

PUBLIC PROTECTION COMMITTEE

MAY 2, 2011 11:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Federal D. Glover, Chair Supervisor Gayle B. Uilkema, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

- 1. Introductions
- 2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes)
- 3. Consider report from the District Attorney on truancy in Contra Costa County and successful truancy reduction programs
- 4. Consider report from the District Attorney on gang violence in Contra Costa County and the use of gang injunctions (special restraining orders) to help prevent gang violence

The Public Protection Committee will provide reasonable accommodations for persons with disabilities planning to attend Public Protection Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Public Protection Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

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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	HCD	(State Dept of) Housing & Community Developmen
ABAG	Association of Bay Area Governments	HHS	Department of Health and Human Services
ACA	Assembly Constitutional Amendment	HIPAA	Health Insurance Portability and Accountability Act
ADA	Americans with Disabilities Act of 1990	HIV	Human Immunodeficiency Syndrome
AFSCME	American Federation of State County and Municipal	HOV	High Occupancy Vehicle
	Employees	HR	Human Resources
AICP	American Institute of Certified Planners	HUD	United States Department of Housing and Urban
AIDS	Acquired Immunodeficiency Syndrome		Development
ALUC	Airport Land Use Commission	Inc.	Incorporated
AOD	Alcohol and Other Drugs	IOC	Internal Operations Committee
BAAQMD	Bay Area Air Quality Management District	ISO	Industrial Safety Ordinance
BART	Bay Area Rapid Transit District	JPA	Joint (exercise of) Powers Authority or Agreement
BCDC	Bay Conservation & Development Commission	Lamorinda	Lafayette-Moraga-Orinda Area
BGO	Better Government Ordinance	LAFCo	Local Agency Formation Commission
BOS	Board of Supervisors	LLC	Limited Liability Company
CALTRANS	California Department of Transportation	LLP	Limited Liability Partnership
CalWIN	California Works Information Network	Local 1	Public Employees Union Local 1
CalWORKS	California Work Opportunity and Responsibility	LVN	Licensed Vocational Nurse
	to Kids	MAC	Municipal Advisory Council
CAER	Community Awareness Emergency Response	MBE	Minority Business Enterprise
CAO	County Administrative Officer or Office	M.D.	Medical Doctor
CCHP	Contra Costa Health Plan	M.F.T.	Marriage and Family Therapist
CCTA	Contra Costa Transportation Authority	MIS	Management Information System
CDBG	Community Development Block Grant	MOE	Maintenance of Effort
CEQA	California Environmental Quality Act	MOU	Memorandum of Understanding
CIO	Chief Information Officer	MTC	Metropolitan Transportation Commission
COLA	Cost of living adjustment	NACo	National Association of Counties
ConFire	Contra Costa Consolidated Fire District	OB-GYN	Obstetrics and Gynecology
CPA	Certified Public Accountant	O.D.	Doctor of Optometry
CPI	Consumer Price Index	OES-EOC	Office of Emergency Services-Emergency
CSA	County Service Area	013-100	Operations Center
CSAC	California State Association of Counties	OSHA	Occupational Safety and Health Administration
CTC	California Transportation Commission	Psy.D.	Doctor of Psychology
dba	doing business as	RDA	
	<u> </u>		Redevelopment Agency
EBMUD	East Bay Municipal Utility District	RFI	Request For Information
EIR	Environmental Impact Report	RFP	Request For Proposal
EIS	Environmental Impact Statement	RFQ	Request For Qualifications
EMCC	Emergency Medical Care Committee	RN	Registered Nurse
EMS	Emergency Medical Services	SB	Senate Bill
EPSDT	State Early Periodic Screening, Diagnosis and	SBE	Small Business Enterprise
	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	
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	VA	Department of Veterans Affairs
	(Proposition 10)	VS.	versus (against)
FTE	Full Time Equivalent	WAN	Wide Area Network
FY	Fiscal Year	WBE	Women Business Enterprise
GHAD	Geologic Hazard Abatement District	WCCTAC	West Contra Costa Transportation Advisory
GIS	Geographic Information System		Committee



MAY 2, 2011 PACKET ITEM 3

Date: April 27, 2011

To: Board of Supervisors Public Safety Subcommittee

From: District Attorney Mark Peterson

Re: Truancy Initiative

I. The Problem:

There is a great need for students to stay in school and graduate. Failure of students to remain in school and graduate has long-term criminal and financial consequences.

1 in 3 California high school students does not graduate from high school on time.

Of the half-million Californians who turn 20 each year, 120,000 do not have a high school diploma.

Dropouts are:

3 ½ time more likely to be arrested Over 8 times more likely to be in jail 68% of state prison inmates across the county have not received a diploma

Immediate impact: \$1 billion in juvenile crime

For each year's worth of high school dropouts, California suffers an estimated \$46 billion in economic losses, including \$12 billion in crime costs alone.

Boosting High school graduation rates will improve public safety: Researchers found:

A 10 percentage point increase in graduation rates in California would reduce murder and assault rates by about 20 %

That would prevent 600 murders and 22,000 aggravated assaults each year in California

A 10 percentage point increase in graduation rates in Contra Costa County would reduce murder and assault rates by about 20 %.

That would prevent 19 murders and 479 aggravated assaults each year in Contra Costa County.

2008-2009:

Statewide Graduation Rate:

70.1% of public high school students in California graduated from high school.

Graduation rate of Hispanics is 59% Graduation rate of African-Americans is 59.6%

Contra Costa County

83.8% graduation rate Pittsburg Unified - 70.1% Antioch Unified - 74.5% John Swett Unified - 80.1%

Statewide Dropout Rate:

21.5% of high school students drop out Dropout rate of Hispanics is 26.9% Dropout rate of African-Americans is 36.9%

Contra Costa County

15.9% dropout rate

24.1% dropout rate among Hispanics

32.8% dropout rate among African-Americans

II. The Solution:

Several counties throughout the state of California have successful anti-truancy programs. The former District Attorney of San Francisco, Kamala Harris, instituted a successful anti-truancy program and helped reduce truancy in San Francisco county by 23%. That reduction brought in \$300,000 per year in additional funds to the school district because of increased attendance.

The Law:

Each person between the ages of 6 and 18 years SHALL attend school full-time.

A Truant is......

Any student who is absent from school without valid excuse either:

For three full days; or

Tardy more than 30 minutes three times; or

Any combination of three (full school days or more than 30 minutes late). Education Code 48260

New Law and Penalty for Parents in 2011:

Penal Code Section 270.1

Parents or Guardians of Minor children up to Grade 8 may be convicted of a **misdemeanor** and face penalties of jail time and additional fines if the minor is found to be a "chronic truant" (i.e. unexcused absences in excess of 10 %).

Contempt of Court Proceedings and Penalties

Students who disobey court order to attend school may receive confinement in Juvenile Hall as penalty.

III. Steps that could be taken:

Develop a county-wide truancy program by doing the following:

Examining other counties successful anti-truancy programs and imitating their strategies/methods.

Passing a county day-time curfew.

Meeting with County Office of Education Coordinating Council. (Truancy/SARB officers from all school districts)

Meeting with all School Superintendents in the county.

Meeting with city councils to pass curfew ordinances. (See attached list.)

Meeting with Police Chief's Association to discuss county-wide truancy initiative.

Sending letters to truant students and their parents from the Office of the District Attorney, explaining the consequences of truancy.

Holding meetings prior to the school year with students who had truancy problems the school year before and their parents to discuss truancy.

Attending rallies/meetings at middle schools and high schools who are interested, to discuss truancy, bullying, sexting, inappropriate sexual contact, and other law enforcement issues directly with the students.

It must be noted, that with continued reductions to the budget of the District Attorney, such as those in the CAO's current Recommended Budget of a loss of 9 Deputy District Attorneys, the Office would not have the personnel to implement these solutions.



MAY 2, 1011 PACKET ITEM 4

Date: April 27, 2011

To: Board of Supervisors Public Safety Subcommittee

From: District Attorney Mark Peterson

Re: Gang Injunction Initiative

I. The Problem:

In 2009, the last year for which complete statistics are available, Contra Costa County had the third highest murder rate in the state, only behind Kern County and Alameda County. Unfortunately, this county was also one of the highest in actual numbers of murders. There is no dispute that gang violence plagues Contra Costa County, especially West Contra Costa County.

Recently, Richmond ranked as the 9th most violent city in the entire nation. That ranking does not include unincorporated North Richmond, which is home to the Bay Area's most violent and ruthless gang. Moreover, gang violence is not confined to West County. The cities of Pittsburg, Antioch, Concord, Brentwood, and Oakley have all seen upswings in violent gang activity. Gang violence does not confine itself to one city, it spreads throughout a county.

Violent gang activity has a far reaching effect on the quality of life for all our residents. Gang members ruin life for local residents and are a very significant drain on our already stressed law enforcement resources.

Gang violence also places a huge **financial burden** on our health system to treat the injuries they inflict. A 1995 article published in the Journal of the American Medical Association (JAMA) declared:

"[S]tudies have shown that the estimated societal cost (medical costs and lost productivity) of one firearm death was approximately \$1 million." "Eighty percent of medical costs for victims of violence are uncompensated care borne by taxpayers." Gang-related homicides have reached epidemic proportions especially for young male African Americans and Hispanics.

II. Part of the Solution:

Numerous jurisdictions throughout the state and nation have utilized Gang Injunctions to reduce gang violence.

A **gang injunction** is a restraining order against a group. Usually, it is a District Attorney's Office or City Attorney who goes to court and obtains a court order declaring a gang's public behavior a nuisance and asking for special rules directed toward their activity. If a gang injunction is approved, it is basically a court order that prohibits documented gang members from participating in specific acts or activities that may or may not be inherently criminal within a designated area. Injunctions have been ruled constitutional many times because the court makes the final ruling and the named parties are allowed an opportunity to be heard before a decision is rendered.

Typically, the injunction prohibits such things as:

Associating with other gang members Using Gang Hand Signs Wearing Gang Clothes

If the police witness a gang member violating the terms of the injunction, the gang member can be arrested. Injunctions are a **crime prevention tool** that can address the neighborhood's gang problem before it reaches the level of felony criminal activity.

Other jurisdictions have had tremendous successes reducing violent crime by the implementation of a gang injunction strategy. The Los

Angeles Police Department currently has 37 active injunctions in the city involving 57 gangs. (They attribute much of their 33% decline in gang membership to gang injunctions.) Orange County reports 8 permanent injunctions, while the San Diego District Attorney's Office has obtained 20. Locally, gang injunctions have been used successfully in Santa Clara and San Francisco Counties.

Gang injunctions have a clearly demonstrable positive affect on the neighborhood area covered. Some have had a remarkable effect. In smaller areas, gang nuisance activity can be permanently removed. In larger areas, with gangs entrenched for years, the gang's hold on the area can be reduced and maintained with a small team of law enforcement officers.

III. Steps that could be taken:

Develop a county-wide Gang Prosecution/Injunction Strategy by doing the following:

Examining other counties successful gang injunction programs and imitating their strategies/methods.

Meeting with City Councils, such as Richmond and San Pablo to discuss the plan.

Meeting with non-profit community groups to consider their concerns and discuss the plan.

Meeting with members of the faith community to consider their concerns and discuss the plan.

Meeting with the Police Chief's Association to discuss the plan.

Holding meetings with the community at large to consider their concerns and explain the plan.

Coordinating with federal law enforcement regarding the initiative.

Obtaining the documentation needed in court to obtain the gang injunctions.

Going to court and petitioning the court to grant the gang injunctions.

Coordinating with police departments the enforcement of the injunctions.

Prosecuting those gang members who violate the injunction.

Coordinating with non-profit service organizations the delivery of services to those who leave a gang.

It must be noted, that with continued reductions to the budget of the District Attorney, such as those in the CAO's current Recommended Budget of a loss of 9 Deputy District Attorneys, the Office would not have the personnel to implement these solutions.