



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Probation
Department No.: 022
For Agenda Of: June 15, 2021
Placement: Departmental
Estimated Time: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: No

TO: Board of Supervisors

FROM: Department Tanja Heitman, Chief Probation Officer
Director(s) 805-803-8537
Contact Info: Karyn Milligan, Manager, Research and Special Projects
805-882-3653

SUBJECT: Assessing Racial and Ethnic Disparities in Criminal Justice

County Counsel Concurrence

As to form: Yes

Other Concurrence:

N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Receive and file a presentation regarding Assessing Racial and Ethnic Disparities in Criminal Justice;
- B. Determine that the acceptance of the Assessing Racial and Ethnic Disparities in Criminal Justice Presentation are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and is not a project under the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15061(b)(3).

Summary Text:

The Relative Rate Index (RRI) illustrates the rate of individuals at various decision points of our system in comparison to the number which might be expected based either on the proportionate percentage of that group in the county's population or the population of that group actually at risk of experiencing an event. The RRI also reveals how any existing disparities accumulate from one point to the next as individuals move further into the system.

Background:

The Santa Barbara County Probation Department partnered with the W. Haywood Burns Institute as part of the Reducing Racial and Ethnic Disparity (RED) grant in 2014. The RED grant's intent was to increase awareness of racial and ethnic disparities in the county's juvenile justice system and to begin to address areas of disproportionality. Additionally, in FY 2019-2020, a goal was added into the County's Public Safety Realignment Plan to specifically support a systemic approach to studying and addressing racial and ethnic disparities in the justice system. Further, in 2019 the Probation Department launched the Reimagining Juvenile Justice Initiative. This Initiative, sponsored by the Annie E. Casey Foundation, brought together partners from a broad cross-section of child serving agencies including law enforcement and community organizations to propose new strategies for delivering juvenile justice programs and interventions. A key focus area of this initiative was racial and ethnic equity and inclusion (REEI).

In its continued commitment to increasing awareness, promoting conversation, and moving forward strategies to positively impact trends, the Probation Department calculated the Relative Rate Index (RRI) of youth and adults at various decision points within the criminal justice system. The RRI is the method used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to measure over/under representation of different racial/ethnic groups at specific decision points. To calculate the index value, a rate is calculated for each racial/ethnic group at a particular point in the system. The rates for each group are then compared to the rate for individuals identified as White. The comparison of the two rates provides the RRI value. An index value of 1 indicates that the racial/ethnic group is represented at the same rate as White individuals. Values greater than 1 indicate a greater representation and values less than 1 indicate representation less than White individuals.

Many interrelated factors influence racial inequalities in the criminal justice system.¹ The RRI does not control for other factors that may influence the likelihood of criminal justice involvement, such as the severity of offense, prior offense history, or socioeconomic status. The RRI is simply a first step to identify points of disproportionality and is not intended to address the root causes of disparities, which may include varying social determinants (e.g. poverty, education, employment, physical environment, etc.)

Locally, for youth, the RRI data indicate that the point of referral contributed the most to the overall level of disparity between youth of color in comparison to youth identified as White in the juvenile system in FY 2019-2020. Additionally, in comparison to White youth, youth of color youth were more likely to be booked, charged, found guilty and committed to secure detention. It is important to acknowledge that data was not available for points prior to referral into the juvenile justice system; the data presented in the RRI does not examine law enforcement contacts which do not result in arrest, booking, or referral to Probation or the District Attorney.

The data indicates that disparities persist for Hispanic and Black adults as well. In the first three months of 2020, Black and Hispanic adults were more likely than Whites to be booked, less likely to receive pretrial detention and more likely to receive a disposition of state prison as compared to Whites. Similar to the data limitations identified in the juvenile analysis, adult data was not available for decision points prior to booking into the County jail.

¹ *National Academies of Sciences, Engineering, and Medicine. (2021). Addressing the Drivers of Criminal Justice Involvement to Advance Racial Equity: Proceedings of a Workshop—in Brief. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26151>*

The data has been shared with numerous stakeholders and justice partners, and has revealed opportunities to continue discussions around strategies addressing disparities. While some of the recommended strategies discussed have been deployed or contain an existing framework from which to build, others indicated below are new endeavors requiring further development and collaboration. These include:

- Collecting input from victims and justice-involved individuals on the challenges faced and treatment within the criminal justice system;
- Embedding language into service contracts prioritizing bilingual and bicultural staff who are culturally proficient with the necessary knowledge, skills, attitudes and beliefs to work well with, respond effectively to, and be supportive of people in cross cultural settings and persons from diverse cultural and socioeconomic backgrounds;
- Investing in additional interventions that promote positive youth development and respond to delinquency in age-appropriate and evidence-based ways;
- Reducing economic impacts within the criminal justice system that can disproportionately impact low income communities;
- Expanding the use of pretrial supervision;
- Expanding diversion alternatives, and limiting system involvement and incarceration of our lowest risk individuals;
- Reducing incarceration for probation violations and providing alternatives to incarceration;
- Expanding resources to community-based prevention and treatment for substance abuse;
- Working with our justice partners to launch a Shared Safety initiative to shift the focus from historical punitive responses to crime to restoring the well-being of our community.

In addition to the strategies identified above, the Probation Department, alongside its partners of the County of Santa Barbara's Community Corrections Partnership (CCP), is exploring a formal data analysis agreement with the Regents of the University of California, and the California Policy Lab (CPL). The CPL, operating out of the University of California Berkeley and Los Angeles campuses, aims to improve outcomes for Californians who utilize public services by building lasting research partnerships with state and local governments, and is committed to the mission of research, education, and public service on a wide range of issues including poverty, education, social programs, health, employment, and criminal justice. The local project will include an analysis of Santa Barbara County criminal justice data to better understand how the characteristics and outcomes of the justice-involved population have changed over the last decade (2010 – 2020). If approved, this collaborative work will create a strong evidence basis to support the County in making changes to practice or policy. It would also create the data infrastructure needed to monitor, evaluate, and learn from those changes over time.

Fiscal Analysis:

The receiving of this presentation has no fiscal impact.

Attachments:

Attachment A: PowerPoint Presentation of Assessing Racial and Ethnic Disparities in Criminal Justice

Authored by:

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