

# 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. <u>Public Comment</u> on any item under the jurisdiction of the RJOB Diversion Subcommittee and not on this agenda.
- 3. <u>Approval of the Record of Actions</u> 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.
- 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 50 Douglas Drive, Suite 202, Martinez 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:**

**Patrice Guillory** 

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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:

ABAG Assembly Bill ABAG Association of Bay Area Governments HIV Human Insurance Portability and Accountability A ACA Assembly Constitutional Amendment ACA Assembly Constitutional Amendment ADA Americans with Disabilities Act of 1990 HR Human Resources  AFSCME American Federation of State County and Municipal Employees  AFSCME Development AIDS American Institute of Certifical Planners AIDS Acquired Immunodeficiency Syndrome IOC Internal Operations Committee ALUC Airport Land Use Commission ACO Alcohol and Other Drugs ARRA American Recovery and Reinvestment Act AIDS Agoing Machine Air Agold Immunodeficiency Syndrome ARRA American Recovery and Reinvestment Act BAAQMD Bay Area Air Quality Management District LAFCo Local Agency Formation Commission BART Bay Area Rapid Transit District LLC Limited Liability Company BCO Bay Conservation & Development Commission LILP Limited Liability Company BCO Better Government Ordinance Local 1 Public Employees Union Local 1 BOS Board of Supervisors LVN Licensed Vocational Nurse CALTRANS California Department of Transportation CalWIN California Works Information Network MBE Minority Barbins Enterprise CalWorks California Works Opportunity and Responsibility to Kids CAER Community Awareness Emergency Response MIS Management Information System CAO County Administrative Officer or Office MOE Maintenance of Effort CCTP Contra Costa Transportation Authority MTC Metropolita Transportation Commission CCCP Community Development Block Grant OSHA Moe Motional Safety and Health Plan CCCA Colifornia Environmental Quality Act OJD Doctor of Optometry CDB Community Development Block Grant OSHA Occupational Safety and Health Administration OFFI CCAC California Environmental Quality Act OJD Doctor of Psychology CCAC California Environmental Quality Act OJD Doctor of Psychology CCAC California Environmental Quality Act OJD Doctor of Psychology CCAC California Environmental Guality Act OJD Doctor of Psychology CCAC California Environmental Guality Act OLO Chief Information Agency CCAC California Fara
ACA Assembly Constitutional Amendment ADA Americans with Disabilities Act of 1990 APSCME American Federation of State County and Municipal Employees American Federation of State County and Municipal Employees American Institute of Certified Planners AICP American Institute of Certified Planners AICP American Institute of Certified Planners AICP AltCP American Institute of Certified Planners Inc. Incorporated AIDS Acquired Immunodeficiency Syndrome IOC Internal Operations Committee Incorporated AIDS Acquired Immunodeficiency Syndrome IOC Internal Operations Committee Incorporated AIDS Alcohol and Other Drugs IPA Joint (exceise of) Powers Authority or Agreemen ARRA American Recovery and Reinvestment Act I Lamorinda BAAQMD Bay Area Air Quality Management District LAFCO Local Agency Formation Commission BART Bay Area Rapid Transit District LLC Limited Liability Company Engloyee Union Local 1 Employees Union L
ADA Americans with Disabilities Act of 1990 AFSCME American Federation of State County and Municipal Employees Development AICP American Institute of Certified Planners  AICP Acquired Immunodeficiency Syndrome AIDS Acquired Immunodeficiency Syndrome AIDS Acquired Immunodeficiency Syndrome ISO Industrial Safety Ordinance AIDS Acquired Immunodeficiency Syndrome ISO Industrial Safety Ordinance AIDS Alcohol and Other Drugs ARRA American Recovery and Reinvestment Act ARRA American Recovery and Reinvestment Act BAAQMD Bay Area Air Quality Management District BAACMD Bay Area Air Quality Management District LAFCO Local Agency Formation Commission BART Bay Area Rapid Transit District BCDC Bay Conservation & Development Commission BCDC Bay Conservation & Development Development Commission BCDC Bay Conservation & Development Box Box Bay
AFSCME         American Federation of State County and Municipal Employes         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 Agreemen           ARRA         American Recovery and Reinvestment Act         Lamorinda         Laffyette-Moraga-Orinda Area           BAAQMD         Bay Area Air Quality Management District         LLC         Limited Liability Company           BART         Bay Area Rapid Transit District         LLP         Limited Liability Partnership           BCD         Bay Conservation & Development Commission         LLP         Limited Liability Partnership           BCO         Better Government Ordinance         Local 1         Public Employees Union Local 1           BCO         Better Government Ordinance         Local 1         Public Employees Union Local 1           CALTRANS         California Works Information Network         MBE         Minority Business Enterprise           CalWORES         Californ
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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 ARRA American Recovery and Reinvestment Act ARAC American Recovery and Reinvestment Act ARAC American Recovery and Reinvestment Act BAAQMID Bay Area Air Quality Management District BART Bay Area Rapid Transit District BART Bay Area Rapid Transit District BART Bay Area Rapid Transit District BCDC Bay Conservation & Development Commission BCDC Better Government Ordinance BCDC Bay Conservation & Development Commission BCD Better Government Ordinance Local 1 Public Employees Union Local 1 BOS Board of Supervisors LVN Licensed Vocational Nurse CALTRANS California Works Information Network MBE Minority Business Enterprise CALTRANS California Work Opportunity and Responsibility MD. Medical Doctor to Kids MF.T. Maritage and Family Therapist CAER Community Awareness Emergency Response MIS Management Information System CAO County Administrative Officer or Office MOE Maintenance of Effort CCHP Contra Costa Health Plan MOU Memorandum of Understanding CCTA Contra Costa Health Plan MOU Memorandum of Understanding CCTA Contra Costa Health Plan MOU Memorandum of Understanding CCTA Contra Costa Health Plan MOU Memorandum of Understanding CCTA Contra Costa Health Plan MOU Memorandum of Understanding CCP Community Corrections Partnership NACO National Association of Counties CCP California Environmental Quality Act OD. Doctor of Optometry CIO Chief Information Officer ODB-G Community Development Block Grant OB-GYN Obstetrics and Gynecology CFGQA California Environmental Quality Act OD. Doctor of Optometry COnFire Contra Costa Consolidated Fire District ORJ Coffice of Emergency Services-Emergency COAL Cost of living adjustment COFFICE Contra Costa Consolidated Fire District ORJ Coffice of Emergency Services-Emergency Confire Contra Costa Consolidated Fire District ORJ Costra Costa Reposed to Authority CS
ALDS Acquired Immunodeficiency Syndrome IOC Internal Operations Committee ALUC Airport Land Use Commission ISO Industrial Safety Ordinance AOD Alcohol and Other Drugs IPA Joint (exercise of I) 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 Company BCDC Better Government Ordinance Local 1 Public Employees Union Local 1 Public Emp
ALUC Airport Land Use Commission ISO Industrial Safety Ordinance AOD Alcohol and Other Drugs JPA Joint (exercise of) Powers Authority or Agreemen ARRA American Recovery and Reinvestment Act Lamorinda Lafayette-Moraga-Orinda Area BAAQMD Bay Area Air Quality Management District LAFC Local Agency Formation Commission BART Bay Area Rapid Transit District LLC Limited Liability Partnership 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 Works Information Network MBE Minority Business Enterprise CALTRANS California Work Opportunity and Responsibility MD. Medical Doctor to Kids MF.T. Marriage and Family Therapist CABR Community Awareness Emergency Response MIS Management Information System CAO County Administrative Officer or Office MOE Maintenance of Effort CCHP Contra Costa Health Plan MOU Memorandum of Understanding CCTA Contra Costa Transportation Authority MTC Metropolitan Transportation Commission CCP Community Corrections Partnership NACo National Association of Counties CDGQ Community Corrections Partnership NACo National Association of Counties CDGQ Community Corrections Partnership OB-GYN Obstetrics and Gynecology CCQA California Environmental Quality Act O.D. Doctor of Optometry COLO Chief Information Officer OB-GS-EOC Office of Emergency Services-Emergency COLA Cost of living adjustment Confirer OB-S-EOC Office of Emergency Services-Emergency COLA Cost of living adjustment Confirer OB-S-EOC Office of Emergency Services-Emergency COLA Cost of living adjustment Confirer RDJ Contractor Costa Consolidated Fire District ORJ Office of Feentry & Justice CO-GFirer Confirer Contractor Consolidated Fire District ORJ Office of Emergency Services-Emergency CSAC County Service Area RDA Redevelopment Agency RDA Redevelopment Agency CSAC Confired Payer Agency Agency Contract Consolidated Fire District RDJ Contractor Contractor Consolidated Fire D
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EMCC Emergency Medical Care Committee SB Senate Bill
EMS Emergency Medical Services SBE Small Business Enterprise
EPSDT State Early Periodic Screening, Diagnosis and SWAT Southwest Area Transportation Committee
treatment Program (Mental Health)  TRANSPAC Transportation Partnership & Cooperation (Central
et al. et ali (and others) TRANSPLAN Transportation Planning Committee (East County)
FAA Federal Aviation Administration TRE or TTE Trustee
FEMA Federal Emergency Management Agency TWIC Transportation, Water and Infrastructure Committee
F&HS Family and Human Services Committee UCC Urban Counties Caucus
First 5 First Five Children and Families Commission VA Department of Veterans Affairs
(Proposition 10) vs. versus (against)
FTE Full Time Equivalent WAN Wide Area Network
FY Fiscal Year WBE Women Business Enterprise
GHAD Geologic Hazard Abatement District WCCTAC West Contra Costa Transportation Advisory
GIS Geographic Information System Committee
HCD (State Dept of) Housing & Community Development
HHS Department of Health and Human Services



# 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:

 $\underline{https://zoom.us/j/93282719813?pwd} = \underline{Y1g1TTdNVk1rWktFSDRLVDRpWGo0UT09}$ 

Meeting ID: 932 8271 9813

Passcode: 713346

Join by Phone Dial (669) 900-6833

Enter the Above Meeting ID and Passcode

# **Diversion Subcommittee Meeting**

## 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;
    - Christopher James: Is there a link that you can provide? Simon O'Connell provided the following application in Chat:
       <a href="https://www.contracosta.ca.gov/DocumentCenter/View/73475/Volunteer-Application-">https://www.contracosta.ca.gov/DocumentCenter/View/73475/Volunteer-Application-</a>?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. <u>Public Comment</u> on any item under the jurisdiction of the RJOB Diversion Subcommittee and not on this agenda.
  - No Public Comment was received.
- 3. <u>Approval of the Record of Actions</u> 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. <u>Discuss Work Plan Objective 5: School Discipline</u> (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: <a href="https://youtu.be/FxS5oYj9ZuM">https://youtu.be/FxS5oYj9ZuM</a>
- 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: <a href="https://youtu.be/FxS5oYj9ZuM">https://youtu.be/FxS5oYj9ZuM</a>
  - Adjourned: 2:45PM
- 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 50 Douglas Drive, Suite 202, Martinez 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:**

Patrice Guillory

Office of Reentry & Justice Phone (925) 313-4087; Fax (925) 313-4191

Patrice.Guillory@orj.cccounty.us

	Tier 1	Tier 2	Tier 3
	Warn and release	Warn and release with referral to CBO	Referral to CBO services
	(no citation, no referral to	services (no citation, voluntary	(citation written but placed on hold)
	CBO services)	participation with CBO)	
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: 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)  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 <sup>st</sup> 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	Tier 2	Tier 3
	Warn and release	Warn and release with referral to CBO	Referral to CBO services
	(no citation, no referral to CBO services)	services (no citation, voluntary participation with CBO)	(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 <sup>st</sup> 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, 1st offense, <\$949 and vic dnw prosecution 459.5 PC – Shoplift, < \$949 and vic dnw prosecution	484 PC- Petty theft, repeated, <\$949 and vic dnw prosecution 459.5 PC – Shoplift, < \$949 and vic dnw 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)	<b>594 PC</b> – Graffiti, 1 <sup>st</sup> offense, <\$949 and vic dnw prosecution <b>594 PC</b> – Vandalism, <\$949 and vic dnw prosecution	<b>594 PC</b> –Graffiti, repeated, <\$949 and vic dnw prosecution <b>594 PC</b> – Vandalism, <\$949 and vic dnw 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)			148 PC – Resist arrest, solo offense, minor resistance
Weapons			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