

CRIMINAL JUSTICE SYSTEM CHANGES & ADVANCING RACIAL EQUITY & INCLUSION

December 1, 2020



County of Santa Barbara

Today's Report

Update on Criminal Justice Changes, as follow up to July 16, 2020 hearing

- Status of 15 action steps to reduce jail population
- Progress of criminal justice departments

Actions to advance racial equity and inclusion in the community

- Statement of commitment
- Framework for County organization (J.O.I.N.) – Human Resources
- Actions to support community voices – Community Services
- Approve uses from Equity Fund (\$229,200)
- Creation of allocation process for remainder (\$270,800)

Board input or other direction

Context

- Third hearing on issues of criminal justice and racial equity (June 11, July 16)
- Previously, community voices heard about concern for changes to criminal justice system
- No single entity has overall control in justice system
- Effectiveness rests on public trust for justice, transparency and fairness and collaboration among agencies
- Nationwide and local evaluation and self-reflection on values, systems and intended outcomes
- Part of Renew – “Revisioning” what we do and how we do it



Criminal Justice System Changes

ADP Reduction

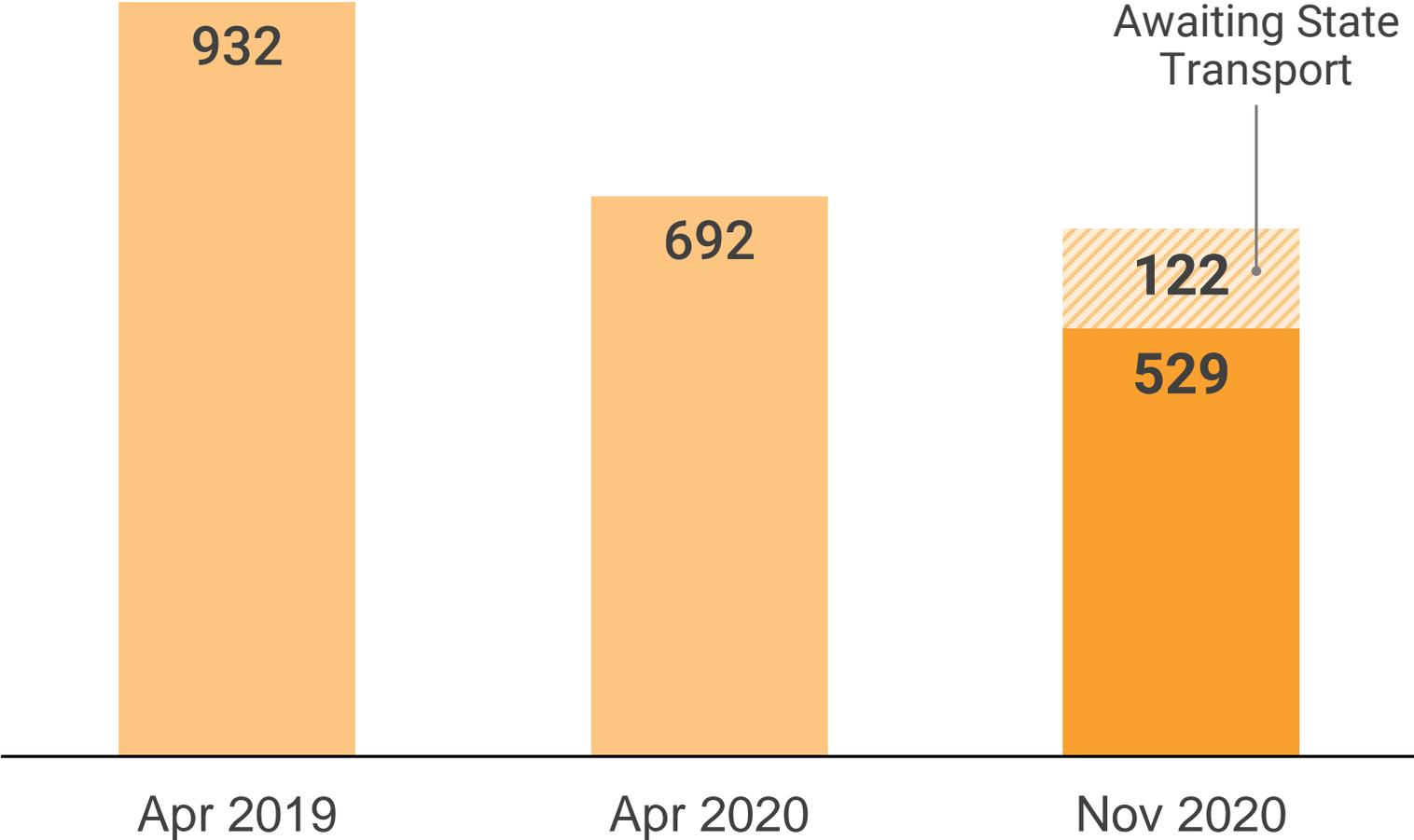
| History

- The County's efforts to change the map of criminal justice have been underway for several years (Stepping Up, CJ Mapping, grants)
- Jail Population has been declining since 2015
- Four grants related to diversion are currently in progress – strategic focus is how to make these sustainable
 - DSH Diversion
 - CREDO 47
 - BJA Co-Response grant
 - 6th Amendment grant

ADP Reduction

Trends

Average Daily Population (ADP)
In-Custody

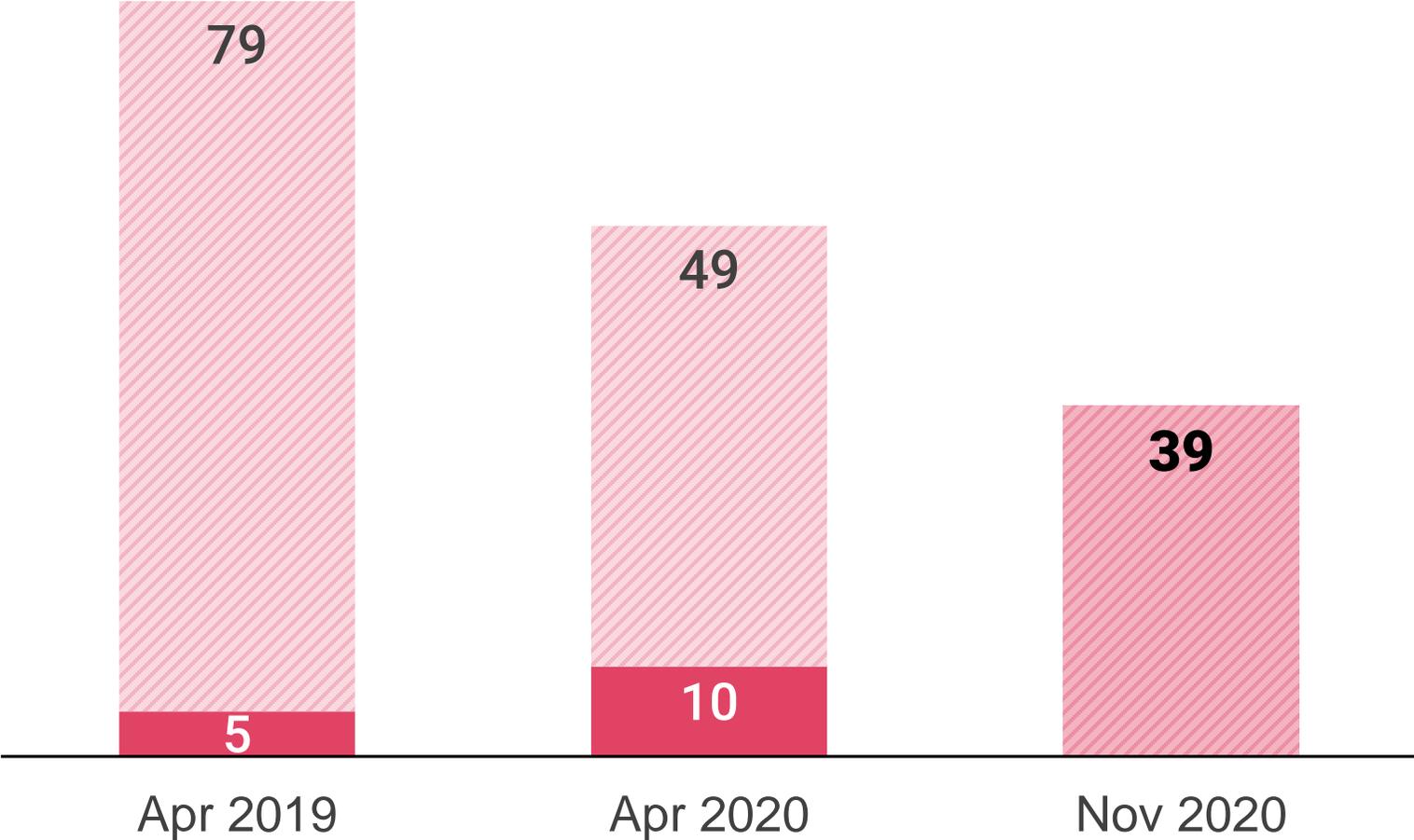


ADP Reduction

Trends

Alternative Sentencing Bureau

- Electronic Monitoring System
- Sheriff's Work Program



Criminal Justice Changes

Trends

- 37% decline in inmate population since the beginning of the pandemic
- Number has held constant since the beginning of April
- State has only recently started taking new inmates into the state prison system
- 15 action steps approved by the Board in July 2020

ADP Reduction

Action Steps

1	Virtual hearings and arraignments	<ul style="list-style-type: none">• Underway since the beginning of the pandemic• GS and Sheriff's Custody working to make it more sustainable
2	Collaborative Jail Discharge	Reentry Steering Committee and Discharge Planning Team continue their efforts to institutionalize their COVID response efforts
3	Expansion of Pre-Trial Supervision	Transferred at the beginning of this fiscal year to Probation from the State
4	Bail Modification	This is a court function

ADP Reduction

Action Steps

5	Continue the use of citations vs. physical arrest when appropriate	<ul style="list-style-type: none">• Sheriff, DA and county police departments working to develop protocols• 2,480 citations pending between March 1 – July 15, 2020• District Attorney’s Office has disposed of 49% of these
6	Expand usage of electronic monitoring and other alternative sentencing options	This will be a Sheriff’s Performance Measure in the upcoming budget cycle
7	Implementation of KPMG recommendations	Public Defender has completed their report. Sheriff, DA and Probation will come to the Board in late January and early February

ADP Reduction

| Action Steps

8	Strengthen the capacity of Criminal Justice Data Committee (CJDC)	Funding has been provided, but filling the position has proven to be challenging
9	Expand the capacity for electronically signing court documents	Probation is currently doing this and outreach to the courts is underway
10	Create and operate an electronic cloud-based discovery receptacle	Information and Communications Technology (ICT) staff will work with the CJDC to address security concerns related to cloud data bases

ADP Reduction

Action Steps

11	Develop a strategic action plan for Stepping Up with clearly defined objectives	The Sheriff's Office is carrying out this step
12	Make a presentation to the Board regarding the action plan stemming from the 6th Amendment Grant	County staff in collaboration with the Center for Court Innovation, will bring this to the Board in the first quarter of next year
13	Review criminal records stemming from charges related to the possession of cannabis and expunge such records where appropriate	The District Attorney's Office is currently working on this effort

ADP Reduction

Action Steps

14 Review all out of custody complaints for to determine eligibility for diversion under the CREDO 47 Diversion eligibility

The District Attorney's Office is working on this process

15 Conduct a review of 5-year probation grants to determine suitable candidates for early termination of probation

AB1950 has passed, in effect implementing this item. Discussions are still under way with the DA as to the status of current probationers.

Criminal Justice Department Progress

Office of the
District Attorney



The following are the most significant steps the District Attorney's Office has taken towards improving the criminal justice process:

- **Diversion:** Refocused efforts towards diversion programs, treatment court options, and alternatives to traditional jail sentences with the goals of reducing recidivism, improving lives, and protecting public safety. We continue to seek new ideas, models and partners:
 - Recently joined efforts with the Public Defender and Behavioral Wellness
 - Working to establish a restorative court in partnership with the Second District Supervisor's Office
 - Seeking input from the Center for Court Innovation for the design of a new felony diversion program

Criminal Justice Department Progress

Office of the District Attorney



- **Cite and Release:** Reviewed 2,480 cases that were cited to appear in court after Courts reduced operations due to COVID-19. In the interests of justice and public safety, we rejected, infracted, diverted or dismissed 1,212 (49%) of those cases, thereby reducing the impact on the criminal justice system.
- **Case Evaluation & Charging:** Updated our case evaluation and charging so we can continue to provide consistency with regard to case evaluation practices office-wide, keep staff apprised of changes in the law, and outline other avenues available when criminal justice intervention may not be the most efficient and/or effective system of engagement.

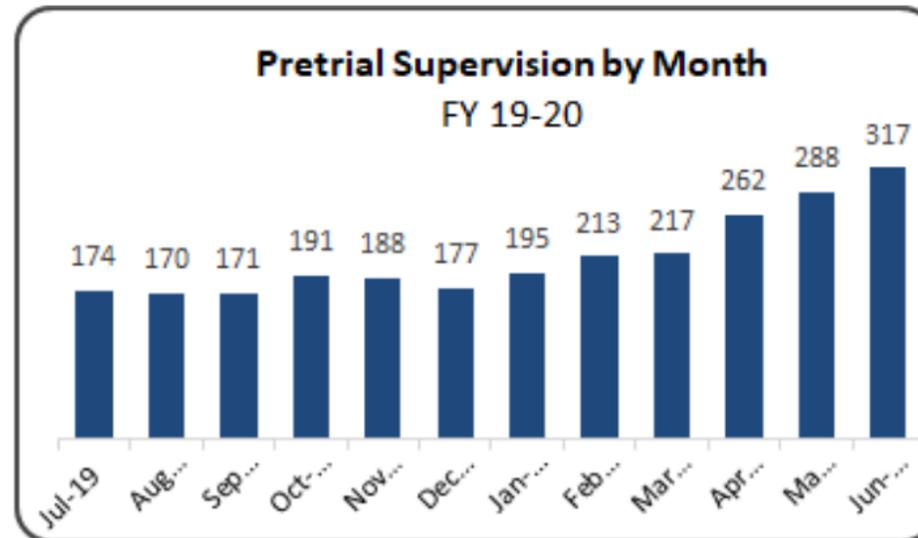
Criminal Justice Department Progress

Probation Department



Expansion of Pretrial Assessment & Supervision

- All eligible inmates are screened for pre-arraignment release and risk assessments completed within 24 hours of booking.
- In FY 2019-20, 524 individuals were supervised on Pre-Trial Supervision with 84% of cases successfully closed.



Criminal Justice Department Progress

Probation Department



Deputy Probation Officers embedded in jail assisted with resolving court cases

YTD facilitated the in person signing of 698 criminal Plea Agreements and Release of Information forms with jail inmates at defense attorney requests

Facilitated Implicit Bias Training

Over 220 individuals from Probation, DA, PD, BeWell, SBSO, Superior Court and four Community Partner Agencies trained in September and October 2020

Reentry Steering Committee “Reboot”

- Expansion of committee to include additional community organizations and justice involved individuals and/or family members.
- Launching of Virtual Reentry Resource Fair in early 2021.

Criminal Justice Department Progress

Office of the
Public Defender

- Zealously advocate for pretrial release on behalf of all clients
- Early identification of diversion opportunities including **CREDO, AB1810, and PC 1001.36 Mental Health Diversion**
- Holistic Advocacy to improve outcomes, **reduce jail commitments**, and **decrease** recidivism
- Advocate for alternative sentencing and early release
- Collaborative efforts with all justice partners to safely **and efficiently** reduce the jail population

Criminal Justice Department Progress

Santa Barbara
Sheriff's Office



Agency Wide Efforts

- Continue to treat people the right way. Practice the “Golden Rule.”
- Update technology to improve efficiencies
 - Jail Management System (J.M.S.)
 - Records Management System (R.M.S.)
 - Computer Aided Dispatch (C.A.D.)
 - Accurint Virtual Crime Center
 - Applied Correctional Transition Strategy (A.C.T.S.)
- **Implicit Bias and Racial Equity Training**
 - Completed for all sworn personnel
 - Pending for all support staff

Criminal Justice Department Progress

Santa Barbara Sheriff's Office



Custody Operations Efforts

- Enhanced Jail-to-Court Video Conferencing
- Changed Early Release criteria from 21 to 30 days
- Developed and implemented Jail-Based Competency Treatment Program (J.B.C.T.)

Law Enforcement Operations Efforts

- Coordinated Countywide Law Enforcement Arrest Discretion Strategy
 - Increased use of citations in the field
- Partnered with Behavior Wellness to increase Co-Response Teams Countywide
 - Divert mentally ill people from jail to community-based treatment

Funding Options

- Departments have provided initial funding requests of \$4.1M (\$3.3M ongoing; \$810K one-time)
- CEO's Office is further evaluating these for collective system needs
- Included at high level in fiscal issues report to Board in November
- Will be considered as part of annual budget development and planning
- Staff can provide options at that time for new available funding or redirection of existing resources

Criminal Justice: Racial Disparities Study

- In 2020, the Probation Department completed the **Relative Rate Index study (RRI)** for the juvenile justice system
- This same RRI analysis can be used to look at racial and ethnic data throughout the criminal justice system in relation to the various decision points. This allows comparisons to be made to assess the extent to which disproportionality, or disparities, exist.
- Probation is now working on a similar study to bring to the CCP in February and the Board later in the spring.



Advancing Racial Equity & Inclusion

Advancing Equity and Inclusion

| Statement of Commitment

- According to the Annie E. Casey Foundation:
 - **Equity** is defined as “the state, quality or ideal of being just, impartial and fair.” The concept of equity is synonymous with fairness and justice. It is helpful to think of equity as not simply a desired state of affairs or a lofty value. To be achieved and sustained, equity needs to be thought of as a structural and systemic concept.
 - **“Inclusion”** is the action or state of including or of being included within a group or structure. More than simply diversity and numerical representation, inclusion involves authentic and empowered participation and a true sense of belonging.
- Formal statement by the County would express commitment to equity and opposition to racism and systems that perpetrate it.

Proposed Statement of Commitment to Equity and Inclusion in the Community and Workplace

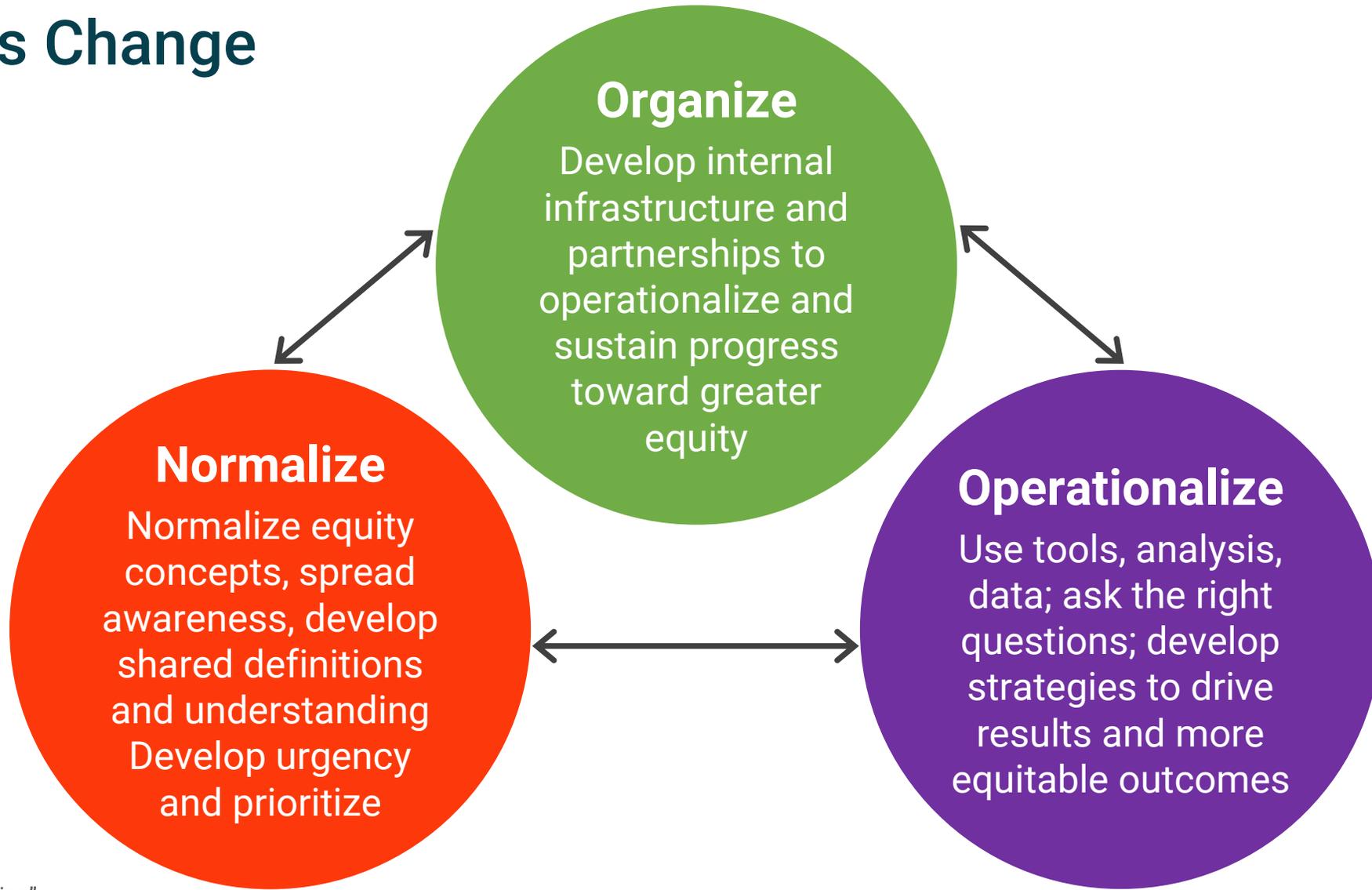
The County of Santa Barbara is dedicated to cultivating and sustaining an environment that exhibits equity and inclusion everywhere, and at all levels of our organization. The County believes equity is a fundamental principle that must be imbedded in policies, institutional practices and systems. The County recognizes the negative impacts of systemic racism and is committed to eliminating the barriers affecting our Black, Latinx, Indigenous, and Asian community members, as well as people of other diverse racial and ethnic backgrounds.

We celebrate community and employee diversity, strive for inclusion and belonging, and promote empowered participation. We aspire to build a workforce that is reflective of these values and the communities we serve. We are proud to be an equal opportunity employer and will resolutely uphold federal, California state law and/or Santa Barbara County ordinances.

We believe equity and inclusion are vital to fulfill the County's mission and to embody a culture of "One County, One Future."

BOS may adopt, alter, seek further input or defer.

Systems Change

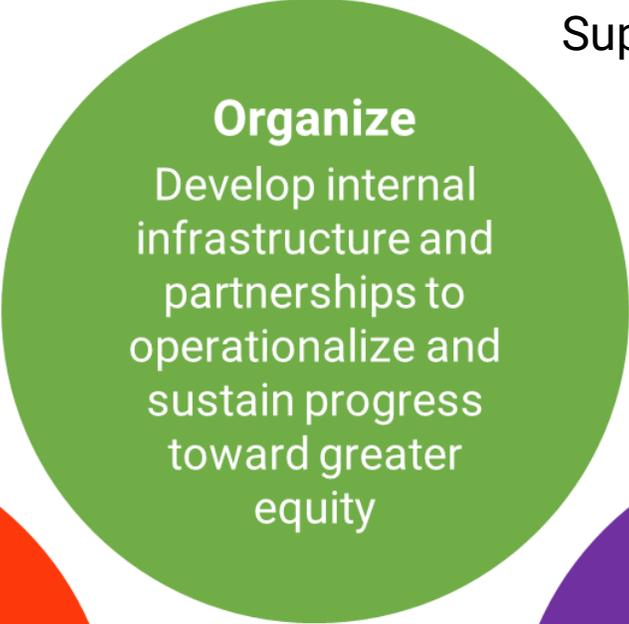
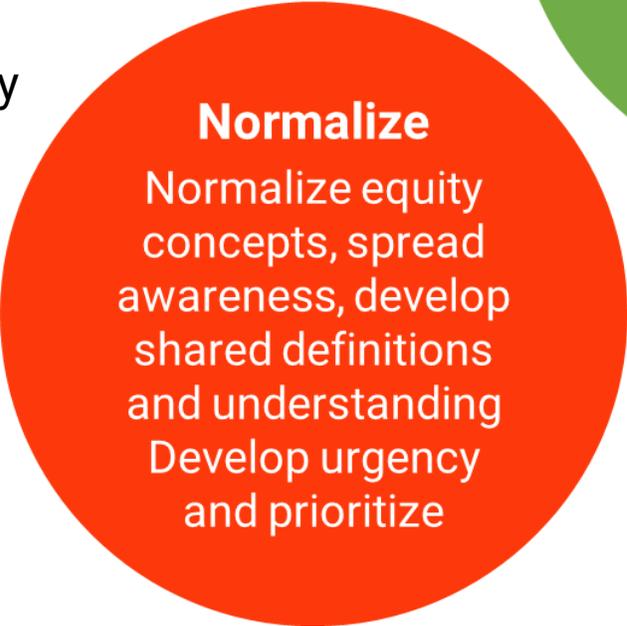


Based on
"National Best Practice"
Government Alliance for Race and Equity (GARE)

Changing Systems for Greater Equity

Recommended Actions

2
Understand
Local History



1
County
Organization:
J.O.I.N.

3
Support Community Voices and Engagement

4
Allocate Equity Fund for projects



5
Address system
of incarceration

Based on
"National Best Practice"
Government Alliance for Race and Equity (GARE)

COUNTY OF SANTA BARBARA
RACE, EQUITY & INCLUSION FRAMEWORK



Engaging hands, hearts and minds to drive change

COSB RACE, EQUITY, & INCLUSION FRAMEWORK

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JOIN HANDS

PHASE

PROPOSED ACTIONS:

- County leaders establish a stakeholder group to inquire about the current reality in the organization regarding race, equity, & inclusion through survey, guided discussions, team learning, and training.

ANTICIPATED OUTCOMES:

- Common understanding among County leaders regarding race, equity, & inclusion in the County
- County leaders provide CEO with results from the organizational assessment

PROJECTED TIMELINE:

- November 2020 – March 2021

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OPEN HEARTS & MINDS

PHASE II

PROPOSED ACTIONS:

- Envision future state and determine ways to create alignment with COSB mission, vision, and values
- Assess existing policies, programs, and practices to determine alignment with new state of race, equity & inclusion in the County

ANTICIPATED OUTCOMES:

- County leaders develop race, equity & inclusion goals and objectives
- Resources to implement the new state are identified and assigned

PROJECTED TIMELINE:

- April 2021 – June 2021

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IGNITE ACTION

PHASE III

PROPOSED ACTIONS:

- Innovate and implement shared solutions and deploy tools required to advance, track, and measure race, equity & inclusion progress

ANTICIPATED OUTCOMES:

- County workforce increases knowledge of and builds skillsets within the race, equity & inclusion framework through training, practice and application.
- Policies and programs are implemented to support an equitable and inclusive workplace

PROJECTED TIMELINE:

- July 2021 – December 2021

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NAVIGATE CHANGE

PHASE IV

PROPOSED ACTIONS:

- Implement communication and accountability strategy to continue to inspire and increase Countywide visibility and collective commitment to the new path forward

ANTICIPATED OUTCOMES:

- Systematic ongoing review of County programs, policies, and practices is established.
- Regular updates, celebration of milestones achieved, and annual progress report

PROJECTED TIMELINE:

- January 2022 and beyond

Leadership

Board of
Supervisor

Workforce

Community

STAKEHOLDERS (Who)

RACE, EQUITY & INCLUSION FRAMEWORK



Engaging hands, hearts and
minds to drive change.

OBJECTIVES (What)

Foster
Trust

Assess
Current
State

Increase
Awareness

Promote
Consistency

STRATEGY (How)

Organization
Assessment

Leadership
Learning
Labs

Workforce
Development

Strategic
Partnerships

BUSINESS CASE (Why)

Alignment

Compliance

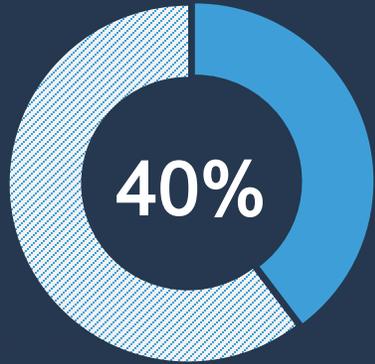
Workforce

Community

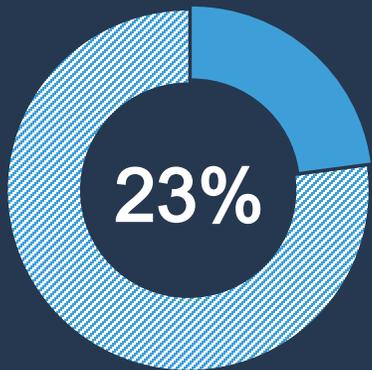
J.O.I.N.



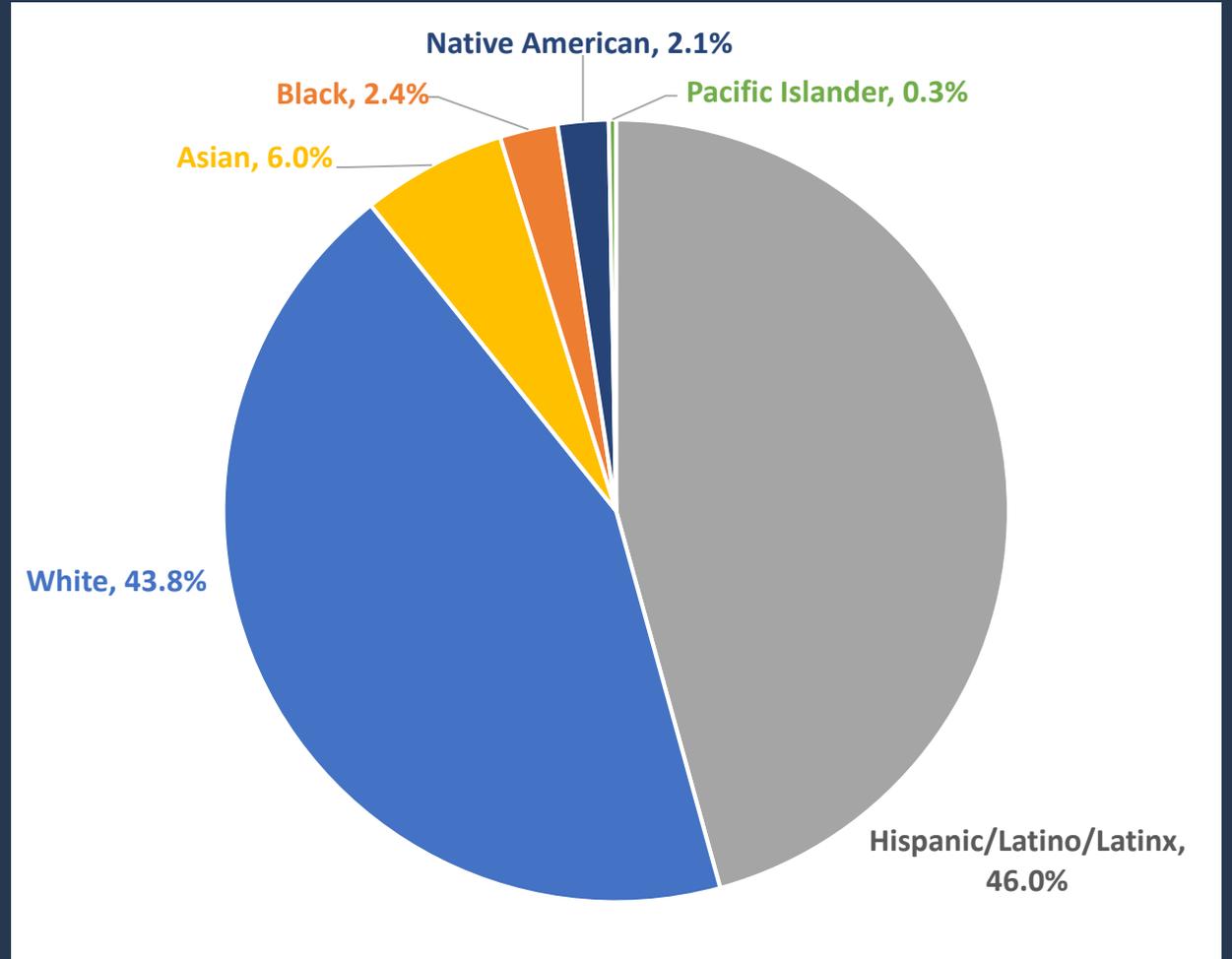
Female



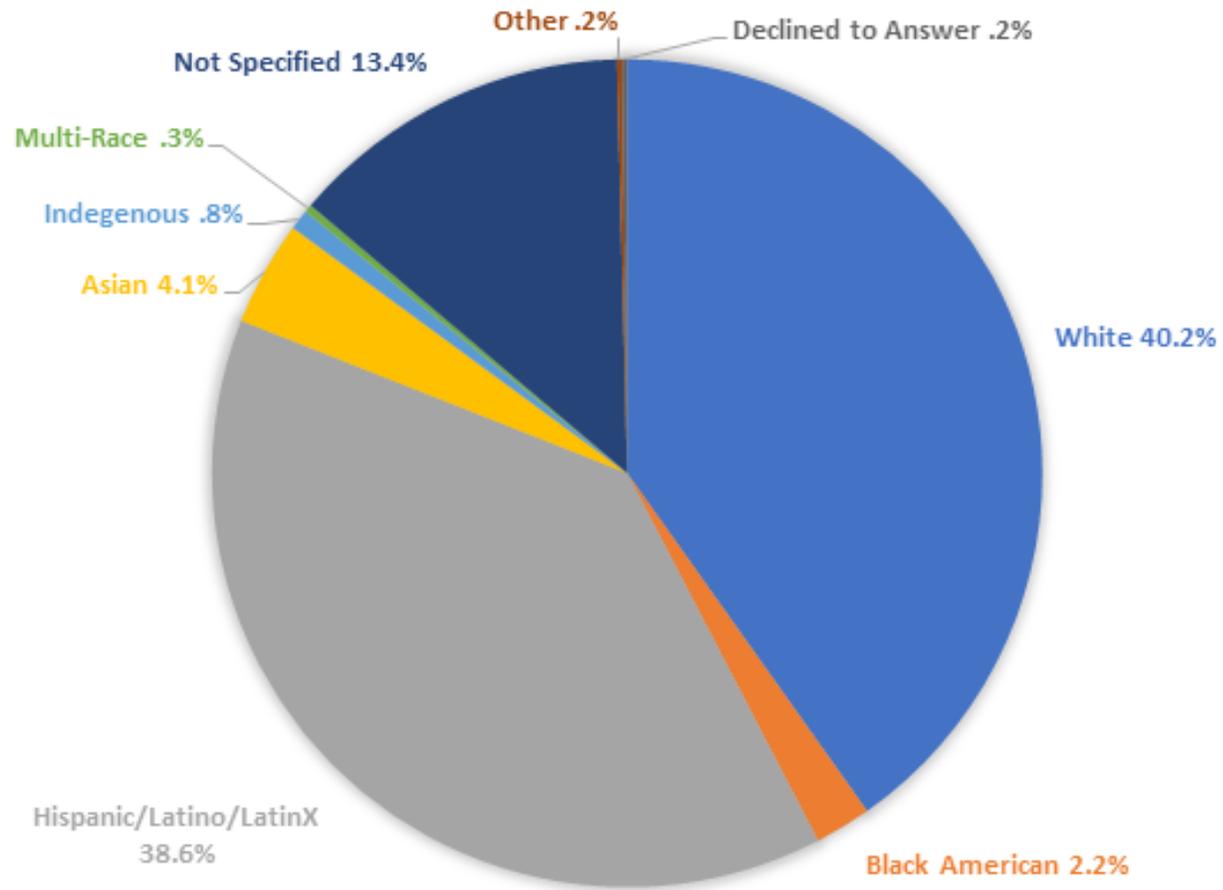
Language other than English in the home



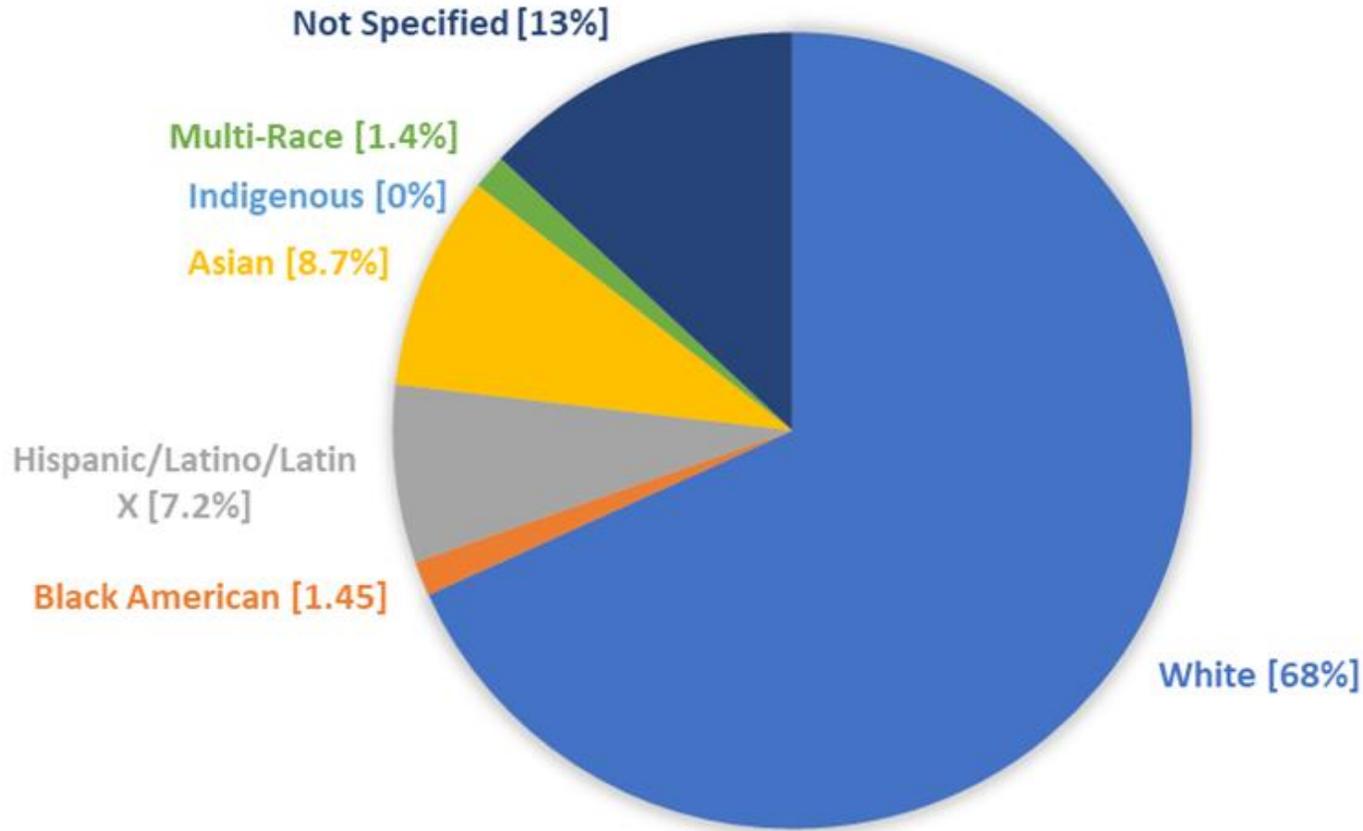
Foreign-born



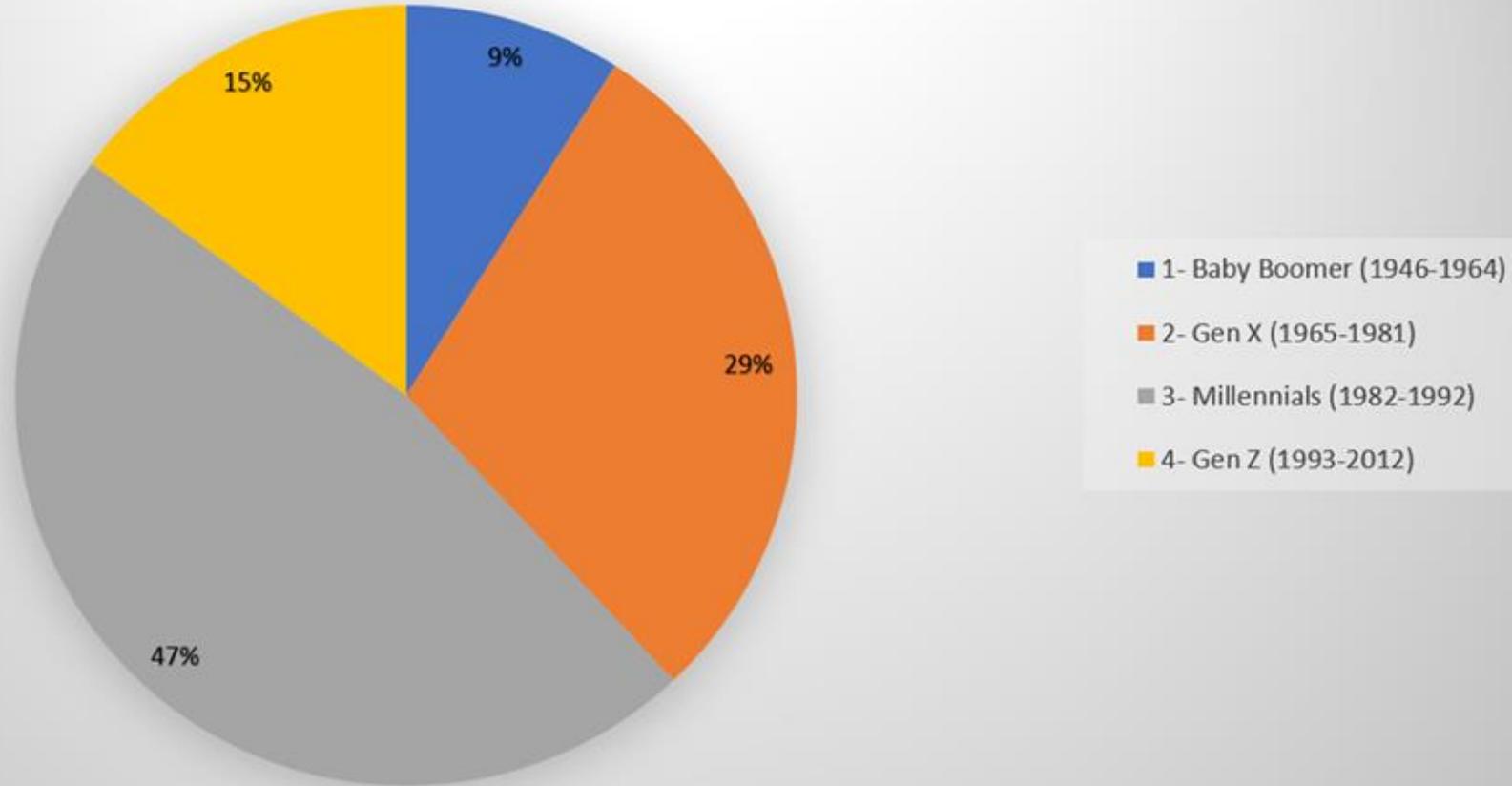
County Government Workforce Census by Race



County Government Leaders by Race



Generation Type Regular New Hires During FY15-16 to FY19-20



Supporting Community Voices and Engagement

| Understanding our local history and developing an inventory of landmarks

- Inventory of historic monuments, markers and plaques on County-owned properties.
- Receive input from future generations and academic experts to address, as well as learn about, the history and context for each marker.
- Could be connected with future, broader countywide cultural asset map created in cooperation with our local communities.
- \$10,000 for two paid internships for inventory.
- Further funding will be needed to assist with asset map or related projects (\$15,000 - still being evaluated).
- **Cost: Up to \$25,000**

Supporting Community Voices and Engagement

| Equity Advisory and Outreach Committee

- Assist with Safety Element in Long Range Planning, 2030 Climate Action Plan and Active Transportation Plans
- Provide awareness of climate change impacts to ensure equitable outcomes and benefits
- Bi-monthly for 2 hours for approximately 2 years (from development to adoption).
- Stipends proposed for participation from under-resourced communities, whose voices otherwise might not have been heard
- Application process to submit a statement of need to receive a stipend.
- **Cost:** \$19,200 to provide stipends for two years (\$1,200 per year for two years for up to eight individuals from eligible community-based organizations)

Supporting Community Voices and Engagement

Support Local Communities of Color Through Art: Uplift Cultural Expression and Diversity

- Provide funding, resources and support for emerging and grassroots BIPOC (Black, Indigenous and People of Color) artists and coalitions' arts and culture programs and projects.
- BIPOC coalitions identified this as their highest priority for allocation of arts funding support.
- Supply cultural communities with the resources to realize immediate and tangible projects and artistic expression, such as public art production and cultural celebrations like Juneteenth.
- Increase diversity, representation and inclusion throughout the Arts and Culture Sector. Create more equitable opportunities for restorative artistic practice countywide.

Supporting Community Voices and Engagement

Support Local Communities of Color Through Art: Uplift Cultural Expression and Diversity

- **Cost:** \$20,000 to be disbursed directly to BIPOC artists as micro-commissions through a proposal process to be informed by countywide BIPOC coalitions and the Arts Commission.
- Two \$5,000 honoraria and ten \$1,000 honoraria would be awarded as part of the County's commitment to promote diversity, equity, and representation through arts and culture.
- The Office of Arts and Culture can offer in-kind staff support through State-Local partner administrative funding.

Supporting Community Voices and Engagement

Facilitate Equity, Inclusion and Communication at the County Level: Listen, Learn and Share

- Develop greater cross-cultural understanding, support, and respectful communication practices by listening to and learning from Black, Indigenous, and other Communities of Color within the County.
- Compensate countywide BIPOC coalitions and collectives for the work, time, and expertise to share their vision, goals, preferences, challenges and boundaries for respectful engagement.
- Establish lines of communication where participants are able to feel safe and welcome.
- Create clearly-defined and accessible channels for countywide agencies and institutions to respectfully learn about and engage with local BIPOC communities.

Supporting Community Voices and Engagement

Facilitate Equity, Inclusion and Communication at the County Level: Listen, Learn and Share

- **Cost: \$30,000.**
 - \$20,000 to be disbursed directly to twenty BIPOC organizations for their work and collective expertise to develop framework for dialogue and education.
 - \$10,000 for broader community conversations beyond the arts community.
- **CSD Staff and the Arts and Culture Office will provide staff facilitation through State-Local partner administrative funding. It is recommended that staff work in tandem with the County's contracted consulting firm or other resource to establish these processes**

Create process for Equity fund allocation

- Equity fund of \$500,000 created at June Budget hearings
- Recommendations in this report: **\$229,200**

J.O.I.N.	\$135,000
Landmarks Inventory	\$25,000
Equity Advisory and Outreach	\$19,200
Uplift Cultural Expression	\$20,000
Listen, Learn and Share	\$30,000

- If all recommendations are funded, remaining balance: **\$270,800**

Create process for Equity fund allocation

- Recommend funds be distributed through request for proposal process
- CSD can administer process
- Could enlist Human Services Commission, Arts Commission and others
- Some portion of funding should be set aside to address ideas resulting from Listen, Learn, Share conversations
- CSD to return this spring with specific process

Conclusion

- This work is part of how we **Re-vision** the County, consistent with Renew '22
- Community input will stimulate additional actions and direction
- This is a beginning, not an ending. Will require accountability and follow up.
- Board may wish to provide further actions or direction

Recommended Actions

- a) Receive a status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020;
- b) Direct staff to return at budget workshops with options for funding diversion efforts, improving data analysis and systems, and speeding discovery processes;
- c) Direct staff to provide data for an evaluation of racial disparities of the adult incarcerated population;
- d) Adopt a statement of commitment by the County to advance equity and inclusion;
- e) Receive a report by the Human Resources Director on an equity and inclusion framework (“J.O.I.N.”) and approve funding for the initiative;

Recommended Actions

- f) Receive a report by Community Services Department (CSD) on actions to support community voices and engagement in partnership with other departments and organizations, and approve funding for the initiatives;
- g) Direct staff to return with a process for distribution of the remainder of the equity funds;
- h) Provide other direction as appropriate; and
- i) Determine that the action is exempt from the California Environmental Quality Act under CEQA Guidelines section 15378(b) (5) because the hearing is an administrative activity that will not result in a direct or indirect physical change to the environment.