

## **SOCIAL JUSTICE – CONTRA COSTA COUNTY**

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Just as the country grapples with the immense issues regarding social justice, Contra Costa County also wrestles with social justice. Although Contra Costa County has a long history of social justice initiatives led by community-based organizations and county-based initiatives, racial and ethnic disparities continue to exist in the criminal justice system, health outcomes, educational achievement and social service metrics in Contra Costa County.

### **STATISTICS FOR CONTRA COSTA COUNTY:**

Data on racial and ethnic disparities is not readily available which makes it challenging to examine disparities in law enforcement as well as the criminal justice system. When reviewing law enforcement agencies in Contra Costa County. Different agencies collect different data elements, have different policies and procedures regarding the dissemination of data collected, and have varying internal capacity for data management and analysis. With juvenile justice, concerns about protecting youth confidentiality often limits the Court's willingness to make juvenile delinquency court data available, especially when sharing individual-level criminal court data.

Based on criminal justice data available between 2013 to 2017 some patterns across the Contra Costa County are evident:

- African Americans make up 9.6% of the population in the county, but make up 26% of criminal cases - and make up only 7.5% of jurors on juries.
- Black adults were more than 3 times more likely to be arrested than adults from any other racial/ethnic group.
- Black youth were more than 7 times more likely to be arrested than youth from any other racial/ethnic group. This finding is consistent across cities across the county.
- Black youth in Contra Costa County were much more likely than Latino and White youth to be referred to probation instead of being referred to diversion programs.
- According to the Probation Department, in 2014 and 2015, Black youth were between 9-11 times more likely to be referred to probation than White youth and 5-6 times more likely to be referred than Latino youth.
- Black and Latino youth were more likely than White youth to be detained prior to adjudication.
- Data from the Contra Costa County Sheriff's Office shows that in 2016 and 2017, Black and Latino defendants were disproportionately subject to pretrial detainment than White defendants. The reasons for this included both court decisions related to bail and release as well as defendants' ability to pay bail and obtain release. Black residents are held in pretrial detention at almost 7 times the rate of White residents; Latino residents are held at 2.5 times the rate of Whites.

In addition to inequities in the criminal justice realm, African Americans and other racial groups in Contra Costa County are documented to suffer from disproportionately higher rates of chronic disease, shorter life expectancy, maternal and infant mortality, and health inequities. The COVID-10 pandemic has exacerbated these inequities.

According to the Race Counts Organization, Contra Costa County ranks as the 30<sup>th</sup> most racially disparate county of the 58 counties in California (based on surveys conducted 2010 – 2014). This organization gives specific breakdowns by race for specific categories for the county. Their website provides a breakdown of racial disparity and performance across several key indicators that measure social and racial justice.

- When compared to other counties in the state, Contra Costa County is a high performance, low disparity county. However, when it comes to elected representation, the county is the only highly disparate urban county in the state. More than 50% of the population in the county is made up of people of color, but 17 out of 18 elected officials are white.
- Poverty rates in the county per 1,000 individuals are at 6.5% and 7.5% for White and Asian individuals respectively, but are at 17% for Latino individuals, 19.38% for Black individuals and 20.6% for Pacific Islander individuals.
- 4.5% of Black students face suspension vs 1.2% of Asian students and 2.6% of White students.
- Black mortgage applicants are offered subprime loans (higher interest) 3.8% of the time, but White applicants are offered them 1.4% of the time.
- Life expectancy for Black individuals is 76.6 years, whereas it is 88 years for Asian individuals, an 11.4-year disparity.

#### **POSITIVE STEPS TO IMPROVE SOCIAL JUSTICE IN CONTRA COSTA COUNTY:**

**Office of Racial Equity and Social Justice:** On November 10, 2020, the Contra Costa County Board of Supervisors unanimously approved a resolution declaring racism as a public health crisis. The passing of this resolution was immediately followed by the unanimous passing of a proposal to create the county funded Office of Racial Equity and Social Justice.

The purpose of the Office of Racial Equity and Social Justice is to address new and existing issues of racial inequity and social injustice, including inequities and disparities in health outcome, resource and service allocation, environmental justice, and law enforcement and criminal justice system practices.

The Office of Racial Equity and Social Justice is funded via multiple Bay Area foundations and is expected to be functioning by 2022. The mission and goals of the office include:

- To make a transformational shift within County government to eliminate inequity, harm, discrimination, and bias based on race, ethnicity, gender, sexual orientation, language, immigration status, socio-economic status, and for people with disabilities by focusing county efforts on understanding what it takes to achieve equity with a priority focus on racial equity.
- Acknowledge and eliminate inequities, disparities and harm that exist in Contra Costa County, including inequities and disparities in health outcomes, resource and service allocation, land use decisions, and law enforcement and criminal justice system practices.

- Create a sense of urgency for change to cultivate and sustain a county ecosystem rooted in belonging, mutuality, equity, and justice.
- Enable the county, working with the community (including community organizations and leaders, cities and school districts), to better coordinate, strengthen and expand the county's existing work on equity and inclusion.
- Allow the county to better partner with the community in prioritizing and implementing social justice.
- Enable the county, working with the community (including Community organizations and leaders, cities and school districts) to better coordinate, strengthen and expand the County's existing work on equity and inclusion.
- Allow the county to better partner with the community in prioritizing and implementing this work to promote equity and eliminate disparities and harm in Contra Costa County with initial priority to eliminate structural racism.

With the Office of Racial Equity and Social Justice, the county hopes to make a transformational shift in the county government to eliminate inequity, harm, discrimination, and bias (both implicit and explicit) based on race, ethnicity, gender, sexual orientation, language, immigration status, socio-economic status, and for people with disabilities by focusing county efforts on understanding what it takes to achieve equity with a priority focus on racial equity.

Creating an Office of Racial Equity and Social Justice had been discussed for several years by the County Government Alliance on Race and Equity (GARE) Cohort which developed a proposal in 2017 and 2019. Their work created the momentum to create the Office of Racial Equity and Social Justice.

**Criminal Justice Reform Efforts with Vera Institute of Justice:** In 2018 the Contra Costa County DA's office partnered with the Vera Institute of Justice to take a critical look at the inner workings of the office through a data driven focus. The program promotes racial equity in prosecution and reduction in the use of jails.

Vera Institute of Justice's Reshaping Prosecution program offers reform-minded prosecutors the opportunity to analyze their own data, policies, and practices with a lens toward reducing racial disparities and mass incarceration, delivering justice, and pursuing public safety. It focuses on bail reform, diversion, and ending mass incarcerations. Contra Costa County is one of seven metropolitan areas across the country involved in the Reshaping Prosecution program which pursues progressive policies and training in the justice system. The data provided will include case dispositions, charges and enhancements, demographics, bail, and sentencing, along with defendants' race, gender, and other information.

This is data that local activists have been requesting for years, especially since the 2016 formation for the Racial Justice Task Force, a body made up of prosecutors, public defenders, law enforcement officials and community leaders.

Once the data has been reviewed and shared with appropriate agencies, it will be released to the public to provide information to make necessary reforms based on data.

**The Racial Justice Task Force (RJTF) and Racial Justice Oversight Body:** Approved by the Board of Supervisors on April 12, 2016 the RJTF mandate is as follows:

- Research and identify consensus measures within the county to reduce racial disparities in the criminal justice system.
- Plans and covers implementation of the measures once identified.
- Report back to the Board of Supervisors on progress made toward reducing racial disparities within the criminal justice system.

The Racial Justice Task Force – Final Report and Recommendations, Contra Costa County was issued in June 2018. Highlights of the report are as follows:

- **DIVERSION:** With the goal of reducing racial disparities in the Contra Costa County criminal justice system, the committee recommended countywide criteria and protocols for formal and informal diversion. The recommendations should be evidence-based and follow established best practices:
  - Develop separate recommendations for adult and juvenile populations
  - Strive to ensure the broadest possible pool of eligible participants
  - Strive to ensure that prior criminal justice involvement does not bar a person’s eligibility for diversion.
  - Ensure that the inability to pay for costs of diversion will not prohibit participation.
  - Recommend partnerships between law enforcement agencies and community-based organizations to provide diversion services and oversight.
  - Expand the use of crisis intervention teams, mobile crisis teams, and behavioral health assessment teams so they are available across the county.
  - Local law enforcement agencies shall issue citations and establish non-enforcement diversion programs as an alternative to arrests.
  - 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.
  - The Office of Reentry and Justice shall publish race-specific data online and all of the above to greater transparency and accountability of the county criminal justice agencies and local enforcement agencies.
  - The 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:**
  - The county shall work with local enforcement agencies to seek funds that support the integration of de-escalation and behavioral health intervention training into local enforcement agency regional academy and/or department orientations.
  - Local enforcement agencies in Contra Costa County should ensure inclusion of de-escalation and behavioral health intervention training.
  - The County Office of Education shall provide resources to incentivize school districts to explore, evaluate, implement or expand existing non-punitive discipline practices, and they 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:**
  - County criminal justice agencies shall establish formal partnerships with community-based organizations to provide greater capacity for diversion, reentry programs, alternatives to detention, pretrial services, and in custody programming.
  - The County and/or RJOB shall collaborate with the Community Corrections Partnership – Executive Committee to consider increasing realignment funding for community services.
- **PRACTICES RELATED TO TRIAL AND ADJUDICATION PROCESSES:**
  - 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.
  - The Public Defender’s Office shall hire social workers who can assess clients’ psychosocial needs and link them to services.
  - 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:**
  - Expand eligibility for Pretrial Services and increase Pretrial Services staffing, with a focus on reducing racial disparities and replacing the money bail system.
  - Expand the current pre-release pilot to serve all individuals in custody.

**County Government Alliance on Race and Equity Cohort (GARE):** Creating an Office of Racial Equity and Social Justice was discussed for years by the GARE Cohort. GARE developed a proposal for the Office of Human Rights and Equity in 2017, and in 2019 developed a comprehensive racial Equity Action Plan, and recommended establishing an Office of Equity & Immigrant Inclusion. GARE laid the groundwork for the development of the Office of Racial Equity and Social Justice.

There continues to be much work to be done to combat systemic racism, inequity and social injustice in Contra Costa County. In addition to the initiatives above there are a multitude of community and faith-based organizations who are working tirelessly to promote social and racial justice in Contra Costa County.

**ORGANIZATIONS WORKING TOWARDS SOCIAL AND RACIAL JUSTICE:**

Contra Costa County has had strong advocates and community-based organizations who have worked to bring about racial equity and social justice. These efforts include organizing, advocacy, direct service, and coalition-building, in addition to the efforts described above. There is no shortage of opportunities to get involved in efforts to improve racial and social justice in our county. Just a few of these organizations include:

- Contra Costa Budget Justice Coalition
- Contra Costa Community Care Coalitions
- Contra Costa Immigrant Rights Alliance
- Contra Costa national Alliance on Mental Illness (NAMMI)
- Multi-Faith Actions Coalition

- NAACP Chapters
- Safe Return Project
- Ensuring Opportunity Campaign to End Poverty in Contra Costa
- And many more.

**RELATED LINKS:**

<https://www.racecounts.org/county/contra-costa/>

<https://www.contracosta.ca.gov/DocumentCenter/View/59888/RJTF-Final-Recommendations>

<https://www.contracosta.ca.gov/6680/Racial-Justice-Oversight-Body>

<https://cchealth.org/h3/coc/pdf/Race-Ethnicity-Assessment.pdf>

**Sources:**

Contra Costa Herald, Mercury News, Contra Costa County Racial Justice Task Force – Final Report, Racial Justice Task Force and Racial Justice Oversight Body Documents, Racial Justice Task Force Recommendations, Racial Justice Task Force Report to Board of Supervisors, DanvilleSanRamone.com, East County Today, Race Counts