODY?

The Racial Justice Oversight Body (RJOB) was established in 2018 following the Board of Supervisors adoption of the Racial Justice Task Force's (RJTF) recommendations for improving racial equity within the County's justice system.

From April 2017-June 2018, RJTF met monthly to review local justice system data and assessed best and emerging practices for addressing racial disparities.



WHAT IS THE RACIAL JUSTICE OVERSIGHT BODY? (CONT.) *RJTF* *FINDINGS PRESENTED TO BOS, JULY* *2018*

The Task Force found disparities across the local justice system after review of data from law enforcement agencies, criminal and juvenile justice system. The highlighted findings included:

1. Higher arrest rates for Black youth and adults drive disparities in County juvenile and criminal justice processes in 2014
2. Black and Latino youth were more likely than White youth to be placed in custody, both pre- and post-adjudication
3. Differences in the rate of disparity across cities indicated that different local contexts drive these disparities.
4. A higher proportion of Black and Latino defendants have sentence enhancements, due to characteristics of charges and/or defendants
5. Black adults in Contra Costa County were more likely than Latino or White adults to be detained pre-trial
6. In 2014, Black youth were sent to secure confinement at a higher rate than all other races; relative to being a ward of the Court, Hispanic youth were securely confined at a higher rate.
7. Changes to County jury selection processes have increased disparities in who services on juries in Contra Costa County.

RJOB'S MISSION

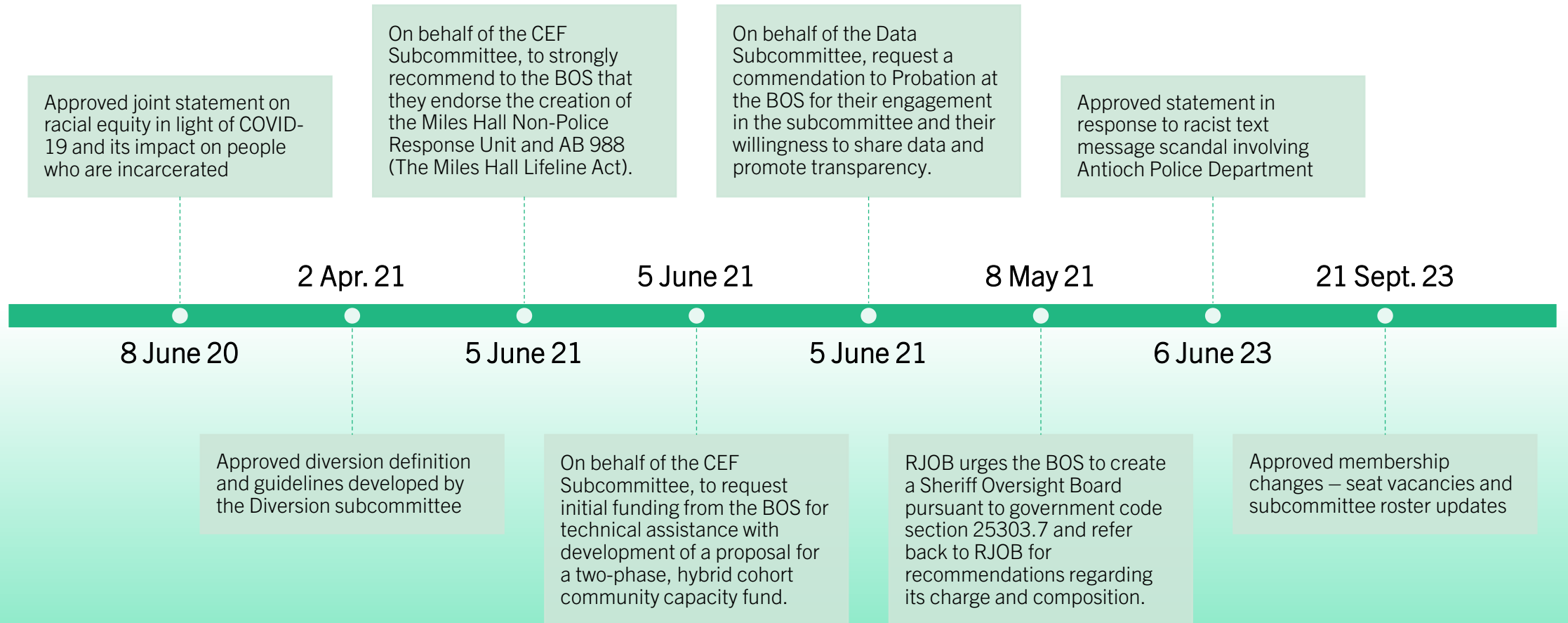
In adherence to the RJTF's oversight and accountability recommendations, RJOB was assembled in 2019 with the objective to:

1. Prioritize and implement the RJTF recommendations
2. Establish subcommittees of RJOB members who bring expertise in and commitment to the topic areas
3. Develop subcommittee workplans

The full body currently meets quarterly and reports to the BOS on an annual basis. Subcommittees meet monthly.



RJOB ACTIONS TO DATE





RJOB'S ACTIVITIES & ACCOMPLISHMENTS TO DATE

Community Engagement and Funding Subcommittee

- Establishing guidelines for a community capacity fund for reentry Community Based Organizations
- Strategizing to build a Youth Advisory Council
- More accessibility to public members
- Co-hosting community forum with Data Subcommittee (2022)
- Preliminary planning for Youth Advisory Council proposal (2022)

Data Subcommittee

- Development of decision points matrix
- Collection of current data from Probation, Sheriff's Office, County of Education
- Proposed development of commendation for participating agencies
- Conducted analyses drawing from CA DOJ data
- Receiving and sharing Probation, COE, and Sheriff's data
- Supporting/promoting county race/ethnicity data website
- Supporting/making data requests, written as well as via Zoom, to local county agencies/organizations

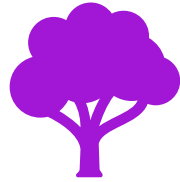
Diversion Subcommittee

- Completed a list of all current diversion programs
- Developed a definition of diversion and a list of guidelines for countywide use
- Diversion program staff presentations
- Development of preliminary recommendations
- Developing list of offenses excluded from diversion meant to expand eligibility (2022)
- Developing pilot program to receive direct feedback about student needs in West Contra Costa Unified School District (2022)

RJOB ACTIVITIES 2023



Public Statement in response to racism scandal in Antioch



Support and development of community healing spaces



Request for more clarity on role in implementation of the RJTF's Recommendations



Continuing to develop dialogue between RJOB and Board of Supervisors/subcommittees

RJOB SUBCOMMITTEE GOALS/OBJECTIVES 2024

The RJOB has worked diligently to understand the various issues surrounding racial equity in the Contra Costa County justice system. Much of this work has been divided among three subcommittees:

Community Engagement and Funding Subcommittee

- **Build stronger community participation/connections to ensure community voice is centered in RJOB work**
- Establish formal partnerships with community-based organization to provide greater capacity for programming and services
- Establish a community capacity fund to build the capacity of community-based organization



RJOB SUBCOMMITTEE GOALS/OBJECTIVES 2024 (CONT.)

Data Subcommittee

- Work with County criminal justice agencies and local law enforcement to improve the collection of individual level data on all encounters within the justice system
- Review and publish race-specific data for the purposes of improving transparency and accountability
- Support analyses of interventions to measure efficacy and assess impact on racial disparities

Diversion Subcommittee

- Recommend countywide criteria and protocols for formal and informal diversion. The recommendations shall be evidence-based and follow established best practices
- Separate recommendations to be developed for adult and juvenile populations



RECOMMENDATIONS



Recalibration and/or reconfiguration of the RJOB for more autonomy and impact



Invite Equity Committee/BOS to spring Quarterly Meeting



Continuing to build direct partnerships with Justice System partners



QUESTIONS?

Contra Costa County

Racial Justice Oversight Body

Final Project Report (2023)

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 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 Racial Justice Oversight Body (hereinafter 'RJOB' or 'Body') is comprised of 18 overall members, including nine community representatives that include representatives of local community-based organizations (CBOs) and nine representatives from specified local County agencies. It is quite rare for the Burns Institute to see such an even representation of system and community stakeholders, an approach we consistently advocate for, but which is usually not fully executed (the court is one of the nine County agency members and hold the seat as a non-voting member). In keeping with this composition, we encouraged the Body to elect two co-chairs, one a community stakeholder and one a systems stakeholder. In 2023, the Body duly elected Ellen McDonnell of the Contra Costa County Public Defender's Office and Chala Bonner of the Safe Return Project as co-chairs.

Additionally, the RJOB has 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 (CEF) Subcommittee, chaired by Melvin Willis of the Contra Costa County Racial Justice Coalition (Ronell Ellis is interim chair as of January 2024)
- Data Subcommittee, chaired by Chala Bonner of the Safe Return Project
- Diversion Subcommittee, chaired by Stephanie Medley of the RYSE Center

During an abbreviated meeting schedule over the course of 2023, the Community Engagement & Funding Subcommittee as well as the Diversion Subcommittee both met a total of two times, while the Data Subcommittee met a total of three times.

Background

2023 was a particularly irregular year for the RJOB. First of all, due to term limits and the expiring membership of various community seats as well as changes to the attendance requirements, the RJOB did not begin meeting until April of 2023. Furthermore, the RJOB found itself in the precarious position of needing to craft responses and field community input regarding the racist text message scandal involving the Antioch Police Department. These developments dominated all meeting discussions for a significant period of time, and even had an impact on the meeting schedule. The subcommittees did not meet for the first few months after meetings resumed because the full body wanted to focus on crafting language responding to the scandal as well as discussing next steps.

As the year wore on, requirements to attend meetings in person, something that hadn't been required since the onset of COVID-19, resulted in multiple cancellations due to lack of quorum. Key members also faced a series of personal challenges, leading to an eventual pause of the CEF Subcommittee after August through the end of the year. In addition to the logistical and other issues, burnout likely played a significant role as questions of the true role, responsibilities, and authority of the RJOB to impact change in the County persisted throughout the year.

Observations and Findings

I. Activities and Accomplishments

The full RJOB met and developed a statement in response to the racist text message scandal involving officers from the Antioch Police Department and continued to discuss meaningful ways to respond or support the sort of County response community called for. Much of this discussion was submitted to the subcommittees to work on after the first two full body sessions of the year.

A. The Community Engagement and Funding subcommittee was the first subcommittee to meet this year, and beginning discussions about community centered healing spaces in the wake of the text message scandal to help community members process and heal from any trauma the scandal

and their own experiences with law enforcement might have caused. The plan was to invite various organizations already involved in healing spaces around the County to hear about community healing efforts and to determine how to offer support. However, the CEF subcommittee leadership faced a series of unfortunate events, and all meetings after August were canceled. This year, the CEF will consider moving forward on a bimonthly basis, with a primary focus on developing and sustaining more community attendance, participation, and input, before diving more substantively into its work plan items.

B. The Data subcommittee primarily discussed its role as it made a comeback from a hiatus imposed by the lack of forthcoming data from justice system partners despite formal written requests in prior years. The Data subcommittee currently faces a lack of capacity within a County organization trusted by all County system partners to analyze any data received. It was determined by members of the Public Protection Committee, that the County's newly developed Office of Racial Equity and Social Justice (ORESJ) would serve as the assigned agency to provide administrative and data analysis support to the RJOB's forthcoming work. As the ORESJ continues staffing and initialization, this capacity issue may be meaningfully addressed. Finally, the Data subcommittee discussed the Sheriff's oversight report required quarterly by the Board of Supervisors as a result of the RJOB's recommendation for independent oversight of the Sheriff's Office operations and has been preparing to request more data points be added to the report so as to get as complete a picture as possible of what underlying factors may be driving jail admissions and other criminal legal system outcomes throughout the County.

C. The Diversion subcommittee continues to refine diversion eligibility criteria for certain offenses, with the stated goal of allowing as many people to access diversion or other alternatives to incarceration as possible, in compliance with Recommendation 2, which requires in part that the RJOB do the following:

- “1. Develop separate recommendations for adult and juvenile populations.
2. Strive to ensure the broadest possible pool of eligible participants”

To these ends, the Diversion subcommittee, which had once been plagued by lack of data to determine the impact of any and all criteria changes, is prepared to move forward with suggested changes in direct partnership with the DA's office, with an agreement in writing that any future data which shows that criteria changes may exacerbate racial and ethnic disparities should quickly trigger new processes to change the criteria so as to eliminate those disparities. As of this writing, discussions about the eligibility criteria have resumed.

Recommendations

In addition to any relevant recommendations included in earlier reports, we also recommend the following:

The RJOB finds itself at a crossroads with a need to reexamine its role and structure in order to be effective moving forward. Specifically, this body was formed after a groundswell of community support and advocacy that something must be done to meaningfully address racial and ethnic disparities which have persisted in the County over time. Community members were specifically asking for a change, declaring the status quo as far as the criminal legal system and its impacts on communities of color unacceptable. The stated purpose of the RJOB is to implement the recommendations of the Racial Justice Task Force (RJTF), however, due to its advisory structure, some Members have raised questions related to what extent, if any, authority rests within the Body's charge and scope to ensure the RJTF recommendations are implemented. This has led to much RJOB frustration as well as some criticism from community members who expected more progress. Additionally, the RJOB still desires to have more direct communication with Supervisors which would be of tremendous help in ensuring that members' point of view and rationales are heard and directly considered.

Based on all of the above, we highly recommend having as many Supervisors attend a future Quarterly Meeting, preferably the May 2nd Meeting to hear from RJOB members directly as well as to begin strategizing how the RJOB could be configured to more actively implement the recommendations developed by RJTF and to get the most impact out of their participation.

Additionally, we recommend the RJOB prioritize specific recommendations that emphasize specific offices or agencies within the County criminal legal system or relevant adjacent County agencies, where direct partnership may lead to decisive outcomes – a great example of which is the Diversion subcommittee's work with the DA's office to implement changes to diversion eligibility criteria.

Conclusion

If the RJOB is to reach its full potential, acting in direct response to the RJTF Recommendations and bringing the desired impact to the County, it will require courageous leadership that is willing to take innovative and potentially unprecedented action and empower the RJOB to do the same. Additionally, it will require a renewed commitment from RJOB members, which we believe will follow when members feel truly empowered such that their time will yield actionable impact.

The BI continues to believe in the potential within the County to make pragmatic policy/practice changes as well as the larger cultural shifts necessary to achieve that vision, and we remain committed to the work such a vision will warrant.