



Agenda

RACIAL JUSTICE OVERSIGHT BODY

Data Subcommittee Meeting

RECORD OF ACTIONS

July 22, 2021

3:00 p.m. to 5:00 p.m.

Join Zoom Meeting:

<https://zoom.us/j/93083930977?pwd=azhEWnZ3NGlYU0YwbjNOYTRYs3huUT09>

Meeting ID: 930 8393 0977

Passcode: 611441

Join by Phone

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Enter the Above Meeting ID and Passcode

Data Subcommittee Meeting

Subcommittee Members Present:

Matthew Malone, Chief Counsel, Superior Court Representative

Patrice Guillory, Director, Office of Reentry & Justice, on behalf of Esa Ehmen-Krause, Chief Probation Officer

Rebecca Vichiquis, Committee Chair and Director III, Student Programs, Court and Community Schools, on behalf of

Lynn Mackey, Contra Costa County Office of Education Representative

Dr. William Walker, Director of Legislative & Governmental Affairs, Health Services Department Representative

Chala Bonner, Safer Return Project - Program Manager, CBO Representative, Seat 4

Melissa Klawuhn, Assistant Sheriff, on behalf of Sheriff Livingston

Subcommittee Members Absent:

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

Staff Present:

Denise Zabkiewicz, Research & Evaluation Manager, Office of Reentry & Justice

Monique Tate, Program Coordinator, Office of Reentry & Justice

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

Melvin Russell, Assistant Chief Probation Officer

Jonathan Laba, Public Defender

Others Present:

Cheryl Sudduth, CBO Representative, Seat 7

Ymilul Khunyza Bates, Community Member

1. Welcome, Introductions & Announcements

- Convened: 3:00PM
- Becky Vichiquis: Acknowledged that Member, LaShante Smith, hadn't joined the Data Subcommittee in awhile; ORJ will reach out to her to see if she's been transferred to a different school site;
- Patrice Guillory: Introduced NEW ORJ Program Coordinator, Monique Tate;

2. **Public Comment** on any item under the jurisdiction of the RJOB Data Subcommittee and not on this agenda.
 - Public Comment was received.
3. **Approval of the Record of Actions** from the June 24, 2021 Data Subcommittee Meeting (**Attachment 1**; See Pg. 4-5) [VOTE]
 - No Public Comment was received.
 - Motion: William Walker
 - Second: Chala Bonner
 - Motion carries
4. **Discuss data from local justice system stakeholders:**
 - Probation Department – Q2-2021 data (Denise Zabkiewicz) (**Attachment 2**; See Pg. 7-15)
 - i. Public Comment was received.
 - ii. Discussion: See video here for more details: <https://youtu.be/YnQz4I2tzU>
 1. Denise Zabkiewicz: Petitions are typically filed a week after Intake; If there is no petition filed, the individual would be released;
 2. Becky Vichiquis: What is the timeline between an individual being arrested and a detention hearing?
 - a. Melvin Russell: For felony charges, 48-72 hours for DA to file and third day, a detention hearing is held; Misdemeanor charges would have 24-48 hours. Even if charges are filed, if it's determined that they're not a risk to the community, they may be released;
 3. Dr. Walker: What does "Transfer In" mean?
 - a. Melvin Russell: Could be that they were arrested in a different county and transferred to CCC;
 4. Cheryl Sudduth: How there might be a disparity within the detention hearing in who's released and who's detained? Is there disparity in eligibility for "No additional arresting charge"?
 - a. Denise Zabkiewicz: By individual PID look at whether or not charges have been filed for the individual by race;
 - b. Melvin Russell: There are too many unknowns until you have everyone's data;
 - c. Becky Vichiquis: This exercise has made it very clear that this data is not digestible to the public; Is what we need to know from the DA is the number of potential petitions versus the number of petitions filed;
 - i. Cheryl Sudduth: Disposition of the cases, especially by race, that's going to help us see this gap?
 - ii. Jonathan Laba: Is there an exacerbation of racial and ethnic disparities with the DA filing decision? A separate question that we have not remotely talked about yet, are dispositional outcomes different for people with the same set of charges on their petitions?
 - iii. Becky Vichiquis: We've reviewed a Decision Point Matrix, but not sure it took account this data;
 - iv. Denise Zabkiewicz: We have this data from DOJ; DOJ reports arrests, charges, and petitions; DOJ doesn't show by specific charge, it's collective; Could be by offense type, but will need to explore more; DOJ data is through 2019 right now; Waiting to hear on release of 2020 data; Strong source of data because it's consistently collected; Won't be able to answer Cheryl's question from the DOJ;

- v. Becky Vichiquis: If we want to be able to report out to the public, as we are charged with doing, in a clear fashion, about potential disparities and both the filing decisions and dispositional outcomes, that the only way to capture that would be to make a direct request from the DA to report out quarterly like Probation is doing in a composite way?
 - 1. Denise Zabkiewicz: Doesn't believe it can be presented in a composite, aggregated way to answer these questions;
 - vi. Jonathan Laba: When we're talking about the filing decisions, on the juvenile side it's a very different question than on the adult side because it's not just the DA's Office that makes decisions about filing; Misdemeanor cases get referred to Probation first and Probation decides whether or not they're going to refer cases to the DA's Office for filing; This doesn't exist on the adult side where disparities can exist as well;
 - 1. Denise Zabkiewicz: It's very possible that this pathway is available in the JCPSS Data for juveniles, but hasn't been able to get into this data due to bandwidth; May be able to unpack this there without making a request to the DA;
 - 2. Jonathan Laba: Provided overview of the Youth Early Intervention Partnership; JJCC makes allocations of the JJCPA dollars into this proposal that PD made earlier this year to create a collaborative program called Youth Early Intervention Partnership; that was going to provide services and community support in case management to youth and families from the time of youth contact with law enforcement, but prior to the filing of charges;
 - vii. Patrice Guillory: In addition to petitions/charges that are filed as a point of where you might find some potential disparities, there's also the arresting charges;
- Probation Department – Youth DOJ data: arrests and charges (Denise Zabkiewicz) (Attachment 3; See Pg. 16-18)
 - i. Public Comment was received.
 - ii. Discussion: See video here for more details: <https://youtu.be/YnQz4I2tzU>
 - 1. Becky Vichiquis: Would like to have a way to represent, along with this, the rate within the youth population so it's visually apparent;
 - 2. Denise Zabkiewicz: Data presented on Page 17 is in response to the Subcommittee wanting to see data based on offense type;
 - a. Becky Vichiquis: What's an example of a felony property offense?
 - b. Melissa Klawuhn: Burglary or grand theft; Threshold is over \$1,000;
 - c. Cheryl Sudduth: Is it that the black children are committing more crimes or are they being charged with more crimes than other groups? Why is there such a big discrepancy?
 - d. Denise Zabkiewicz: Won't be able to answer this question with the DOJ Data; We need RIPA data for that;
 - e. Becky Vichiquis: Should we look at the geography of it? If there are more disparities in different municipalities than in others?
 - f. Denise Zabkiewicz: DOJ data doesn't show anything about the zip code of the arrest; Would be a much heavier lift for Denise because it would most likely come out of the JCPSS data and she doesn't have the authority to do that at this point for

RJOB; An arresting agency doesn't necessarily tell us where the event occurred; Can report back next month on what data sets we have;

- g. Melissa Klawuhn: What is the JCPSS data?
- h. Denise Zabkiewicz: It's the Juvenile Justice data that the counties report to the DOJ, comparable to the separate Adult data; Probation is able to link to that data directly and download it at will; This is not true for the Adult data; Broad range of factors and attributes attached to it; Denise will forward the Data Structure to Melissa;

- County Office of Education (Rebecca Vichiquis) (Attachment 4; See Pg. 19-20)
 - i. No Public Comment was received.
 - ii. Discussion: See video here for more details: [https://youtu.be/ YnQz4I2tzU](https://youtu.be/YnQz4I2tzU)
- Sheriff's Office update (Melissa Klawuhn) (Attachment 5: See Pg. 21-22)
 - i. No Public Comment was received.
 - ii. Discussion: See video here for more details: [https://youtu.be/ YnQz4I2tzU](https://youtu.be/YnQz4I2tzU)
 - 1. Melissa Klawuhn: Data includes arrest data for ONLY Sheriff's Office arrests, which also includes our contracted cities; Posted on website for 30 days; Now generates 4x per day; Arrest locations are listed in terms of block areas; Release Date and Release Type data is ONLY posted if it was available to us during that 30 day period; In an effort to minimize the jail population due to COVID some offenses have been eligible for cite release that before COVID would not have been (i.e. Vehicle Theft); Race data is provided by the arresting officer and jail staff doesn't validate this data; What petitions were filed or what the dispositions of the case are, that information would have to come from the DA or Courts; Sheriff's Office keeps track of how someone was released, but Sheriff's Office data doesn't include specifics of what charges were ultimately filed or not filed; Their data doesn't include arrests that did not lead to booking into the jail facility;

5. **Update re: Presentation at Upcoming Mayors' Conference Meeting** (Patrice Guillory)

- Public Comment was received.
- Discussion: See video here for more details: [https://youtu.be/ YnQz4I2tzU](https://youtu.be/YnQz4I2tzU)
 - i. Patrice Guillory: The initial 8/5/21 presentation has been pushed back to 11/4/21 and anticipate an in-person meeting; Subcommittee to finalize the presentation, ask of Mayors', and identify presenters; Patrice hasn't heard back from Bisa French and Tamisha Walker on whether or not they can present; Proposed that this Subcommittee continue to think through what the ask is of the Mayors' and is happy to raise this question to the full body; Patrice confirmed per Jill Ray, City of Clayton as the hosting city and 6:30PM for the start time;
 - ii. Becky Vichiquis: Asked Patrice to provide her with the details of the time and location of meeting in order report to full body; Summarized the request made to Chief Bisa French and Tamisha Walker to make this presentation on behalf of RJOB; Becky recommended agendaizing the Mayors' Conference Presentation at the 8/5/21 full body meeting and Patrice agreed to provide the background of this request to the full body; Is the Sheriff's Office data getting to what this Subcommittee is looking for?
 - iii. Denise Zabkiewicz: Suggested we add a slide of what we're getting from another organization (i.e., Sheriff's Office);
 - iv. Melissa Klawuhn: You could use verbiage similar to the Sheriff's Office, which is an arrest log or contemporaneous arrest log; What may occur when you show the Sheriff's Office data example is the assumption that the Sheriff's Office can release the individual LEA booking data as a solution; RIPA data is ONLY self-initiated contacts by LEA; Doesn't include contacts such as family

- members or neighbors calling dispatchers; RIPA data is what the officer perceives to be the race or gender of the subject, etc.; Orinda, Lafayette and Danville are the contracted cities;
- v. Cheryl Sudduth: Should be an opportunity for presenters to present via Zoom;
- vi. Chala Bonner: Are we nominating presenters?
- vii. Becky Vichiquis: Bringing this request to the full body;
- viii. Denise Zabkiewicz: ORJ drafted the presentation to help the presenters, but the presenters are free to modify;
- ix. Patrice Guillory: Contingency plan will be made if Bisa and Tamisha are not available;
- x. Melvin Russell: Thanked Melissa for sharing the Sheriff's Office data;
- xi. Patrice Guillory: In reviewing a few different LEA websites, is seeing arrest data posted, but no identification of race;
- xii. Melissa Klawuhn: May not be a difficult task to add (i.e. race identifiers); There's not a specific requirement for how long you need to post arrest logs or make them available; May see variances between LEA;

6. **Discuss Joint Community Listening Session with CEF Subcommittee on Data** (Becky Vichiquis) [VOTE]

- Discuss/refine data points to be shared at the first session (**Attachment 3; See Pg. 16-18**)
 - i. No Public Comment was received.
 - ii. Discussion: See video here for more details: https://youtu.be/_YnQz4I2tzU
 - 1. Denise Zabkiewicz: Consists of (3) pages, (6) tables, that are reflective of the youth disparities; First Listening Session: High level overview and a deeper dive in the next listening session; (12) comparable slides for Adults and Juveniles reflective of the slides in Attachment 3; Will present these (12) slides, in addition with the population data;
- Offer guidance on potential presenters and dates/times to schedule the listening session(s)
 - i. No Public Comment was received.
 - ii. Discussion: See video here for more details: https://youtu.be/_YnQz4I2tzU
 - a. Denise Zabkiewicz: Can be present the data and/or be part of a panel; Others do the introduction;
 - b. Becky Vichiquis: Consensus of the Subcommittee was to have CEF Chair and Data Chair to facilitate engagement; Denise Zabkiewicz to present the data; Will bring this to the full body;

7. **Discuss Notion of Data Sufficiency and Next Steps** (Rebecca Vichiquis)

- Public Comment was received.
- Discussion: See video here for more details: https://youtu.be/_YnQz4I2tzU
 - i. Becky Vichiquis: RJOB has many of the data points with the exception to the DA filing decisions and dispositional outcomes;

8. **Discuss Updates for Full Body Meeting** (Rebecca Vichiquis)

- Public Comment was received.
- Discussion: See video here for more details: https://youtu.be/_YnQz4I2tzU
 - i. Becky Vichiquis: Present our recommendation for the DRAFT proposal for the Mayors' Conference and get clarification about who's going to present; Present our recommendation for the CEF Community Listening Session on Data; Present our data ask for the DA;
 - ii. Denise Zabkiewicz: Do we want to share these (12) graphs with the full body before we do a Community Listening Session? Will include these as attachments in the full body report out.

9. **Next Steps**

- Public Comment was received.
- Discussion: See video here for more details: [https://youtu.be/ YnQz4I2tzU](https://youtu.be/YnQz4I2tzU)

10. **Adjourn to Full Body Meeting:** August 5th, 2021, 1:00-4:00PM.

- **Next Data Subcommittee Meeting:** August 24, 2021; 3:00-5:00PM
 - i. **Adjourned: 5:03PM**

☺ *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:

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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	TRANSPLAN	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		
