



Agenda

RACIAL JUSTICE OVERSIGHT BODY

May 19, 2022

1:00 p.m. to 3:00 p.m.

Join Zoom Meeting:

<https://zoom.us/j/93282719813?pwd=Y1g1TTdNVk1rWktFSDRLVDRpWGo0UT09>

Meeting ID: 932 8271 9813

Passcode: 713346

Join by Phone

Dial (669) 900-6833

Enter the Above Meeting ID and Passcode

Diversion Subcommittee Meeting

1. **Welcome, Introductions & Announcements**
2. **Public Comment** on any item under the jurisdiction of the RJOB Diversion Subcommittee and not on this agenda.
3. **Approval of the Record of Actions** from the March 17, 2022 Diversion Subcommittee Meeting (**Attachment 1; See Pg. 3-5**) [VOTE]
4. **Eligibility Criteria Update**
 - Review and Discuss Example of Pre-arrest Diversion Eligibility Criteria from the Oxnard Police Dept. (**Attachment 2; See Pg. 6-7**)
5. **Discuss Work Plan Objective 5: School Discipline** [VOTE]
 - Jamboard Exercise: Existing Educational Resources/Potential Strategic Allies
6. **Next Steps**
7. **Adjourn to Next Diversion Subcommittee Meeting:** June 16, 2022, 1:00 p.m. to 3:00 p.m.

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✉ *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:

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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	HIPAA	Health Insurance Portability and Accountability Act
ABAG	Association of Bay Area Governments	HIV	Human Immunodeficiency Syndrome
ACA	Assembly Constitutional Amendment	HOV	High Occupancy Vehicle
ADA	Americans with Disabilities Act of 1990	HR	Human Resources
AFSCME	American Federation of State County and Municipal Employees	HUD	United States Department of Housing and Urban Development
AICP	American Institute of Certified Planners	Inc.	Incorporated
AIDS	Acquired Immunodeficiency Syndrome	IOC	Internal Operations Committee
ALUC	Airport Land Use Commission	ISO	Industrial Safety Ordinance
AOD	Alcohol and Other Drugs	JPA	Joint (exercise of) Powers Authority or Agreement
ARRA	American Recovery and Reinvestment Act	Lamorinda	Lafayette-Moraga-Orinda Area
BAAQMD	Bay Area Air Quality Management District	LAFCo	Local Agency Formation Commission
BART	Bay Area Rapid Transit District	LLC	Limited Liability Company
BCDC	Bay Conservation & Development Commission	LLP	Limited Liability Partnership
BGO	Better Government Ordinance	Local 1	Public Employees Union Local 1
BOS	Board of Supervisors	LVN	Licensed Vocational Nurse
CALTRANS	California Department of Transportation	MAC	Municipal Advisory Council
CalWIN	California Works Information Network	MBE	Minority Business Enterprise
CalWORKS	California Work Opportunity and Responsibility to Kids	M.D.	Medical Doctor
CAER	Community Awareness Emergency Response	M.F.T.	Marriage and Family Therapist
CAO	County Administrative Officer or Office	MIS	Management Information System
CCHP	Contra Costa Health Plan	MOE	Maintenance of Effort
CCTA	Contra Costa Transportation Authority	MOU	Memorandum of Understanding
CCP	Community Corrections Partnership	MTC	Metropolitan Transportation Commission
CDBG	Community Development Block Grant	NACo	National Association of Counties
CEQA	California Environmental Quality Act	OB-GYN	Obstetrics and Gynecology
CIO	Chief Information Officer	O.D.	Doctor of Optometry
COLA	Cost of living adjustment	OES-EOC	Office of Emergency Services-Emergency Operations Center
ConFire	Contra Costa Consolidated Fire District	ORJ	Office of Reentry & Justice
CPA	Certified Public Accountant	OSHA	Occupational Safety and Health Administration
CPI	Consumer Price Index	Psy.D.	Doctor of Psychology
CSA	County Service Area	RDA	Redevelopment Agency
CSAC	California State Association of Counties	RJOB	Racial Justice Oversight Body
CTC	California Transportation Commission	RJTF	Racial Justice Task Force
dba	doing business as	RFI	Request For Information
EBMUD	East Bay Municipal Utility District	RFP	Request For Proposal
EIR	Environmental Impact Report	RFQ	Request For Qualifications
EIS	Environmental Impact Statement	RN	Registered Nurse
EMCC	Emergency Medical Care Committee	SB	Senate Bill
EMS	Emergency Medical Services	SBE	Small Business Enterprise
EPSDT	State Early Periodic Screening, Diagnosis and treatment Program (Mental Health)	SWAT	Southwest Area Transportation Committee
et al.	et ali (and others)	TRANSPAC	Transportation Partnership & Cooperation (Central)
FAA	Federal Aviation Administration	TRANSPAN	Transportation Planning Committee (East County)
FEMA	Federal Emergency Management Agency	TRE or TTE	Trustee
F&HS	Family and Human Services Committee	TWIC	Transportation, Water and Infrastructure Committee
First 5	First Five Children and Families Commission (Proposition 10)	UCC	Urban Counties Caucus
FTE	Full Time Equivalent	VA	Department of Veterans Affairs
FY	Fiscal Year	vs.	versus (against)
GHAD	Geologic Hazard Abatement District	WAN	Wide Area Network
GIS	Geographic Information System	WBE	Women Business Enterprise
HCD	(State Dept of) Housing & Community Development	WCCTAC	West Contra Costa Transportation Advisory Committee
HHS	Department of Health and Human Services		



Agenda

RACIAL JUSTICE OVERSIGHT BODY

Diversion Subcommittee Meeting

RECORD OF ACTIONS

March 17, 2022

1:00 p.m. to 3:00 p.m.

Join Zoom Meeting:

<https://zoom.us/j/93282719813?pwd=Y1g1TTdNVk1rWktFSDRLVDRpWGo0UT09>

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Diversion Subcommittee Meeting

Subcommittee Members Present:

Kira Faulkner, Probation Supervisor, on behalf of Esa Ehmen-Krause, Chief Probation Officer

Ellen McDonnell, Public Defender

Diana Becton, District Attorney

Tamisha Walker, Racial Justice Coalition, Safe Return Project, Community-based Representative, Seat 1

Michael Pierson, Community-based Representative, Seat 3

Cheryl Sudduth, Community-based Representative, Seat 7

Stephanie Medley, Director of Education & Justice at the RYSE Center, Community-based Representative, Seat 5 (Committee Chair)

Subcommittee Members Absent:

Louie Tirona, Acting Police Chief, City of Richmond, Local Law Enforcement Representative

Staff Present:

Nicole Popczuk, Administrative Services Assistant II, Office of Reentry & Justice

Monique Tate, Program Coordinator, Office of Reentry & Justice

Melvin Russell, Assistant Chief of Probation Officer

Jill Ray, Field Representative, Supervisor Candace Andersen's Office

Dawn Morrow, District Representative, Supervisor Diane Burgis' Office

Others Present:

LaShante Smith, West Contra Costa Unified School District, Local School District Representative

Simon O'Connell, Chief Assistant District Attorney

Jane Courant, Community Member

Committee Consultant Staff Present:

Christopher James, W. Haywood Burns Institute

1. Welcome, Introductions & Announcements

- Convened: 1:02PM

- Announcements: See below:
 - i. Diana Becton: Application for Neighborhood Restorative Partnership panelists now posted online;
 1. Christopher James: Is there a link that you can provide? Simon O'Connell provided the following application in Chat:
<https://www.contracosta.ca.gov/DocumentCenter/View/73475/Volunteer-Application-?bidId=>
 - ii. Ellen McDonnell: New Prop 47 funding available for \$6 Million over (3) years; Having discussions regarding programmatic design and application; Should be an announcement coming soon from CAO on convening an Advisory Committee;
2. **Public Comment on any item under the jurisdiction of the RJOB Diversion Subcommittee and not on this agenda.**
- No Public Comment was received.
3. **Approval of the Record of Actions** from the February 17, 2022 Diversion Subcommittee Meeting (**Attachment 1; See Pg. 3-5**) [VOTE]
- No Public Comment was received.
 - Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
 - Motion: Michael Pierson
 - Second: Ellen McDonnell
 - Motion carries
4. **Eligibility Criteria Update** (**Attachment 2; See Pg. 6**)
- Public Comment was received.
 - Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
 - Simon O'Connell: Presented potential exclusionary offenses to Subcommittee and requested feedback from Subcommittee;
 - All Members: Consensus from Subcommittee that this exclusionary list was a good starting point;
 - Michael Pierson: Recommended adding the penal codes;
 - Christopher James: Will take on the task to research diversion panel models from other jurisdictions and schedule a couple of ad hoc meetings (Non-Public) before the next scheduled Subcommittee Meeting;
5. **Discuss Work Plan Objective 5: School Discipline** (**Attachment 3; See Pg. 7-33**) [VOTE]
- Jamboard Exercise: Existing Educational Resources
 - i. No Public Comment was received.
 - ii. Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
 - iii. Christopher James: Postponed to next scheduled Subcommittee meeting;
 - LaShante Smith: Overview of School to Prison Pipeline Issues and Potential Efforts
 - i. Public Comment was received.
 - ii. Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
 - iii. Christopher James: Presented Impact Justice PowerPoint to Subcommittee;
 - iv. LaShante Smith: Presented the efforts the WCCSD has made to create systems of supports for students, specifically restorative justice practices; COVID halted this effort, but a continued area of focus; Recommendations for Next Steps:
 1. Create a youth focus group; Engaging young people, specifically those that are being impacted the most by policies to better understand the supports that are needed;
 2. Hire a RJ Coordinator; An RJ Coordinator is needed to training staff and actively engage community; This would create a true RJ Circle; When students return to school, they could

have a reentry plan; There's a hiring freeze that went into effect as of 3/17/22; Planned services are secured, but no funds for additional services;

6. **Next Steps**

- No Public Comment was received.
- Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
- Christopher James: See below:
 - i. Research diversion panel models from other jurisdictions;
 - ii. Schedule a couple of ad hoc meetings (Non-Public) before the next scheduled Subcommittee Meeting;
 - iii. Resume Jamboard Exercise: Existing Educational Resources
 1. Look at interventions
 2. Look at other districts

7. **Adjourn to Next Diversion Subcommittee Meeting:** April 21, 2022, 1:00 p.m. to 3:00 p.m.

- No Public Comment was received.
- Discussion: See video here for more details: <https://youtu.be/FxS5oYj9ZuM>
- Adjourned: 2:45PM

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	Tier 1 Warn and release (no citation, no referral to CBO services)	Tier 2 Warn and release with referral to CBO services (no citation, voluntary participation with CBO)	Tier 3 Referral to CBO services (citation written but placed on hold)
Assault/Battery (95 citations in 2018)	240 PC – Assault , no injury, vic dnw pros 242 PC – Battery, no injury, vic dnw pros 243.2 PC - Battery on school/park/hospital grounds, no injury, vic dnw pros 243.6 PC – Battery on school employee, vic dnw pros	240 PC – Assault , vic dnw pros 242 PC – Battery, vic dnw pros 243.2 PC - Battery on school/park/hospital, Vic dnw pros 243.6 PC – Battery on school employee, Vic dnw pros	**An assault or battery case would not be cited if a victim does not wish prosecution** 240 PC, 242 PC, 243.2 PC, 243.6 PC - If vic later opts for diversion in lieu of prosecution 415 PC – Fight in public, no inj, non-gang
Vehicle Citation (299 citations in 2018) Breakdown of top 3: <ul style="list-style-type: none"> ▪ No license – 179 ▪ No proof of insurance – 27 (infraction) ▪ Failure to stop/yield – 14 			12500 VC – Unlicensed driver (solo offense?)
Drugs/Alcohol (104 citations in 2018) <ul style="list-style-type: none"> ▪ Alcohol – 31 ▪ Possession – 28 ▪ Marijuana – 19 ▪ Paraphernalia – 11 ▪ Tobacco – 8 ▪ Rx drugs with no Rx – 7 		25662 BP – MIP alcohol 11357 HS – Poss marijuana, 1 st offense	11357 HS – Poss marijuana (repeated) 11350 HS – Poss heroin/controlled substance 11377 HS – Poss methamphetamine 11375(b)(2) HS – poss Rx drugs w/o prescription 647(f) PC – Public Intoxication 25662 BP – MIP alcohol

	Tier 1 Warn and release (no citation, no referral to CBO services)	Tier 2 Warn and release with referral to CBO services (no citation, voluntary participation with CBO)	Tier 3 Referral to CBO services (citation written but placed on hold)
Violation of Probation – 777 (99 citations in 2018) ** 777 WIC is not pre-arrest diversion eligible, refer to probation***			
Habitual disobedience or curfew violation - WIC 601(a) (60 citations in 2018)	601(a) WIC – Runaway, 1 st offense 602 PC – Trespass (minor)	601(a) WIC – Runaway, repeated 601(b) WIC – truancy, repeated, referral via SARB	601(a) WIC – Runaway, habitual 601(b) WIC – truancy, habitual, **handled via SARB process** 602 PC - Trespass, minor violation (e.g. store property)
Theft (65 citations in 2018)	484 PC - Petty theft, 1 st offense, <\$949 <i>and vic dnw</i> prosecution 459.5 PC – Shoplift, < \$949 <i>and vic dnw</i> prosecution	484 PC - Petty theft, repeated, <\$949 <i>and vic dnw</i> prosecution 459.5 PC – Shoplift, < \$949 <i>and vic dnw</i> prosecution	**A petty theft case would not be cited if a victim does not wish prosecution** 459.5 PC – Shoplift, <\$949, if vic later opts for diversion in lieu of prosecution
Vandalism/Graffiti (53 citations in 2018)	594 PC – Graffiti, 1 st offense, <\$949 <i>and vic dnw</i> prosecution 594 PC – Vandalism, <\$949 <i>and vic dnw</i> prosecution	594 PC –Graffiti, repeated, <\$949 <i>and vic dnw</i> prosecution 594 PC – Vandalism, <\$949 <i>and vic dnw</i> prosecution	**A graffiti or vandalism case would not be cited if a victim does not wish prosecution** 594 PC – Graffiti, <\$949, if vic later opts for diversion in lieu of prosecution 594.2 PC – Graffiti tools
Resisting Arrest (74 citations in 2018) Weapons			148 PC – Resist arrest, solo offense, minor resistance 148.9 PC – Providing false info 21310 PC – Poss dirk/dagger, non gang related 22210 PC – Poss dw (not firearm), non gang related 626.10 PC - Poss of knife on campus