# Racial Justice Oversight Body Agenda

## Project Kick-off Meeting

### Agenda Items:

1. **3:00-3:05 Welcome**

2. **3:05-3:15 Public Comment** on any item under the jurisdiction of the RJOB and not on this agenda. (Speakers may be limited to three minutes.)

3. **3:15-3:45 Overview of the W. Haywood Burns Institute and RJOB Member Introductions**
   - a. Mission of Burns Institute (Attachment A)
   - b. Role and Responsibility in Contra Costa County
   - c. RJOB Member Introductions

4. **3:45-4:15 Roles and Responsibilities of the RJOB**
   - a. History of Racial Justice Task Force (RJTF)
   - b. Methodology of RJTF
   - c. Highlights of Recommendations (Attachment B)

5. **4:15-4:45 Process for Establishing a Sustainable Governance Structure and Decision-making**
   - a. Governance Structure Discussion
   - b. Decision-making Process
   - c. RJOB Member Requirements: Ethics and Brown Act Training

6. **4:45-5:00 Next Steps**
   - a. Discuss future meeting dates/times
   - b. Discuss scheduling of the Work Plan retreat

7. **Adjourn**

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The Office of Reentry & Justice will provide reasonable accommodations for persons with disabilities planning to attend Racial Justice Oversight Body meetings. Contact the person listed below at least 72 hours before the meeting.

Any disclosable public records related to an item on a regular meeting agenda and distributed by the County to a majority of members of the Racial Justice Oversight Body 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 workday prior to the published meeting time.

For Additional Information Contact: **Lara DeLaney**, Director of Office of Reentry & Justice  
Phone (925) 335-1097 Fax (925) 335-1098  
Lara.DeLaney@cao.cccounty.us
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:

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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</thead>
<tbody>
<tr>
<td>AB</td>
<td>Assembly Bill</td>
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<tr>
<td>ABAG</td>
<td>Association of Bay Area Governments</td>
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<tr>
<td>ACA</td>
<td>Assembly Constitutional Amendment</td>
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<td>AIDS</td>
<td>Acquired Immunodeficiency Syndrome</td>
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<td>Alcohol and Other Drugs</td>
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<td>Better Government Ordinance</td>
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<td>California Work Opportunity and Responsibility to Kids</td>
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<td>CAO</td>
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<td>Community Development Block Grant</td>
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<td>dba</td>
<td>doing business as</td>
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<td>EBMU</td>
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<td>EIR</td>
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<td>EIS</td>
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<td>et al.</td>
<td>et al (and others)</td>
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<td>(State Dept of) Housing &amp; Community Development</td>
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<td>Department of Health and Human Services</td>
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<td>HUD</td>
<td>United States Department of Housing and Urban Development</td>
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<td>Inc.</td>
<td>Incorporated</td>
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<td>JPA</td>
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<td>Limited Liability Company</td>
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<td>Minority Business Enterprise</td>
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<td>MIS</td>
<td>Management Information System</td>
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<tr>
<td>MOE</td>
<td>Maintenance of Effort</td>
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<td>MOU</td>
<td>Memorandum of Understanding</td>
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<td>Metropolitan Transportation Commission</td>
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<td>National Association of Counties</td>
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<td>Obstetrics and Gynecology</td>
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<td>Psy.D.</td>
<td>Doctor of Psychology</td>
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<td>Racial Justice Oversight Body</td>
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<td>Transportation, Water and Infrastructure Committee</td>
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<td>Urban Counties Caucus</td>
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<tr>
<td>VA</td>
<td>Department of Veterans Affairs</td>
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<td>vs.</td>
<td>versus (against)</td>
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<tr>
<td>WAN</td>
<td>Wide Area Network</td>
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<td>WBE</td>
<td>Women Business Enterprise</td>
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<tr>
<td>WCCTAC</td>
<td>West Contra Costa Transportation Advisory Committee</td>
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RACIAL JUSTICE OVERSIGHT BODY KICK-OFF MEETING
Contra Costa County
Our Work
- The Burns Institute works to eliminate racial and ethnic disparities in the justice system by building a community-centered response to reducing justice system involvement for people of color.

Our Expertise
- Facilitate community and system stakeholders through a data-driven process aimed at creating community-based alternatives to secure detention
- Experience in consulting with over 100 jurisdictions nationwide to reduce racial and ethnic disparities in the justice system
Three Focus Areas:

- **Data Capacity and Utilization**
  - How comprehensive are local information systems?
  - Is data disaggregated by race/ethnicity?
  - Is data used to inform reform goals?

- **Collaboration and Governance Structure**
  - What is the purpose of the local justice collaboration?
  - What is the composition of the collaborative?
  - What is the decision-making process?

- **Community Engagement**
  - What role does community play in the local reform effort?
  - Is the community represented in any of the collaborative discussions?
  - Does the local justice system formally partner with community-based organizations to serve system-involved individuals?
WHY DO WE START WITH RACE & ETHNICITY?

### NATIONAL RACE FOR RESULTS INDEX SCORES

<table>
<thead>
<tr>
<th>Race</th>
<th>Score</th>
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<tbody>
<tr>
<td>African American</td>
<td>345</td>
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<tr>
<td>American Indian</td>
<td>387</td>
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<tr>
<td>Asian &amp; Pacific Islander</td>
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<tr>
<td>Latino</td>
<td>404</td>
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<tr>
<td>White</td>
<td>704</td>
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**Note:** race and Hispanic origin categories are mutually exclusive.

### CHANGING DEMOGRAPHICS: PERCENT OF PEOPLE OF COLOR BY COUNTY

![Map showing percentage of people of color by county](image)

### NATIONAL DETENTION RATES (2015) PER 100,000 YOUTH IN POPULATION

<table>
<thead>
<tr>
<th>Race</th>
<th>Rate</th>
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<tr>
<td>White</td>
<td>25</td>
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<tr>
<td>Latino</td>
<td>50</td>
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<tr>
<td>Native American</td>
<td>74</td>
</tr>
<tr>
<td>Black</td>
<td>153</td>
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</table>
BI STRATEGY FOR REDUCING RACIAL AND ETHNIC DISPARITIES

1. Identify Disparities
   - Identify whether and to what extent racial and ethnic disparities exist

2. Identify, Analyze and Strategize around a “Target Population”
   - Identify target population to focus the work.
   - “Dig deeper” into target population to learn more about policy, practice, and/or procedure and other factors contributing to disparities.
   - Strategize around how policy, practice, and/or procedure change might result in reductions in disparities.
   - Pilot or adopt policy change

3. Measure Progress
   - Monitor Effectiveness of Policy Change
   - Document changes in disparities

Ongoing process
Our Work in Contra Costa County

- Guide the work of the RJOB to oversee the implementation of the County adopted RJTF recommendations
- Establish Governance Structure for RJOB
  - Community Engagement
  - Meeting facilitation
  - Support the development of bylaws
- Development of two-year work plan
  - Host work planning retreat
  - Development of subcommittees
  - Data analysis, if needed
- Development of final written report
LOCAL EFFORTS TO ADVANCE EQUITY

2008
- DMC-TAP Report

2015
- Letter to Board of Supervisors from Contra Costa County Racial Justice Coalition (CCCRJC)
- Recommendation to convene Racial Justice Taskforce (RJTF)

2016
- RJTF established comprising both community and system stakeholders

2017
- Research Development Associates (RDA) contracted to provide facilitation and data analysis to RJTF

2018
- RJTF final report and recommendations finalized and adopted
- Racial Justice Oversight Body (RJOB) established

2019
- Burns Institute contracted to support the implementation of RJTF recommendations
Met monthly from May 2017 – June 2018 to review data on local criminal and youth justice systems

Data spanning 2013 - 2017 collected through public data sources

- State of California Department of Justice (DOJ)
- Criminal Justice Statistics Center (CJSC)
- Contra Costa County Probation Department
- Contra Costa County Superior Court
- Contra Costa County Sheriff’s Office
- Contra Costa County Racial Justice Coalition

8 Community Forums

- Formed two subcommittees to build community engagement and plan the forums
FINDINGS: HIGHER ARREST RATES FOR BLACK YOUTH AND ADULTS DRIVE DISPARITIES

2014 Adult Arrests per 1,000

- Violent: 18 Black, 5 Latino, 3 White, 2 Other
- Property: 20 Black, 5 Latino, 4 White, 2 Other
- Drug: 17 Black, 7 Latino, 7 White, 2 Other
- Sex: 0

2014 Juvenile Arrests per 1,000

- Violent: 12 Black, 1 Latino, 1 White, 0 Other
- Property: 7 Black, 1 Latino, 1 White, 0 Other
- Drug: 2 Black, 1 Latino, 1 White, 0 Other
- Sex: 0

Source: State of California DOJ CJSC
RJTF LIST OF FINDINGS

1. Higher arrest rates for Black youth and adults across Contra Costa County drive disparities in justice system involvement and outcomes
2. While this finding is consistent across cities in the County, differences in the offenses with the greatest disparities indicate that different local contexts drive these disparities
3. Black youth in Contra Costa County were much more likely than Latino and White youth to be referred to Probation
4. Black and Latino youth were more likely than White youth to be detained prior to adjudication
5. 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, Latino youth were securely confined at a higher rate
6. In 2014 and 2015, a greater proportion of cases with Latino or Black defendants had charge enhancements than cases with White defendants
7. In 2014 and 2015, a greater proportion of Black defendants had person enhancements than either Latino or White defendants
8. From 2015 to 2017, Black adults in Contra Costa County were more likely than Latino or White adults to be detained pre-trial
9. Changes to County jury selection processes have increased disparities in who serves on juries in Contra Costa County.
RJTF RECOMMENDATIONS

- Oversight and Accountability
- Diversion
- Data
- County Support for Local Agencies
- Community Engagement and Services
- Practices Related to Trial and Adjudication Process
- Confinement
- Implicit Bias training requirement for County staff
RJOB MEMBER REQUIREMENTS

- Please remember that you are required to view and certify County advisory body training materials

- Links will be provided in an e-mail

- Group trainings may also be coordinated as needed
CONSIDERATIONS FOR BUILDING & SUSTAINING COLLABORATIVE STRUCTURES

- **Composition**
  - Justice and Community Partnership
  - Involvement of Supervisors/Line Staff

- **Authority**
  - Collaborative must have the sufficient authority to implement the policy/practice/programmatic changes

- **Structure**
  - Ensure oversight and direction (Meeting Chairs)
  - Collaboration Team
  - Institute a process for decision-making
  - Clear communication strategy (i.e. internal and external)

- **Leadership and Coordination**
  - Taking ownership over the work (Serve as an Ambassador)
  - Willing to share decision making and resources
  - Consistent Representation
ROLE AND RESPONSIBILITIES
OF THE RJOB CO-CHAIRS

Ensure that RJOB is working toward achieving its stated goals
- Regularly review work plan

Develop quarterly meeting agendas
- Participate in coordinating calls with BI

Ensure that meetings are orderly and efficient
- Opening and adjourning meetings
- Covering meeting agenda items
- Allocating appropriate time for each agenda item
- Keeping RJOB members focused on task(s) related to RJOB goals
- Ensuring meeting minutes are taken and distributed to RJOB members in a timely manner

Work closely with Coordinator to ensure RJOB related activities/strategies are underway
- Regular communication with relevant stakeholders
ESTABLISHING RJOB BYLAWS

- Statement of Purpose
- Body membership
- Voting procedures
- Term of office for RJOB members
- Termination of a RJOB member
- Define when meeting meets a quorum
- Procedure about unscheduled/emergency meeting
- Body Officers (chair or co-chair)
- Committees
- Amendments
Consensus Decision-Making

- Seeks the agreement of most participants, but also attempts to resolve or mitigate the objections of the minority to achieve the most agreeable decision
- De-emphasize the role of factions or parties and promote the expression of individual voices

Decision by Majority

- Members agree to abide by the decision chosen by a simple or larger majority of members casting votes
- Process is a win or lose model

Dialectic Decision-Making

- Process by which the group fully considers alternative proposals on which to consider
DIALECTIC DECISION-MAKING

Problem

Proposal X
- Assumptions
- Pros/Cons

Proposal Y
- Assumptions
- Pros/Cons

Choice

X or Y

Combination

New Alternative
## WHY DEVELOP A WORK PLAN?

- States collective goals and objectives
- Provides direction to local reform effort
- Serves as an accountability tool
- Provides insight regarding priorities for local funding
- Now, let's get to work!

<table>
<thead>
<tr>
<th>Month</th>
<th>Activity</th>
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<tbody>
<tr>
<td>June</td>
<td>Launch Meeting</td>
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<td>July</td>
<td>Planning for Retreat</td>
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<td>August</td>
<td>Work Planning Session</td>
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<tr>
<td>September</td>
<td>2nd Quarter RJOB Meeting</td>
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<td>October</td>
<td>Convene sub-committees</td>
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</tbody>
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NEXT STEPS

1. Discuss dates/times for future meetings
2. Discuss scheduling of work planning session
The W. Haywood Burns Institute
475 14th Street, Suite 800
Oakland, CA 94612
www.burnsinstitute.org
(415) 321-4100

Tshaka Barrows, Chief Executive Officer, Ext. 106
tbarrows@burnsinstitute.org

Chris James, Site Manager, Ext. 103
cjames@burnsinstitute.org
Contra Costa County
Racial Justice Task Force – Final Report and Recommendations

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.
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.