

05/22/24

City & County Racial Equity Commission

Commission Attendees:

Nisha Williams
Elena Snavely
Kedrick Lowery
Delvin Davis
Brent Lewis
Ramya Krishna
Atrayus Goode
David Williams
Del Ruff
Jadda Richardson

Absent

Sheila Mullen
Krista Kenney
Tiffany Foster
DeDreana Freeman
Brenda Howerton

Public comment – none

Approval of April minutes

- Edit – Kedrick Lowery was marked absent but was in attendance (late)
- Motion to approve by Ramya Krishna, seconded by Atrayus Goode, all in favor, no opposed. Motion carries

Presentation by DCo Office of Strategy and Performance

Presented by Josh Edwards, Director of Strategy and Performance at Durham County and team (Adrianna Johnson, Strategic initiatives analyst; Pat Madej, Strategic Initiative manager, and Ciji Garner, Strategic Initiative analyst (absent due to internship in Ghana))

- The Strategic Performance team has worked with Equitable Well-Being to create a strategic plan. Wanted to make sure DEI was embedded in the planning document
- Durham county had a strategic plan that was initiated in 2012, updated in 2017, and expired in 2022. The team has been tasked with creating a new plan in place to cover the next 5 years.
- (Via Dr. Brent Lewis) For context, the commission looked at both the city and county strategic plan. Dr. Lewis thought it was important for Durham County to go through their process with this group
- The new plan is called “DCo Forward 2029”
 - o Combination of diff. outreach sessions: county leadership, Durham County employee engagement, SWOT analysis with County Departments, two resident engagement events (505 survey responses, 2 virtual, and 2 in-person)

- Feedback from the county commissioners was that the missions, vision, and core values were outdated
 - Updated language now includes all residents, regardless of race, ethnic, genders, etc. and bringing more belonging to the forefront
- The previous strategic plan had 5 goal areas. The updated plan “goals” were changed to “Focus Areas” and there are 7: (1) Regional Leadership, (2) Healthy & Inclusive Community, (3) Empowered Community, (4) Safe & Resilient Community, (5) Sustainable Infrastructure & Environment, (6) Financial Stewardship, and (7) High Performing Organization
- The current plan has been shortened to the aforementioned focus areas and separated them into objectives (what are we going to accomplish?) and initiatives (how are we going to accomplish it?). Objectives & Highlighted Initiatives:
 - Regional Leadership
 - Connect Durham residents to good jobs and economic opportunities
 - Enhance access to different types of transportation in the region
 - Help county departments celebrate achievements and success stories
 - Increase accessibility of County communication platforms, websites and applications to more equitably reach and enhance interaction with residents with diverse backgrounds.
 - Market Durham County as an equitable, thriving and inclusive community for all residents and businesses.
 - Support efforts which ensure that Durham residents of all economic backgrounds have access to housing
 - Healthy & Inclusive Community
 - Increase healthy outcomes and quality of life residents
 - increase healthy outcomes and quality of life for residents.
 - develop a plan and address inequities across Durham County government.
 - partner with county staff on identifying, developing and implementing best practices and systems to reach equitable outcomes
 - conduct a countywide equity assessment to identify organizational gaps
 - Increase equitable outcomes through county operations and services
 - collaborate with community stakeholders, to increase equitable experiences.
 - develop a plan and address inequities across Durham County government.
 - Expand and provide services that support residents across their entire lifespan

- expand access to services and ensure underserved populations, benefit from opportunities for which they're eligible
- Empowered Community
 - Offer and encourage access to tools, services, support groups, and educational opportunities for diverse communities
 - increased, equitable opportunities for life skills technical training and education
 - provide equitable services and support to marginalized communities and groups, including immigrants, refugees, and veterans
 - Provide access to equitable opportunities for children and youth to learn and grow in different ways
 - support early childhood development, opportunities for all
 - identify barriers and promote access to services for children and youth in underserved communities
 - provide and promote high quality, equitable and universal year-round educational enrichment and development opportunities to children and youth.
 - Provide and promote economic opportunities for historically underutilized businesses (HUBs)
- Sustainable infrastructure & Environment
 - Plan for long-term use of County land, facilities, and equipment
 - Create, maintain and preserve vibrant, inclusive spaces in the County
 - Increase the physical security of the County
 - Develop and implement ADA, language access, and accessibility plans to support diverse needs
 - Preserve and restore the natural and built environment
- Safe & Resilient Community
 - increase equitable opportunities for you to succeed in Durham
 - evaluate the needs of Durham. Youth prioritizing diverse youth voices
 - lessen the potential of harm and dangerous situations. The community
 - equitably invest in and increase restorative and wrap around services for employees and residents
- Financial Stewardship
 - maintain a strong financial status with a variety of revenue sources
 - enhance internal financial services across the county
 - increase outreach around county finances and tax operations
 - expand accessible customer center financial reporting
 - enhance promotion of tax relief programs to eligible populations

- Data Academy (city county training program)
- managing the open data portal (intended to be the city and the county's home for all of our data that's meant to be shared with the public)
- Special Projects (time and resources willing)
- A potential way she can be supportive to the Commission is by taking some of the data requests that are mentioned in the Taskforce Commission Report and helping shape those into a specific request and then figuring out what is the entity that would have that data, if any. Or if we need to request a specific new type of data to be collected. And by what department?
- Looking at the data the commission created, Bethany suggests requesting specific indicators and then brainstorming where we can find that data if it already exists. And if it doesn't exist, what city or county department could help with it
 - Bethany created a spreadsheet that organized the Commission's ideas sorting it by category, data requests, possible indicators, possible data source and filled out as much as she could – Bethany to share the spreadsheet
- Suggests having a clear “why” you are requesting the data you are searching for
- Questions
 - Elena Snaveley: Struggling with where to get data. Can you provide guidance on where to start and look for?
 - A: Data often comes in a form that requires advanced skills and subject matter expertise to understand what people are reading. The way data is generally shared is not intuitive and not stored centrally. A lot of relevant data is stored on other entities.
 - Dr. Brent Lewis: Is there a person at DPS that governs data?
 - A: Frederick Raven, Chief Data Officer who Bethany reports to.

10-minute break

Presentation on Racial Equity in Criminal Justice Reform (Nisha William, Delvin Davis, & Kedrick Lowry)

- Process on Juries
 - Emailed Clerk of Court Aminah Thompson (no response)
 - We are area DCo is going through a new technology program
 - Spoke with Attorney/Prof. Emily Coward Esq.
 - Leads the inclusive Jury Project at Duke Sanford School of public Policy
- How is a jury determined?
 - Master list creation: by the Durham Just commission every 3 years
 - Summons: trials are necessary for cases with >6 months possible jail time or civil matters. Jurors are summoned at random
 - Voir Dire: Each side can strike a juror without cause as long as it's not based on their status as a protected class. The judge can also question potential jurors of the suitability and may strike those they find unfit for service
- Recommendations by Inclusive Jury Project
 - Overall findings: White people are overrepresented on DMV registration & voter registration

- Increase the size of the master jury list
- Purposely selecting individuals on the raw master list for the final master list in proportion to race
- Use zip codes as proxy for race by weighting the zip codes to select more significant proportions of people
- NEXT STEPS: Continue to advocate to the Clerk for aforementioned recommendations
- Diversion Programs
 - NC has seen success in Durham County
 - Alternative to Incarceration (restorative justice)
 - Partnered with Restorative justice facilitators to facilitate healing circles
 - For all cases except domestic violence
 - Misdemeanor Diversion Program (MDP)
 - Used for drug offenses, primarily marijuana usage
 - Also addresses other misdemeanors for paraphernalia that people can access
 - Serves ages 18-26 and older adults on a case-by-case basis
 - Accepts all first-time misdemeanor
 - Participates in voluntary
 - Free, including wrap around services
 - 99% completion rate; 94% no new charges
 - Program up to 90 days with recommendations
 - Post Arrest Diversion Program (PAD)
 - Started in 2020
 - Referrals come directly from the DA's office
 - This program deals with people already been arrested and has an attorney
 - 18-26 and older on case to case
 - Lasts about 4-6 months
 - Tailored plan for participants
 - Once compile, case is handled according to the agreement
 - Mental Health Court (MHC)
 - Works with State mental health system, mental health services, and the court
 - Aims to reduce recidivism and ease the workload of the court
 - Typically repeat offenders
 - Adult Drug Treatment Court (ADTC)
 - 25 counties including Durham
 - Committed a crime but dependent on a substance (drugs or alcohol)
 - Voluntary program alternative to incarceration
 - Designated to "break the cycle"
 - Serves nonviolent repeat offenders

- Less likely to relapse in substance abuse disorder and less likely to fall back into the system
- Durham H.E.A.R.T Program
 - Holistic empathetic assistance response team (HEART)
 - Started as a pilot in June 2022
 - 99% reported feeling safe
 - Served durham 12 hours a day, 7 days a week
 - Alternative to police officers coming to all calls
 - Community response team was 43%, Care navigation team, 14%, co-response teams 20%, and Crisis Call Diversions were 23% of calls May 2024
- Police Review a Transparency
 - Durham police review board has no subpoena power to investigate cases, and is currently limited b state law
 - Data transparency: DPD is using IA Pro software to track and document police conduct
 - Traffic stops and marijuana arrest data available on city website
- Traffic Stops: Racial Disparities 2020-2022
 - Trend: a greater percentage of those stopped were black drivers, through coming smaller percentages of the total city population
 - Black population use to be over 40% and is now 36% (slowly decreasing)
- Traffic Stops: Consent Searches
 - First 6 months in 2022 there were 35 traffic stops resulted in a consent search
 - 29 drivers were black, 6 white, 3 Hispanic
 - 5 (14%) of the 35 stops resulted in contraband being found
 - 10% black drivers, 33% white drivers. 33% Hispanic drivers
- Traffic Stops: Probable Cause Searches
 - 479 traffic stops in firs half of 2022
 - 293 (61%) of the 479 stops resulted in contraband being found
 - 62% Black drivers, 56% White drivers, 63% Hispanic drivers
- Traffic Stops: “Veil of Darkness”
 - When it’s darker, it is hard to see the race of the driver
 - Increase in racial disparities during the daylight hours
- Traffic Stops: Department Conclusions
 - Despite the 2022 summary there was “no evidence of unexplainable disparities”
 - Summary also concluded the “the difference in the stop risk for Black drivers in daylight and darkness was minimal”
- Marijuana Enforcement
 - Most arrest for misdemeanor possessions is in connection with another offense
 - Misdemeanor possession of marijuana and/or drug paraphernalia are the only charges are infrequent

- In 2023, the 534 charges for these offenses came from 466 individual arrests
- 2020 Demographics & Racial Disparity
 - Of the 203 arrests in 2020 where marijuana and/or drug paraphernalia were the only charges (74/203 (36/5%)) were young Black males aged 18-25
 - By race: 177 (75%) were Black, 17 (8%) were white, and 14 (7%) were Hispanic
 - By sex: 164 (81%) were male and 39 (19%) were female
 - By age: 18 – 25 range most common
 - Significant drop-off starting at age 26
- School to prison Pipeline
 - Refers to the policies **and** practices that push our nations. School children, especially those that are at risk out of classrooms and into the juvenile and criminal justice system. And now these policies often consist of police presence in school harsh and extreme tactics which could include physical restraints and automatic punishments
- Zero Tolerance Policies
 - Require school officials to hand down specific, consistent but harsh punishment which is usually suspension or expulsion. When students break certain rules, certain punishment is applied, regardless of the circumstances.
 - It criminalizes minor infractions, and most are applied to kids of color
 - i.e. a 3rd grader was suspended for 3 days for saying “yeah” instead of “yes ma’am”
- Types of suspensions & Student Rights (no formal right to appeal)
 - Bus suspension: student can go to school but cannot ride the bus there or from
 - In-school suspension: student can go to school but is separated from classroom in the school
 - Short-term suspension: a student cannot attend school for 10 days or fewer
- Types of Suspensions & Rights
 - Long-term suspension (LTS): Student is not allowed to attend school for a time of more than 10 school days
 - Students have a right to:
 - Having a hearing
 - Appeal the hearing decision
 - Receive alternative education services while suspended
- % Suspension and Expulsion
 - 17,000 students suspended during the 2021-2022 school year, 51% Black
- School Discipline at DPS
 - Use of “restorative practices had declined compared to previous years before COVID
 - School and suspension and police activity at DPS have increased
- Steps to Eliminate School to Prison Pipeline

- Tech children conflict resolution skills
 - Provide additional mandatory training for educators
 - Eliminate zero tolerance policies for minor violations
 - Reduce suspensions and expulsions
 - If suspension is necessary, make in-school suspension a priority
 - If expulsion is necessary, recommend community service
- Findings and Recommendations
 - Diversified juries
 - Monitor racial disparities in traffic stops and searches for Black people in Durham
 - Advise County/City to fund programs alternative to law enforcement
- Questions
 - David Williams -- How does someone get on the jury pool?
 - A: Your name is selected from a random list
 - David Williams -- Is the H.E.A.R.T program a standalone or a pilot through Durham?
 - A: It started as a pilot but is now fully functional
 - David Williams -- For students that are getting expelled, are these people going back to get their GED or finishing high school?
 - A: If the data exist, it would probably be from the state level

Next Steps

- Dr. Brent Lewis and Sharron have discussed next steps
 - You all have a lot of information.
 - In the next meeting, should sit with what Bethany said. Need to pare down what should be shared with the city councilors (it is not everything in your presentations)
 - You have really good information from each of your presentations. Looking at presenting over a span of 2 meetings (meetings are quarterly)
 - 2 groups in August
 - 2 groups in next join
- Nisha Williams added the “racial representation in Durham jury pool” report

Wrap Up

- Nisha Williams -- Will discuss final steps next month in June

Meeting Adjourned by Nisha Williams