Equity Subcommittee

Tuesday, June 6th, 2023
9:30-11am
City Hall Lobby, RM Tribal Room
Meeting Link
+1 323-618-1887
Phone Conference ID: 994 148 536#

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

	Land Acknowledgment & Welcome	
9:30	Land Acknowledgement, attendance	
9:35	Approve May Minutes	
9:40	Share successes in life, work, or advancing equity	
9:50	Council Liaison Update	
	Subcommittee Briefing Session:	
10:00	Municipal Law and Justice Subcommittee	CP Beggs, Maggie Yates
10:25	Working Groups	Sarah Dixit - All
10:40	CM Zack Zappone	
	Standing Update(s):	
	Equity Training – June 9th Recruitment	
11:00	**Adjournment**	
	1) Next Equity Subcommittee Meeting, August 1st, at 9:30am, City Hall, Tribal Room (1st floor)	

RACIAL EQUITY IMPACT ASSESSMENT

The Racial Equity Impact Assessment assists staff and policymakers working to account for racial equity at the earliest stages of planning a new Project or Policy. Racial disparities manifest both nationally and regionally across all sectors: health and behavioral health, jobs and income, education, and most relevantly here – the criminal justice system.

When studying disparities, it is important to understand the unique experiences Black and Indigenous communities have had since our country's founding (slavery and settler colonialism, respectively). Historical precedents and more recent policies have often resulted in disparate outcomes. While all racial identities have suffered under discriminatory policies and practices, Black and Indigenous populations remain most negatively impacted.

Still, discriminatory policies negatively affect all of us, regardless of race.[1] In 2020, for instance, economists estimated that racial discrimination has cost the United States $16 trillion in lost GDP over the past two decades[2]

Although this tool focuses on Racial Equity specifically, it contemplates disparities across other identities including immigration status, economic status, gender, and disability. Because disparities across other identities are typically compounded by race, a focus on racial equity at the outset allows policymakers to consider and address a myriad of potential adverse or unintended consequences resulting from new projects or policies.

This tool is not intended or designed to rectify all inequities, but it does provide a necessary first step in tackling local disparities and ensuring a safe, healthy, and vibrant Spokane for all residents.
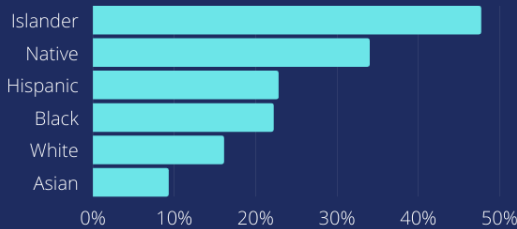

RACIAL DISPARITIES IN THE U.S.

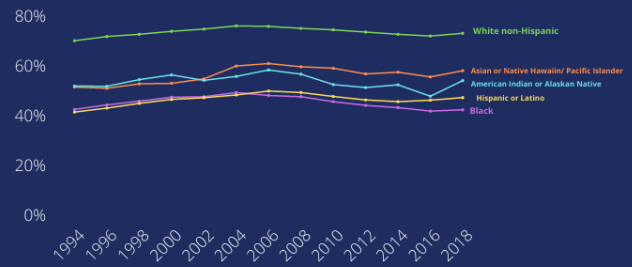SPOKANE COUNTY JAIL INCARCERATION RATES BY RACE: 2017 [1]
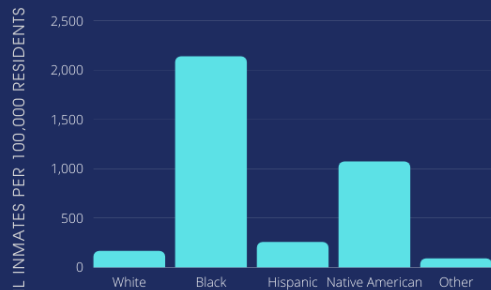
Note: "Hispanic" category is based on ethnicity. "Other" category comprised of Asians, Pacific Islanders, and non-identified individuals.
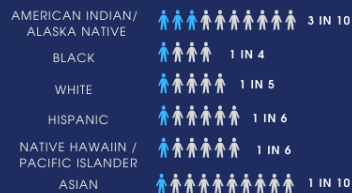
SPOKANE CITY POVERTY RATE BY RACE [2]

U.S. HOMEOWNERSHIP RATE BY RACE [3]

U.S. APPROXIMATE NUMBER OF ADULTS WITH A DISABILITY BY ETHNICITY AND RACE.

AMERICAN INDIAN/ ALASKA NATIVE	3 IN 10
BLACK	1 IN 4
WHITE	1 IN 5
HISPANIC	1 IN 6
NATIVE HAWAIIN / PACIFIC ISLANDER	1 IN 6
ASIAN	1 IN 10

1 JFA Spokane Justice Task Force: https://www.spokanecounty.org/DocumentCenter/View/27270/JFA-presentation-73119
2 US Census : https://data.census.gov/cedsci/table?tid=ACSST5Y2019.51701&g=1600000US5367000
3 USA Facts : https://usafacts.org/articles/homeownership-rates-by-race/
4 CDC: https://www.cdc.gov/ncbddd/disabilityandhealth/materials/infographic-disabilities-ethnicity-race.html

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[1] *See, e.g.*, McGhee, Heather. The Sum of Us: What Racism Costs Everyone and How We Can Prosper Together (2021).

[2] Hallett, Stephanie. *Racism Has Cost the US Economy $16 Trillion in The Last 2 Years – And Will Keep Costing the Country Money if Things Don't Change* (Oct. 12, 2020), https://www.businessinsider.com/personal-finance/racism-cost-us-economy-16-trillion-last-20-years-2020-10.

Racial Equity Impact Assessment
Spokane, Washington

A Racial Equity Impact Assessment can help criminal justice departments, agencies, and other entities apply an equity analysis to current operations, practices, priorities, and decision making — including funding, program development and program design. More specifically, the assessment helps staff and policymakers set equity goals, and identify and correct harmful, unintended consequences before a Project or Policy takes effect.

For example, a policy like New York's "Stop-and-Frisk" may be designed to enhance public safety, but once implemented, inadvertently contributed to disparate rates of arrests, jail admissions, and distrust in law enforcement. By prioritizing time to engage in an iterative, goal-oriented and data-driven process, criminal justice leaders can help create a sustainable, fair, efficient, and equitable legal system.

We recommend that a project team or similar working group — composed of system actors and community representatives — address the questions below collaboratively throughout the development, implementation and review stages of the Policy or Project. If you would like additional support, please contact the Office of Law & Justice.

1. Name of Proposed Policy or Project _____ Municipal Law & Justice Coordinating Subcommittee _____
   (*Ex. Establishing DUI therapeutic court*)

2. a. What is the goal of the Policy or Project and/or the challenge you are attempting to address?
   (*Ex: Increase diversion opportunities for drug related charges*)

   > The Goal of the Municipal Law & Justice Subcommittee (CJCC) is to harness data-driven, collaborative strategic planning to improve outcomes, efficiency, and equity across the criminal justice system.

   b. What current racial and other inequities might this Policy or Project address?

   > Disparities experienced based on race, economic status, and disability - specifically behavioral health.

3. Based on the data you have gathered and reviewed how might the Policy or Project impact racial disparities (improve or worsen)? Please review Appendix A for suggested Data metrics.
   <u>All data should be disaggregated by race/ethnicity, gender, and age.</u>

If you do not have access to any relevant metrics, what is your plan to obtain relevant data (this can include data gathered by peer-reviewed sources from community organizations, news and/or academic sources, city departments, and other national, state, or county agencies)?

The resolution that establishes the Subcommittee will require that its members execute a Data Sharing Agreement that is that is lawful, secure.

4. Please identify who may be impacted by the proposed Policy or Project? Please identify direct and indirect impacts.

a. System Actors/Entities

	Direct	Indirect	N/A
Law Enforcement Agencies	☒	☐	☐
Pre-Trial Services	☐	☒	☐
Detention Services	☐	☒	☐
Municipal Court	☒	☐	☐
District Court	☐	☒	☐
Superior Court	☐	☒	☐
City Prosecutor	☒	☐	☐
County Prosecutor	☐	☒	☐
City Probation	☒	☐	☐
County Probation	☐	☒	☐
City Public Defender	☒	☐	☐
County Public Defender	☐	☒	☐
Department of Corrections	☐	☒	☐
Juvenile Court	☐	☐	☒
Other	☐	☐	☐

b. Community Members (direct and indirect impacts)

	Direct	Indirect	NA
Age	18-24	All other age demographics	☐
Gender Identity	All gender identities		☐
Racial Identity	All racial identities, with particular impacts for BIPOC		☐
Ethnic Identity	All		☐
Neighborhoods/Zip Codes	Low income, high calls for service	All	☐
Income	Indigent defendants	All	☐
Disability	Entire disability community, with particular impacts for behavioral health		☐
Other			☐

c. Service providers and/or community organizations led by and/or supporting impacted communities, especially in areas related to this Policy or Project.

Provider Name or Type	Resources/Services Provided and Potential Impact
See attached list of potential CJCC representativers	

5. Are you collaborating with individuals and communities most impacted — particularly Black, Indigenous People of Color — in the Policy or Project planning process? If not, what is your plan to include community members to ensure meaningful input from planning through implementation and performance monitoring? Please use the table below as a helpful guide.

	Community Collaboration Addressed *Please describe efforts for each phase.*	Community Collaboration Plan *Please describe plan and timeline for each phase if efforts have not already been completed.*
Planning/Outreach *Suggested items to consider: dates of meetings/forums, names of participant and/or organizations, accommodations made for physical access & language access, and how input/participation was included in decisions and next steps, whether participants received compensation.*	The CJCC recommendations touch on language access and compensation for community representatives to reduce barriers to participation. An attempt to include comprehensive representation is included in the proposed membership.	
Implementation *Suggested items to consider: community experts serving on project team, whether community participants receive compensation, meeting location and time, other community-based partnerships.*	N/A	
Evaluation *Suggested items to consider: Community experts serving on the evaluation committee, whether community experts receive compensation, recurring community meetings or forums to share updates and information, other data transparency measures.*	N/A	

6. What factors outside of the criminal justice system might uniquely impact individuals or communities of color and complicate the equity goals (consider root causes and/or intersecting identities)? Does the proposal address any of these factors? Please check all that apply and brainstorm additional relevant factors:

Factors	Yes	No	Mitigated or Exacerbated by Project/ Policy (describe)
Economic Distress	☒	☐	
Housing Instability	☒	☐	Housing/Homelessness providers included in membership
Behavioral Health Needs	☒	☐	behavioral health providers included in membership
Education	☐	☒	
Healthcare Access	☒	☐	public health experts included in membership
Food Access	☐	☒	
Transportation Access	☒	☐	Consideration of meaningful community engagement
Language Access	☒	☐	Consideration of meaningful community engagement
Access to Technology	☒	☐	Should be considered if online surveys used as a signficant outreach strategy
Access to Child Care	☒	☐	Consideration of meaningful community engagement
Disability	☒	☐	Relevant representatives included in membership
Adverse Childhood Experiences / Trauma Histories	☐	☒	
History of Discrimination	☒	☐	
Lack of Trust	☐	☒	
Cultural Considerations	☒	☐	consideration of meaningful community engagement
Immigration Status	☐	☒	
Other:	☐	☐	

7. What legal limitations might complicate this Policy or Project and what is the plan to address them?

Limited legal concerns with the creation of the CJCC, since it will be set up similarly to already established subcommittees addressing sustainability, housing and homelessness, and equity and inclusion.

8.   Based on the answers above, what specific changes need to be made to achieve your racial equity goal and avoid the continuation of racial and other disparities (*Ex. Partnering with and/or investing in groups representing communities most impacted by the proposed initiative.*)

> Address meeting times and locations for the CJCC

9.   What performance measures will you use to evaluate the Policy or Project´s impact following implementation, including the impact on racial and ethnic disparities? Qualitative and quantitative measures are encouraged.

> Specific measures will developed under various initiatives under the CJCC. The report recommends the CJCC engage in a strategic planning process, during which members will identify relevant quantitative and qualitative data points. Technical partners should disaggregate quantitative data by demographic detail, including race and ethnicity. Once data is extracted from databases, and collected from surveys, focus groups and/or interviews, CJCC members can begin to identify trends, challenges, and opportunities for policy interventions.

10.   What is your timeline for review and ongoing adjustments?

> The recommendations will be presented to the public safety committee June 12. The timeline for feedback and adjustments will largely be determined by City Council's calendar.

Appendix A

The data below is a suggested starting point for discussion related to Section V and may not be relevant to your project. You are encouraged to identify and collect additional data points. **All data should be disaggregated by race/ethnicity, gender, and age.** Consider breaking out identities within broad racial categories, if possible. For example, "Asian" can encompass multiple identities, including but not limited to Chinese, Filipino, Vietnamese, Korean, Japanese, Cambodian, etc. Combining these groups can mask disparities across them. It might also be helpful to reach out to community partners as a data source.

a. Eligible Participants
b. Exclusion Criteria
c. Law Enforcement
   i. Contact Rate
   ii. Citation Rate
   iii. Arrest Rate
   iv. Use of Force Rate
d. Prosecution
   i. Charging decision by type
   ii. Diversion decision by type
   iii. Therapeutic court referral by type
   iv. Length of Sentence
e. Jail data
   i. Population
   ii. Length of stay in jail
   iii. Bail amount by race
   iv. Charges
   v. Admissions
   vi. Release type
f. Public Defense
   i. Public defender eligibility
g. Court Data
   i. Conviction rate
   ii. Time to adjudication
   iii. Sentencing outcomes by type
h. Probation
   i. Probation ordered
   ii. Length of monitoring
   iii. Violations by type

Response to Making it a Misdemeanor to Be in the Parks After Hours
EQUITY SUBCOMMITTEE MAY 22ND 2023

The goal of the equity subcommittee in this review is to provide feedback and a process to consider policy and programmatic impacts on historically impacted communities. Recognizing that the proposed policies came toward the proposal's end, there is a lot more retrospective feedback. It is only possible to provide complete feedback with a broader discussion about policing and its impacts on disadvantaged communities.

The Equity Subcommittee received two policy proposals regarding establishing a misdemeanor for violation of park hours.

TWO PROPOSALS: BOTH MAKING IT A MISDEMEANOR TO BE IN THE PARKS AFTER HOURS

J. Other Uses of Park Property and Facilities

A violation of this section is an unlawful trespass on City Park property and shall be punishable as a misdemeanor.

And

Any person who refuses a lawful order by an authorized City employee directing them to leave a park during the hours of closure commits unlawful trespass on City Park property, which is punishable as a misdemeanor.

THE PROBLEM THE POLICY CHANGE IS LOOKING TO SOLVE:

Public parks have become venues for after-hours shootings and other violent crimes. Three parks in Northwest Spokane (Franklin, Shadle, and Dwight Merkel) are in the top ten locations for calls for service over the past six months for all locations in Northwest Spokane. To date, the data received by the equity subcommittee was from SPD in the memo and the Racial Equity Assessment.

Gangs exploit venues they know are secluded and unpatrolled by park security. Closed parks have consequently become a haven for these groups, subjecting the parks to uninterrupted drug activity and gun fights. The threat to public safety cannot be managed under the current regulatory framework.

RECOMMENDATION

We do not recommend criminalizing as a first response. Even after completing their sentences and being released from prison, residents with a criminal record face tens of thousands of documented legal and financial barriers, in addition to widespread social stigma and other detrimental effects on their health and family outcomes. The concerns highlighted in the presentation of vandalism, drug, and alcohol use, and violence are already crimes. Making it a crime to be in the park after hours appears to be for the convenience of enforcing other crimes. It does not solve any root issue related to individuals being in parks after hours whether due to behavioral health concerns, houselessness or other causes. Parks should absolutely be one of the safest and most accessible areas in the city, and they are provided for by tax dollars from residents, including the ones who use them after hours. We also recommend an

investment to put resources into raising awareness about park best practices, rules, and community engagement instead of criminalizing individuals for using public spaces.

The shared equity assessment was unclear, but in the accompanied memo it appears that suspects and victims of violent crimes were more diverse than the general population. Members from various communities need to be more engaged in identifying a solution. Clearly, this proposed policy would not include any room for nuance - early morning runners, people walking across the park. It also does not consider that anyone houseless sleeping in a park after hours would be arrested for trying to find a public space to sleep. Enforcement could apply differently in various scenarios; there were some mentions of good vs. bad uses of parks during the not allowed hours, with discretion given to responding officers.

SPD and parks are asking to rush the ordinance. The timeline presented did not allow for further community engagement, and there needed to be a collaboration with impacted communities. The subcommittee recommends cooperation between various departments, community organizations, and residents to understand the needs, gaps services and to develop solutions. Stakeholders that could be consulted include organizations working with youth, gang prevention programs, trusted messengers in diverse communities and neighborhood groups, the city council, police department and the parks department. This approach would allow departments to build stronger relationships with various stakeholders in the community.

SUPPORTS: The commitment to transparency, consistent monitoring, and reporting of data regarding initiated contacts that are broken down by gender, age, race and ethnicity, along with the results of contacts.

Follow up question: if disparities are showing up what are option of actions that could be considered/implemented? We are specifically asking for the protocol in the police department in examining disparities and taking actions to mitigate them.

IF IT MUST BE IMPLEMENTED

To implement the communications plan. Have the tools and know-how to communicate with diverse communities and impact. Suppose the communication plan has considered residents' language diversity and access to media outlets and technologies. Community engagement with impacted communities and neighborhoods and recommend getting information to a diverse group of trusted messengers to get the word out.

One part of the implementation plan is to give warning to people occupying the park. How would an in-person warning be given to people with limited English proficiency? Is there a need to provide that in other languages? How is a warning given when the community members do not trust law enforcement to keeping them safe?

If the data collected show a disparate arrest rate with BIPOC communities, how is the department prepared to close disparities? What ongoing efforts is the department taking for bias and equity training? How would that be shared with the communities disproportionately impacted?

ADDITIONAL CONSIDERATIONS:

What are the budget impacts compared with other mitigation strategies? Parks are looking to save money and not spend it cleaning up vandalism, but we are looking to spend more as a city on policing. We recommend investing more in park programming and education. Specifically in communities living around the park.
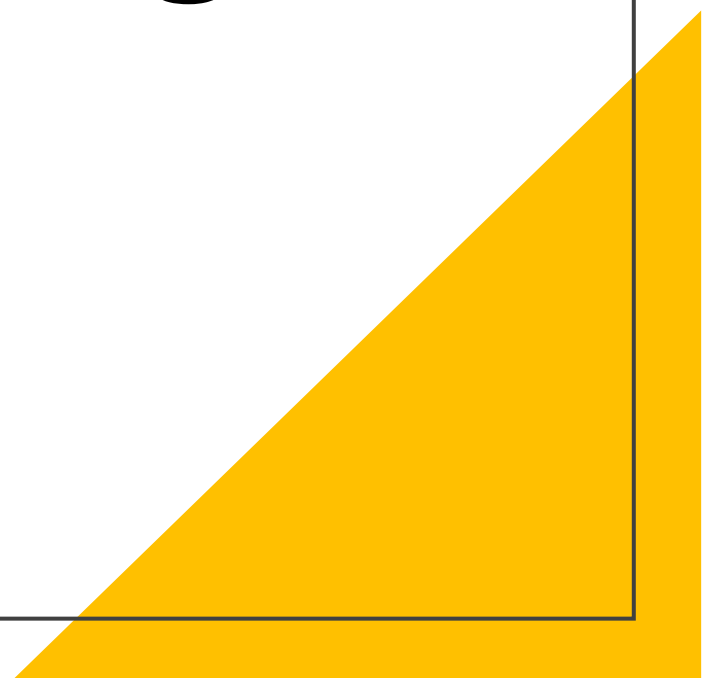
Cost of overtime hours worked in addition to the well-being of officers working continuous overtime when there is already a staffing shortage within the department. What are the impacts of overworked officers in the community?

How much money was allocated to programs developed to support young adults and youth?

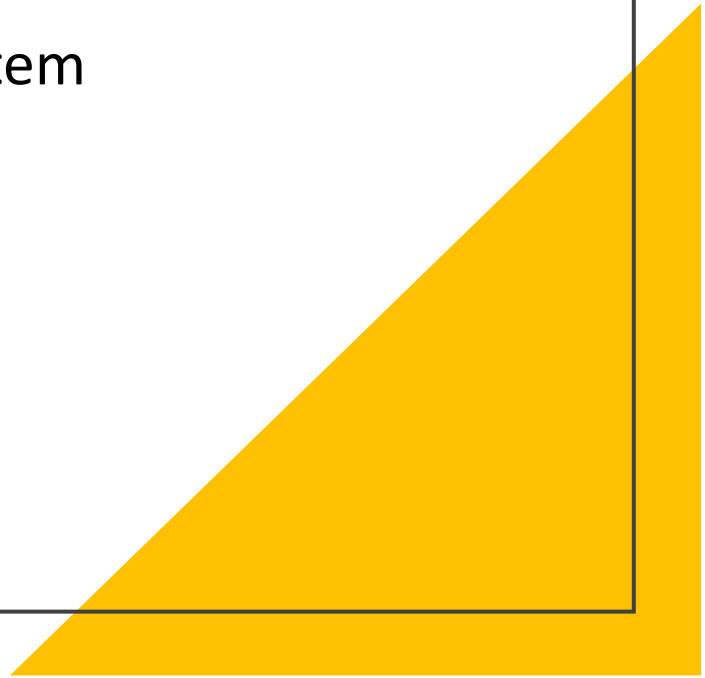# Municipal Criminal Justice Coordinating Subcommittee

- Strategic, collaborative public safety planning
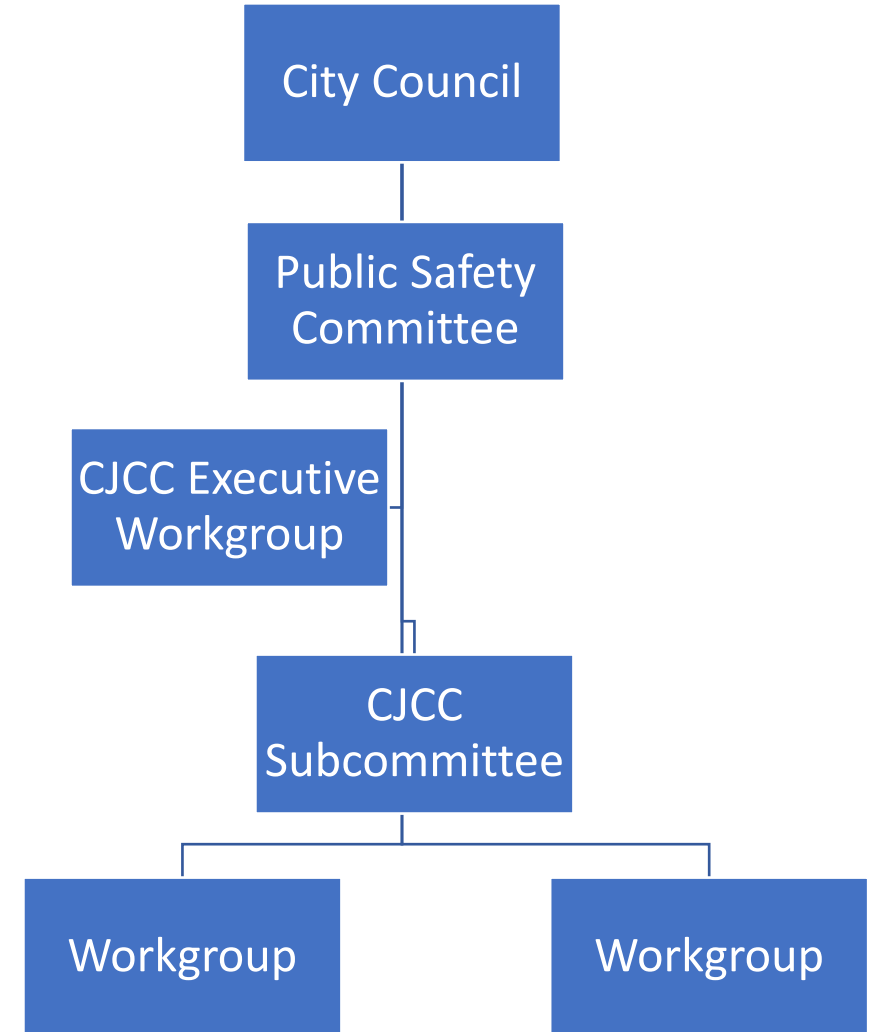- Improve outcomes, efficiency, and equity across the system
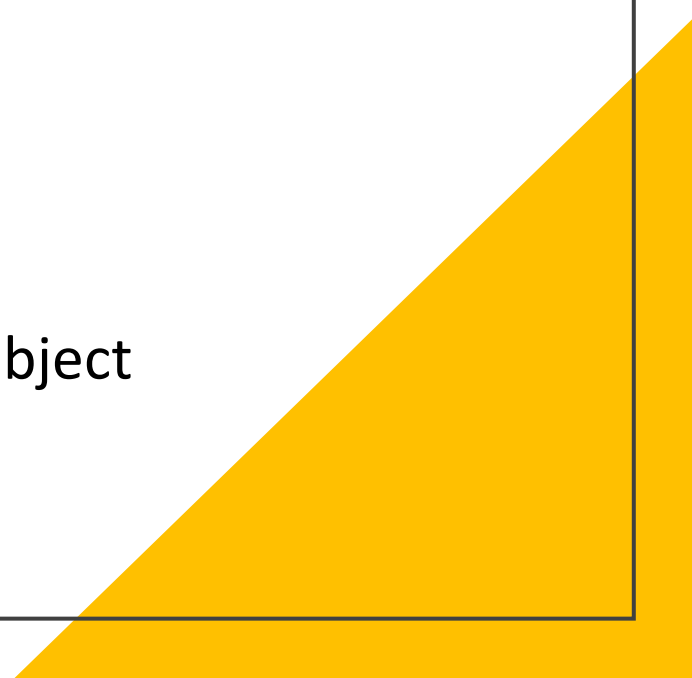
Overview

- Structure
- Membership
- Strategic Planning
- Community Engagement
- Office for Community Safety

Clear, Formalized Structure

- Establish formally through Municipal Resolution
  - Clear structure
  - Purpose
  - Responsibilities
  - Data Sharing Agreement among members

Appropriate, Engaged Membership

- Inclusive
- Relevant sectors represented
- All members have voting power
- Community representatives receive compensation
- Additional members can be added to work groups for subject matter expertise

System Professionals

Position	Representative
Spokane Police Department	Chief Meidl
Pre-trial & Probation	Michael Diamond
Prosecution	Justin Bingham
Public Defense	Nick Antush
Municipal Court Clerk	Howard Delaney
Municipal Court Presiding Judge	Judge Logan
City Legislative Branch	Chair & Vice Chair of Public Safety Committee
City Executive Branch	Mayor or Designee

Service Providers

Constituency	Representative
Victim Advocates	Domestic Violence Coalition Lutheran Community Services Mujeres in Action (MIA)
Business Community	Greater Spokane Incorporated Downtown Business Partnership Business Equity Coalition Inland NW
Public Health	WSU Medical School Deaconess & Sacred ED Empire Health Foundation Better Health Together
Behavioral Health	Frontier Behavioral Health Pioneer Human Services Compassionate Addiction Treatment

Service Providers (continued)

Constituency	Representative
Housing/Homelessness	Volunteers of America Catholic Charities
Disability Rights	Disability Rights Washington
Racial Equity	NAACP SCAR Native Project APIC The Way to Justice

Community Members

Constituency	Representative
Impacted Individuals and Family Members	TBD
Faith Community	TBD

Additional Subject Matter Experts
(Non-exhaustive)

- Health & Justice Recovery Alliance
- Freedom Project East
- Revive Reentry
- I Did the Time
- Peer Spokane
- Carl Maxey Center
- Latinos en Spokane
- Spokane Tribe
- Kalispel Tribe

Data Driven Strategic Planning

- Key Decision Point Analysis or Intercept Mapping
- Identify relevant data points (quantitative & qualitative)
  - When possible, disaggregate data by demographic detail, including by race/ethnicity
- Use data to identify trends, challenges, opportunities for policymaking

Community Engagement

- Meaningful engagement to share information, solicit feedback, build relationships & sustain initiatives

- Townhalls/Community meetings

- Surveys to generate wider participation

- Public Comment that is straightforward/accessible

Office of Community Safety

- Establish under the Mayor

- Staff the Municipal Criminal Justice Coordinating Subcommittee

- Guide holistic public safety investments, including social determinants of safety

- Ensure success of multi-year programs