



BUNCOMBE COUNTY
**JUSTICE RESOURCE
ADVISORY COUNCIL**
*Leveraging best practices to increase system efficiency,
promote public safety, and community wellness*

Welcome

Monthly Meeting

January 2020



Agenda

1. Welcome
 - a. Approval of December minutes and January agenda
2. Old Business
 - a. JRAC Updates
 - b. JRAC Governing Document
3. New Business
 - a. Racial Equity Presentation
 - b. Amnesty Day Planning



JRAC Updates

- **JRAC Strategic Planning Progress**

- Complete: Mapped out current portfolio (see December 2019 minutes)
- Next Steps: Proposal to work with outside consultant to assist the JRAC with a vision, strategic directions and action areas. Commitment from steering committee, as well as entire JRAC

- **JRAC Project Updates and Quarterly Performance Measures**

- Jail Population Data
- Program/Services Performance Measures
- Safety and Justice Challenge Updates
- New projects and request



JRAC Governing Document

Tiffany Iheanacho, Justice Resource Coordinator



BUNCOMBE COUNTY



JRAC Governing Document: Final Draft

- By-law format that remains in place until time if ever JRAC dissolves
- Membership as outlined in draft, update move Pretrial Services to membership by representation
- Chair and Vice Chair
- Steering Committee
- JRAC meets bi-monthly
- Must follow North Carolina Open Meetings Law (G.S. 143-318.9)
- Special meetings added (standard procedure)
- Membership Responsibility (JRAC MOU)



JRAC Governing Document: Decisions Needed

- **Article II Section 2: Membership by representation:** What is the official process for designating a representative? Should it be done in writing to the staff liaison?
- **Article III: Chair and Vice Chair:** How appointments are made?
- **Article V Section 1: Standing Committee Purpose:** Should they be determined now and added to the by-laws or developed after the strategic planning process?
- **Article VI Section 1b Steering Committee Meetings:** Should Steering Committee meet monthly or on opposite months of JRAC?
- **Article VII Section 3- Submitting Items for Formal Discussion or Vote:** What kind of decisions can the Steering Committee make?



JRAC Governing Document: Decisions Needed

1. Since committee/workgroup minutes are closed to public, what is the process for determining membership?
2. Would we like to provide opportunity in the JRAC meetings for public comment?
3. What is JRAC policy on absences?
 - **Recommendation: Membership by position and Membership by representation:** In an effort to ensure integrity and commitment to the mission and goals of the JRAC attendance and participant is of utmost importance. Professional courtesy will be to make every effort to attend and in the event the member is unable to attend send a designated proxy representing that member's organization.
 - **Membership by selection by nomination and appointment:** In alignment with the Buncombe County Board of Commissioner's policy if an appointee misses 4 consecutive meetings unexcused or fails to attend at least 75 percent of the regularly scheduled meetings within a 12 month period, her or she is obligated to resign



JRAC Governing Document: Next Steps

- Approval of By-laws
- Invitation for new members and nomination call for *membership by selection by nomination and appointment*
- Appointment of Chair and Vice Chair
- Steering Committee Meeting





Supported by the John D. and Catherine T.
MacArthur Foundation

Racial Equity Workgroup

Progress Update & Overview of Jail Disparities

Presented by: LeAnn Melton, Chief Public Defender

1/10/2020



Strategy 7: Addressing Racial & Ethnic Disparities

Strategy Overview

- Strategy seven, **Addressing Racial & Ethnic Disparities**, is a supportive strategy, and while not associated with beds, supportive strategies are necessary to ensure that we can implement reduction strategies successfully.
- This supportive strategy is also essential to efforts to reduce racial and ethnic disparities in the jail.
- There are many activities that this group is coordinating, some of which are:

Activities

1. Incorporating standardized, race neutral tools into bond decision making processes
2. Reviewing and revising all policies through an equity lens
3. Analyzing racial and ethnic disparities at each touch point of the criminal justice continuum
4. Tracking all people related outcomes by race and ethnicity
5. Engaging in training and technical assistance aimed at minimizing disparities via the SCJ Network.



Racial Equity Workgroup Members

Justice Resource Advisory Council Members

Hon. Alan Thornburg, Resident Superior Court Judge
Dakisha Wesley, Assistant County Manager
Kim Moretz, Pretrial Services Program Manager
LeAnn Melton, Chief Public Defender
Quentin Miller, Sherriff
Sylvia Clement, Chief Juvenile Counselor
Todd Williams, District Attorney

Criminal Justice Stakeholders

Catherine Perez, Assistant District Attorney
Cindy Crawford, Superior Court Administrative Staff
Fredilyn Sison, Federal Public Defender, Western District
Gill Beck, US Attorney, Western District of NC
Jim Baumstark, Deputy Chief APD
Kathy Lamont, Assistant Public Defender
Hon. Patricia Young, District Court Judge

Government Officials

Aisha Shepherd, Community Development Specialist
Amy Upham, Opioid Overdose Response Coordinator
David Nash, CEO of Asheville Housing Authority
Kimberlee Archie, Director of Equity and Inclusion
Paulina Mendez, Training Consultant for Equity and Inclusion
Zo Mpfu, Human Services Program Consultant

Service Providers and Community Members

Brent Bailey, Reentry Coordinator
Cynde Allen, Community Representative
Ron Harrison, Jail Diversion Team Lead

Workgroup Staff

Facilitator: Yolanda Fair, Assistant Public Defender
Data Coordinator: Lee Crayton, Management Analyst
Coordination Support: Tiffany Iheanacho, Justice Resource Coordinator



In the beginning....

Establishing Definitions



Establishing Definitions

Opportunity for Greater Impact

Institutional Racism: Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and oppression and disadvantage for people from groups classified as people of color.

Structural Racism: Is a system in which public policies, institutional practices, cultural representations, and other norms works various ways, often reinforcing ways to perpetuate racial inequity. It's the cumulative and compounded effects of an array of factors that systematically disadvantage people of color.



Establishing Definitions

Individuals Impact Systems

Individual Racism: Individual racism refers to the beliefs, attitudes, and actions of individuals that support or perpetuate racism. Individual racism can be deliberate, or the individual may act to perpetuate or support racism without knowing that is what he or she is doing.

Interpersonal Racism: Interpersonal racism occurs between individuals.



Workgroup's Shared Analysis

- Acknowledging racial and ethnic disparities **exist**
- **Historical context** into how systems, culture, institutions, laws, policies and practices were developed
- **Advancement** of people with white skin pigmentation and marginalization of people with darker skin pigmentation
- Translated through **disproportionality** in data and **narrated experiences**
- Specifically, this group has been tasked with reducing the racial and ethnic disparities in the jail
- Focus on structural, policy, procedural changes through a racial equity lens that also might have a positive impact on all populations



From Planning to Implementation

Goals and Accomplishments



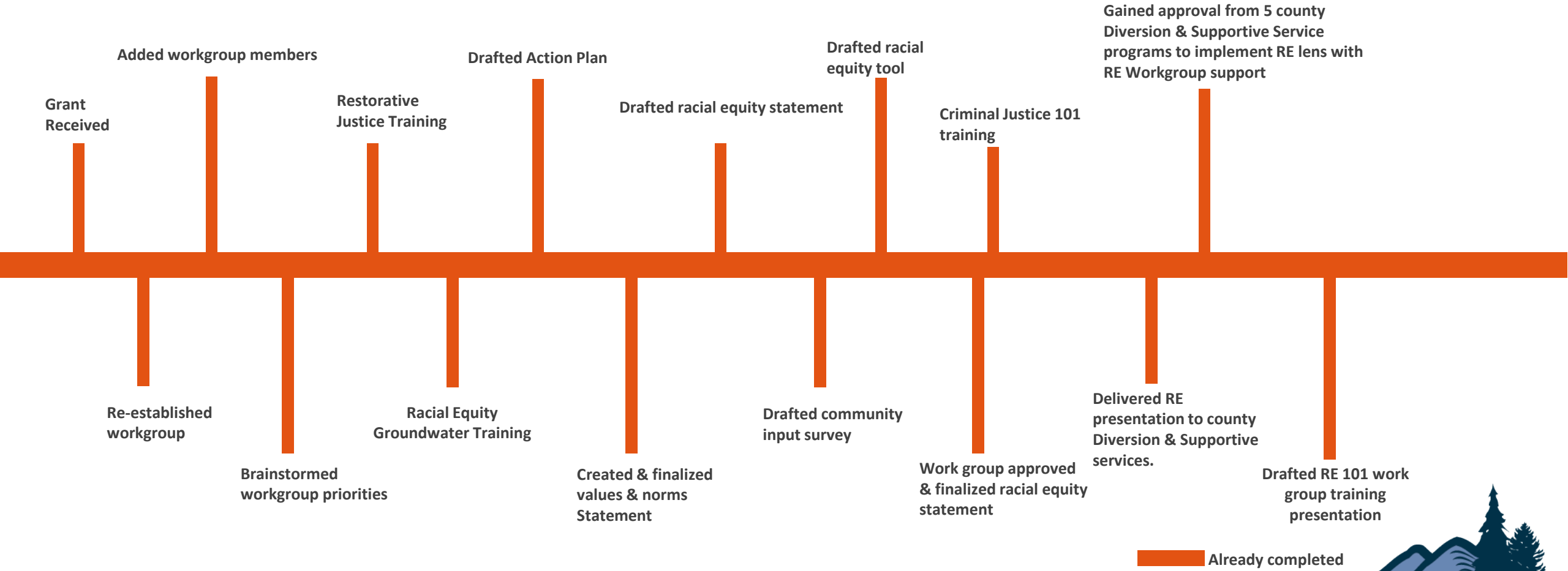
GOALS

1. Training and Education
2. Cross-system collaboration
3. Jail disparities
4. Access to diversionary and supportive programs
5. Intentional community engagement of those most impacted



Racial & Ethnic Disparities Workgroup Timeline

(as of December 2019)



Justice Accomplishments

- **DA's Office:** Expanded criteria for VTC, AMDP, and FDD; removal demographics from indictment documents
- **BCSO's Office:** Intentional recruitment and promotion of officers/deputies of color
- **Superior Court:** Mandatory implicit bias video for jury
- **District Court:** Setting conditions of release for failure to appears and request to NC Chief Justice to make DEI a mandatory CLE
- **Western District, US Attorney's Office:** Mandatory implicit bias training
- **Defense Attorney:** Offering treatment courts to all eligible defendants
- **SJC Community Engagement Workgroup:** Held several listening sessions to include Barnardsville, PVA and BCDF
- **SJC Racial Equity Workgroup:** Held over 8 educational/training session to include REI's Groundwater.



Using Data to Drive Decision Making

Exploring the baseline

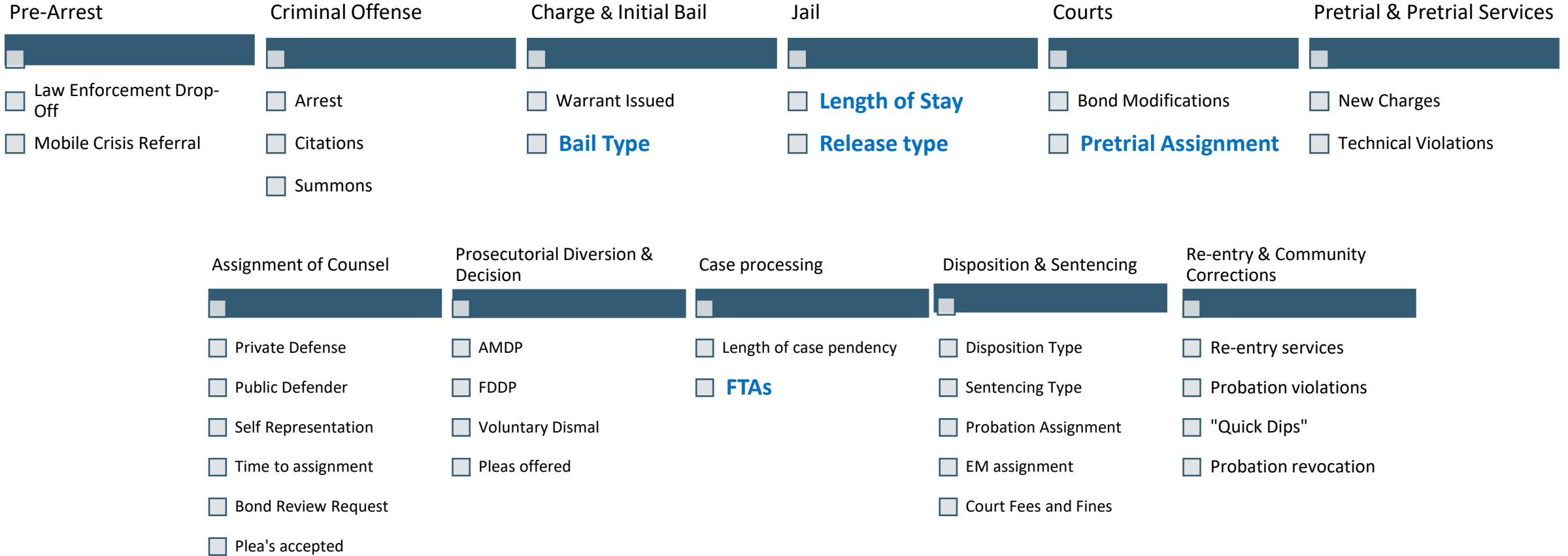


Using Data: Relative Rate Index

- When identifying whether and to what extent racial and ethnic disparities exist and in measuring progress, it is important to use multiple metrics.
- This is true in measuring progress at the macro level (i.e., key decision making points like arrest or jail admissions) or at the micro level (i.e., target populations like admissions to jail for probation violations or jail admissions for driving with a suspended license).
 1. **Volume / Counts:** Number of people involved in justice system.
 2. **Rate per Capita:** Likelihood of system involvement compared to the population.
 3. **Rate per prior decision making point:** Likelihood of penetrating more deeply into the justice system, compared to the prior decision making point.
 4. **Disparity Gap (comparing per capita rates):** Ratio of rates or relative likelihood of system involvement for people of color per capita compared to White per capita.
 5. **Disparity Gap (comparing rates per prior decision making point):** Ratio of rates or relative likelihood of system involvement for people of color per prior decision point compared to White per prior decision point.



Using Data: Defining a Decision Point Analysis



Using Data: Baseline-Disproportionality

Buncombe County Racial/Ethnic Demographics

White	89.4%
Black or African American	6.3%
American Indian and Alaska Native	0.5%
Asian	1.4%
Native Hawaiian and Other Pacific Islander	0.2%
Two or More Races	2.2%
Hispanic or Latino	6.7%
White alone, not Hispanic/Latino	83.5%

Source:

<https://www.census.gov/quickfacts/buncombecountynorthcarolina>

Buncombe County Detention Facility Race Demographics

White	73.0%
Black or African American	25.5%
American Indian and Alaska Native	0.9%
Asian/Pacific Islander	0.6%
Unknown	0.4%

Source: BCDF JMS ADP CY 2019

*Ethnicity data missing



Using Data: Jail Data Context

- Jail data complex, filled with caveats and nuances
 - Birdseye view and magnifying lens approach
- Focus on black and white data points
 - Other races extremely small populations and once address disparities for African American theorized we should see other reductions as well.
- Intentionally focusing on reducing length of stay for African Americans would have a major impact on our Average Daily Population- **SJC Target**
- Data: SJC population only starting from May – Dec 2019

Short-Term Goal: Equitable distribution of at least one data point

Mid-Term Goal: Equitable across all decision points

Long-Term Goal: Equitable distribution to reflected the community



Jail Data through a Racial Equity Lens

Background:

- Average Daily Population (ADP) = **Average Bookings / Length of Stay**
- **Bookings- How many come in?**
- **Length of Stay- How long they stay?**

Type	White	Black	Difference
Buncombe County Population	89.4%	6.3%	N/A
BCDF Average Daily Population	73.0%	25.5%	19.2%
BCDF Average Number of Bookings	77.5%	20.9%	14.6%
BCDF Average Length of Stay	15.3 days	21.5 days	6.2 days



Analyzing Data: Using the DPA and RRI Approach

Charge & Initial Bail		Jail: Release Type			
Arrest/Bookings <ul style="list-style-type: none"> • 8,233 Bookings • Black – 20.9% • White – 77.5% 	Bond Set: Written Promise/Unsecured Bond <ul style="list-style-type: none"> • 1,999 Bookings • Black – 21.5% • White – 75.1% 	Posted Financial Bond <ul style="list-style-type: none"> • 1,696 Bookings • Black – 23.3% • White – 76.0% 	Non-Financial Bond <ul style="list-style-type: none"> • 1,696 Bookings • Black – 19.4% • White – 78.9% 	Time served/DOC <ul style="list-style-type: none"> • 1,173 Bookings • Black – 23.7% • White – 74.4% 	Charge Dismissed <ul style="list-style-type: none"> • 531 Bookings • Black – 19.1% • White – 79.2%

Courts: Pretrial Assignment		Jail: Length of Stay (LOS)			
Referrals to Pretrial Supervision <ul style="list-style-type: none"> • 1,646 Bookings • Black – 20.9% • White – 78.1% 	Released to Pretrial Supervision Only <ul style="list-style-type: none"> • 641 Bookings • Black – 16.7% • White – 80.8% 	Misdemeanor Releases <ul style="list-style-type: none"> • 7.3 Days • Black – 4.7 days • White – 5.6 days 	Felony Releases <ul style="list-style-type: none"> • 36.2 Days • Black – 46.9 Days • White – 32.9 Days 	Probation Violation Release <ul style="list-style-type: none"> • 27.9 Days • Black – 42.5 Days • White – 24.7 Days 	FTA Only Releases <ul style="list-style-type: none"> • 9.6 Days • Black – 8.6 Days • White – 9.9 Days



A Starting Place

Blacks have a **4%** decreased chance of being released on Pretrial Supervision because they are more likely to also be held with a secure bond. While whites have a **4%** increased chance of being released on Pretrial Supervision without a monetary bond.

Blacks released on probation violation stay in custody on average **17.8 days** longer than whites.

Specifically for higher level felonies Blacks remain in custody on average **14 days** longer than whites.



Next Steps

Solution Focused Problem Solving



Questions Comments

Thank You



AMNESTY DAY

Presented by

Planning Ideas

Todd Williams, District Attorney



BUNCOMBE COUNTY



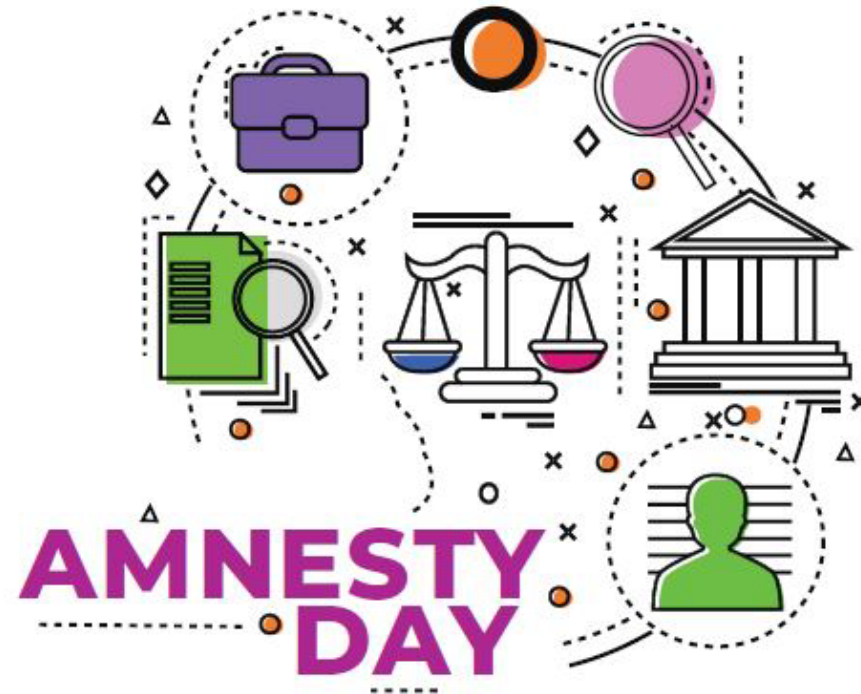
AMNESTY DAY

- Planning Ideas
 - Eligibility
 - Dates
 - Location
 - Communication Strategy

Are misdemeanors preventing you from moving forward with employment, reinstating a driver's license, and other issues?

Begin Again.

Do you have an old warrant or order for arrest related to an outstanding misdemeanor and/or traffic citation that was issued in Buncombe County? If so, you are eligible to see if your case can be reset for hearing and possibly dismissed. **Felony charges** are not eligible.



Thank you!

Announcements

Next meeting: February 7, 2020 at 12:30 pm, 200 College St, Ground Floor Conference Room.

