FURTHER THE WORK
Building better justice.

Civil Asset Forfeiture in Contra Costa County

Documents, 2016–2020

Rebecca Brown
furtherthework.com

Contents

I. The investigation

FEBRUARY 26, 2019	Reentry Solutions Group, “What the Numbers Tell Us,” civil asset forfeiture section	1
FEBRUARY 2019	Rebecca Brown, working spreadsheet: completed forfeitures and the criminal case behind them	20
2019	Rebecca Brown, working spreadsheet: when owners fought forfeiture, what they got back	21

II. What changed

OCTOBER 1, 2019	Reentry Solutions Group, final meeting: the 2019 timeline	22
DECEMBER 1, 2020	Office of the District Attorney, Civil Asset Forfeiture Policy	24
DECEMBER 2020	Press: Richmond Standard, “Contra Costa DA makes changes to civil asset forfeiture policy” (Dec. 16); Local News Matters, “Contra Costa District Attorney’s new rules make it tougher for police to seize assets” (Dec. 23) (cited, not reproduced)	

III. The public record

JULY 15, 2016	Office of the District Attorney, memo on use of the County-wide Gang and Drug Abatement Fund	29
2019	Office of the District Attorney, Gang and Drug Abatement Fund funding proposal, 2019–2021	37
MAY 2019	Office of the District Attorney, forfeiture cases closed and initiated in 2019, released under the Public Records Act	46
MAY 2019	(continued) cases initiated through May 8, 2019	47

What the Numbers Tell Us:
Money and Justice in Contra Costa County

Reentry Solutions Group
February 26, 2019

Civil Asset Forfeiture

Civil Asset Forfeiture:
Seizing and Keeping ("Forfeiting") Property

Note: This video is offered for general informational purposes only. RSG does necessarily endorse all of its statements.

Seizure and Forfeiture: What's the Difference?

Seizure is the act of taking property. In the most common case, seizure occurs when law enforcement takes physical property into its possession.

Forfeiture is when your rights to the **seized property** are permanently lost through a court order or judgment and ownership is transferred, usually to the District Attorney.

The time between seizure and forfeiture can be months – even years, while a DA decides whether to pursue charges against you or the suspect person. Through that whole period, your assets may be withheld from you.

And, no matter what, if you fail to file a "Claim Opposing Forfeiture" within 30 days of the seizure, you **permanently lose all rights to the property**, even if they never arrest you or anyone else associated with the seizure.

“Civil” v. “Criminal”: What’s the Difference?

Whenever a police officer arrests someone or the DA files charges against someone, that’s a criminal process. As part of a criminal investigation, they may temporarily hold property as evidence of the alleged crime. If you’re found not guilty, that property is returned.

But sometimes law enforcement officers **take property that they merely suspect is used for drug activity or obtained through drug proceeds**, without necessarily arresting anybody for any illegal activity. This is a civil seizure. It’s actually the property – not a person - that is being accused of illegal activity.

Because this is a civil process, separate from any criminal proceeding, the property’s owner doesn’t have the right to a public defender to try to get the property returned.

Because this is a civil process against the property – not the person – the police and district attorney may never even accuse anybody of a crime.

SB 443 and Its Limits

With California's new Senate Bill 443 (2017),
you may hear that your property
can't be forfeited
unless you're convicted of a crime.

But that's not exactly true.

Once It's Seized, How Do You Stop Its Forfeiture?

Because once it's seized,
getting your property back is all on you.

Basically, you have to sue the District Attorney in civil court.

And you have to win.

Once It's Seized, How Do You Stop Its Forfeiture?

- You have to **file the right paperwork** within 30 days of seizure (and pay the filing fee, which can be hundreds of dollars).
- You have to **provide all the "discovery" material the DA may demand** to prove that the asset isn't related to illegal activity - bank accounts, tax returns, employment records, spending histories.
- Meanwhile, in giving all this information, **you have limited rights against self incrimination** if the DA's Office decides to use it to build a criminal case against you.
- And all the while, **the DA's Office can hold the asset** throughout the course of a civil case, criminal investigation, or criminal case.

Once They've Seized It, Then What??

So: The burden of fighting to get your assets back is all on you.

Unless you successfully oppose the seizure,
your property will be forfeited…

…even if
you are never arrested, investigated, or charged with a crime.

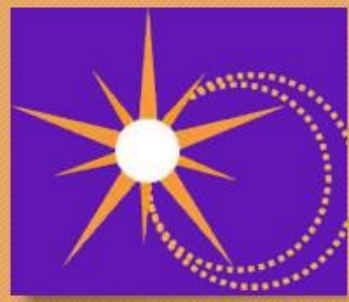
Once It's Been Forfeited, Who Gets the Proceeds?

The law enforcement partners divvy it up, and the State's General Fund gets a share.

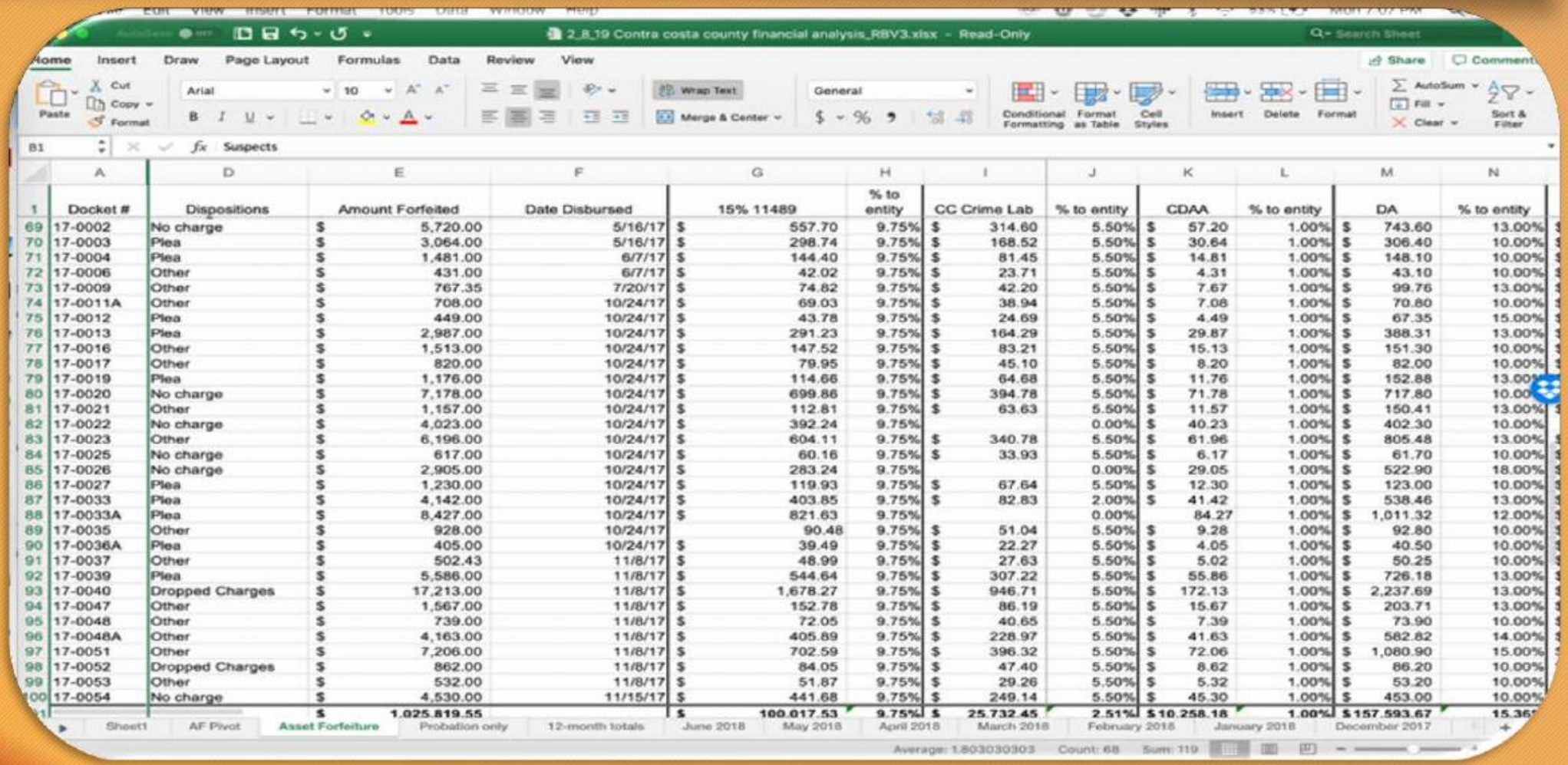
Percentage	Beneficiary
65%	"Law enforcement agencies that participated in the seizure." Of this, 15% "shall be deposited in a special fund…for the sole purpose of funding programs to combat drug abuse and divert gang activity"), with special focus on community partnerships and evidence-based practices. Where is that fund? Who controls it?
24%	State General Fund (with no restrictions on its use)
10%	District Attorney's Office (with no restrictions on its use)
1%	State Prosecutors' Association (for ethics training re asset seizure and forfeiture)
75%	**Three-quarters of all the proceeds go to local law enforcement and DA**

CA Health & Safety Code Section 11489

OK, So What Does This Look Like in CoCo?



RSG has conducted original analysis of all Civil Asset Forfeitures in CoCo in calendar 17 & 18



2_8_19 Contra costa county financial analysis_RBV3.xlsx - Read-Only

	Docket #	Dispositions	Amount Forfeited	Date Disbursed	15% 11489	% to entity	CC Crime Lab	% to entity	CDAA	% to entity	DA	% to entity
69	17-0002	No charge	$ 5,720.00	5/16/17	$ 557.70	9.75%	$ 314.60	5.50%	$ 57.20	1.00%	$ 743.60	13.00%
70	17-0003	Plea	$ 3,064.00	5/16/17	$ 298.74	9.75%	$ 168.52	5.50%	$ 30.64	1.00%	$ 306.40	10.00%
71	17-0004	Plea	$ 1,481.00	6/7/17	$ 144.40	9.75%	$ 81.45	5.50%	$ 14.81	1.00%	$ 148.10	10.00%
72	17-0006	Other	$ 431.00	6/7/17	$ 42.02	9.75%	$ 23.71	5.50%	$ 4.31	1.00%	$ 43.10	10.00%
73	17-0009	Other	$ 767.35	7/20/17	$ 74.82	9.75%	$ 42.20	5.50%	$ 7.67	1.00%	$ 99.76	13.00%
74	17-0011A	Other	$ 708.00	10/24/17	$ 69.03	9.75%	$ 38.94	5.50%	$ 7.08	1.00%	$ 70.80	10.00%
75	17-0012	Plea	$ 449.00	10/24/17	$ 43.78	9.75%	$ 24.69	5.50%	$ 4.49	1.00%	$ 67.35	15.00%
76	17-0013	Plea	$ 2,987.00	10/24/17	$ 291.23	9.75%	$ 164.29	5.50%	$ 29.87	1.00%	$ 388.31	13.00%
77	17-0016	Other	$ 1,513.00	10/24/17	$ 147.52	9.75%	$ 83.21	5.50%	$ 15.13	1.00%	$ 151.30	10.00%
78	17-0017	Other	$ 820.00	10/24/17	$ 79.95	9.75%	$ 45.10	5.50%	$ 8.20	1.00%	$ 82.00	10.00%
79	17-0019	Plea	$ 1,176.00	10/24/17	$ 114.66	9.75%	$ 64.68	5.50%	$ 11.76	1.00%	$ 152.88	13.00%
80	17-0020	No charge	$ 7,178.00	10/24/17	$ 699.86	9.75%	$ 394.78	5.50%	$ 71.78	1.00%	$ 717.80	10.00%
81	17-0021	Other	$ 1,157.00	10/24/17	$ 112.81	9.75%	$ 63.63	5.50%	$ 11.57	1.00%	$ 150.41	13.00%
82	17-0022	No charge	$ 4,023.00	10/24/17	$ 392.24	9.75%		0.00%	$ 40.23	1.00%	$ 402.30	10.00%
83	17-0023	Other	$ 6,196.00	10/24/17	$ 604.11	9.75%	$ 340.78	5.50%	$ 61.96	1.00%	$ 805.48	13.00%
84	17-0025	No charge	$ 617.00	10/24/17	$ 60.16	9.75%	$ 33.93	5.50%	$ 6.17	1.00%	$ 61.70	10.00%
85	17-0026	No charge	$ 2,905.00	10/24/17	$ 283.24	9.75%		0.00%	$ 29.05	1.00%	$ 522.90	18.00%
86	17-0027	Plea	$ 1,230.00	10/24/17	$ 119.93	9.75%	$ 67.64	5.50%	$ 12.30	1.00%	$ 123.00	10.00%
87	17-0033	Plea	$ 4,142.00	10/24/17	$ 403.85	9.75%	$ 82.83	2.00%	$ 41.42	1.00%	$ 538.46	13.00%
88	17-0033A	Plea	$ 8,427.00	10/24/17	$ 821.63	9.75%		0.00%	84.27	1.00%	$ 1,011.32	12.00%
89	17-0035	Other	$ 928.00	10/24/17	90.48	9.75%	$ 51.04	5.50%	$ 9.28	1.00%	$ 92.80	10.00%
90	17-0036A	Plea	$ 405.00	10/24/17	$ 39.49	9.75%	$ 22.27	5.50%	$ 4.05	1.00%	$ 40.50	10.00%
91	17-0037	Other	$ 502.43	11/8/17	$ 48.99	9.75%	$ 27.63	5.50%	$ 5.02	1.00%	$ 50.25	10.00%
92	17-0039	Plea	$ 5,586.00	11/8/17	$ 544.64	9.75%	$ 307.22	5.50%	$ 55.86	1.00%	$ 726.18	13.00%
93	17-0040	Dropped Charges	$ 17,213.00	11/8/17	$ 1,678.27	9.75%	$ 946.71	5.50%	$ 172.13	1.00%	$ 2,237.69	13.00%
94	17-0047	Other	$ 1,567.00	11/8/17	$ 152.78	9.75%	$ 86.19	5.50%	$ 15.67	1.00%	$ 203.71	13.00%
95	17-0048	Other	$ 739.00	11/8/17	$ 72.05	9.75%	$ 40.65	5.50%	$ 7.39	1.00%	$ 73.90	10.00%
96	17-0048A	Other	$ 4,163.00	11/8/17	$ 405.89	9.75%	$ 228.97	5.50%	$ 41.63	1.00%	$ 582.82	14.00%
97	17-0051	Other	$ 7,206.00	11/8/17	$ 702.59	9.75%	$ 396.32	5.50%	$ 72.06	1.00%	$ 1,080.90	15.00%
98	17-0052	Dropped Charges	$ 862.00	11/8/17	$ 84.05	9.75%	$ 47.40	5.50%	$ 8.62	1.00%	$ 86.20	10.00%
99	17-0053	Other	$ 532.00	11/8/17	$ 51.87	9.75%	$ 29.26	5.50%	$ 5.32	1.00%	$ 53.20	10.00%
100	17-0054	No charge	$ 4,530.00	11/15/17	$ 441.68	9.75%	$ 249.14	5.50%	$ 45.30	1.00%	$ 453.00	10.00%
101			$ 1,025,819.55		$ 100,017.53	9.75%	$ 25,732.45	2.51%	$ 10,258.18	1.00%	$ 157,593.67	15.36%

Sheet1 | AF Pivot | Asset Forfeiture | Probation only | 12-month totals | June 2018 | May 2018 | April 2018 | March 2018 | February 2018 | January 2018 | December 2017

Completed Civil Asset Forfeiture in Contra Costa

Contra Costa County District Attorney's Office: Calendar 2018		Assets
Forfeitures completed	115	
Forfeitures related to a plea or conviction	37.4%	$206,581
Forfeitures with "no charge," "charges dropped," or "Other"	62.6%	$750,810
Total assets permanently forfeited	100.0%	$957,391

Data source: Public Records Act request. Analysis produced by Reentry Solutions Group

Completed Civil Asset Forfeiture in Contra Costa

According to the DA's Office,
the category listed as "Other"
most often means that
the property was permanently forfeited
without any disposition on any underlying criminal case.

Were charges even filed? Will they be filed? How would we know?

Assets Forfeited with "Other" Disposition in CoCo

Assets Permanently Forfeited in 2018 via "Other" Category							
ID #	Forfeited	ID #	Forfeited	ID #	Forfeited	ID #	Forfeited
18-0031	$ 414	17-0091	$ 1,066	17-0014A	$ 2,240	17-0083	$ 8,077
16-0055B	$ 500	18-0016	$ 1,118	17-0087	$ 2,311	18-0038	$ 8,905
17-0077	$ 505	18-0006	$ 1,125	17-0070	$ 2,368	17-0090	$ 9,028
17-0067	$ 505	14-0008	$ 1,215	17-0031	$ 2,402	16-0055	$ 10,024
18-0051	$ 541	17-0089	$ 1,239	17-0032	$ 2,455	18-0066	$ 14,569
18-0049	$ 563	17-0042	$ 1,276	18-0057	$ 2,480	17-0045	$ 17,798
18-0027	$ 595	17-0093A	$ 1,343	18-0047	$ 2,735	10-0024	$ 17,828
17-5127	$ 656	18-0004	$ 1,387	16-0055A	$ 2,944	17-0058	$ 17,905
17-0076	$ 665	18-0023	$ 1,513	16-0049	$ 4,212	18-0005	$ 32,397
18-0011	$ 713	17-0066	$ 1,675	17-0061	$ 5,766	17-0029	$ 44,836
18-0029	$ 722	17-0065	$ 1,883	18-0033	$ 6,096	17-0014	$ 52,132
18-0037	$ 771	18-0008	$ 2,073	17-0045	$ 6,540	17-0024	$ 53,178
18-0028	$ 810	17-0094	$ 2,135	17-0046	$ 6,880	16-0103	$ 72,820
17-0057	$ 851	18-0042	$ 2,167	16-0027	$ 7,412	17-0030	$ 77,037
16-0006	$ 944	17-0073	$ 2,231	16-0107	$ 7,727	TOTAL:	$640,743

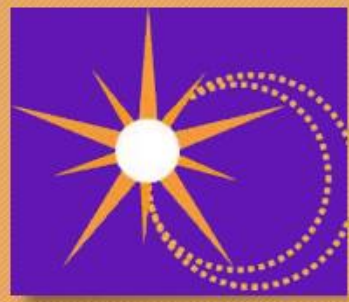
Where Did the Asset Forfeiture Money Go? 2018

Where Did the Asset Forfeiture Money Go? 2018

Amount	Agency
$203,994	State General Fund
$109,009	Contra Costa District Attorney (How is it used?)
$102,306	Richmond Police Department
$90,172	Antioch Police Department
$82,873	"15%" fund (DA/Local Police Chiefs: How is it used?)
$43,609	Hercules Police Department
$40,607	Oakley Police Department
$40,149	Contra Costa Sheriff's Office
$36,228	Tracy Police Department
$31,229	Contra Costa Crime Lab
$26,700	Ally Financial
$8,500	California District Attorneys' Association
$7,835	Safe Streets Task Force

Amount	Agency
$4,879	California Highway Patrol
$4,809	Brentwood Police Department
$4,690	Pinole Police Department
$4,227	Pittsburg Police Department
$2,623	Pleasant Hill Police Department
$2,615	Trident
$2,518	San Ramon Police Department
$1,750	San Pablo Police Department
$629	Contra Costa Anti-Violence Support Effort (CASE)
$469	East Bay Regional Parks District
$466	El Cerrito Police Department
$316	Walnut Creek Police Department
$209	Martinez Police Department

As a Progressive Prosecutor, What Can the District Attorney Remedy?



Asset Forfeiture and Progressive Prosecution

Transparency

1. Provide dispositions info for all forfeitures in calendar 2017, as required by SB443
2. Produce public report of every seizure in 2018: what was forfeited, whether Claim Opposing Forfeiture was filed, how many claimants were represented by counsel, charges alleged, which arresting agencies seized without charges filed, associated charges/ convictions, distribution of funds
3. Annually produce public report on use of DA's share and 15% fund

Procedural Justice

1. Develop clear and public policies related to civil asset forfeiture for the Office of the District Attorney
2. Review and improve notices provided to people whose assets have been seized, create dedicated web page
3. Ensure language access (non-English-speakers, low literacy levels) in all communications
4. Review/improve use and public oversight of the DA's share and 15% fund

Progressive Practices

1. Develop processes to notify Public Defender's Office when a person's assets are seized, support development of an information line at the Public Defender's Office
2. Set minimum amounts subject to seizure
3. Waive forfeiture for low-level convictions, diversions
4. Except in case of criminal conviction, waive forfeiture even if Motion to Oppose was not filed on time.
5. Prohibit the use of seized assets in plea negotiations

Completed forfeitures and the criminal case behind them

From Rebecca Brown's working spreadsheet "Contra Costa County financial analysis" (Excel, February 2019), sheet "Analysis – Opposed CAF," compiled from District Attorney forfeiture records. Selected columns; figures as entered in the spreadsheet.

Docket	Seizing city	Criminal case outcome	Owner opposed forfeiture?	Amount forfeited
16-0086	Richmond	No charge	No	$1,795
16-0107	Richmond	Other	No	$7,727
17-0005	Antioch	No charge	No	$563
17-0011	Antioch	Dropped charges	No	$13,699
17-0015	Brentwood	No charge	No	$2,104
17-0018	Richmond	No charge	No	$3,025
17-0041	Concord	Plea agreement	No	$2,836
18-0066	Richmond	Other	No	$14,569
15-0011	Pleasant Hill	Plea agreement	Yes	$386
15-0112	Pittsburg	Plea agreement	Yes	$9,625
16-0027	Antioch	Other	Yes	$7,412
16-0081	Richmond	Plea agreement	Yes	$17,230
17-0010	Antioch	Jury conviction	Yes	$69,942
17-0029	Antioch	Other	Yes	$44,836
17-0073	Antioch	Other	Yes	$2,231
18-0001	Richmond	Plea agreement	Yes	$2,148
18-0005	Brentwood	Other	Yes	$32,397
18-0025	Richmond	Plea agreement	Yes	$37,606
18-0033	Antioch	Other	Yes	$6,096
18-0045	Antioch	Plea agreement	Yes	$1,545

When owners fought forfeiture: what they got back

From Rebecca Brown’s working spreadsheet “RSG assets seized” (Excel, 2019), compiled from District Attorney records of opposed forfeitures. Figures as entered in the spreadsheet.

Owner represented by	Amount seized	Amount returned	Share returned	Days to resolve
Attorney	$7,134	$4,134	58%	358
Attorney	$6,000	$2,000	33%	285
Attorney	$3,200	$1,200	38%	
Attorney	$31,884	$10,584	33%	359
Attorney	$64,189	$9,701	15%	627
Attorney	$980	$195	20%	515
Attorney	$9,300	$2,325	25%	339
Attorney	$153,515	$80,515	52%	475
No attorney	$702	$202	29%	
No attorney	$2,077	$1,038	50%	946
No attorney	$2,591	$1,296	50%	2287

To Every Thing, There is a Season

After more than eight years, this is RSG's final meeting!

Reentry Solutions Group
October 1, 2019

2019

- January: RSG conducts original research and financial analysis of criminal justice fees in Contra Costa County; coalition requests County end these fees.
- January: RSG conducts original research and financial analysis of the DA's civil asset forfeitures in Contra Costa County and asks DA Becton to change these policies.
- February: In response to two years of research and advocacy, District Attorney Becton ends what I call "pay to play" private "courts" in Contra Costa.
- September: In response to our requests, DA Becton agrees to develop new policies for Civil Asset Forfeiture.
- September: Contra Costa County becomes the third county in the nation to end criminal justice fees.

TO: **District Attorney's Office, All Staff**

FROM: **Diana Becton District Attorney**

DATE: **December 1, 2020**

SUBJECT: **Civil Asset Forfeiture Policy**

A. Overview:

Law enforcement is the principal objective of forfeiture. Potential revenue must not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations, of this or any other law enforcement agency, or the due process rights of citizens.

No position, promotion, salary, or any other benefit to an employee of the District Attorney's Office shall be made to depend upon the level of seizures or forfeitures he or she achieves.

No seized or forfeited property shall be placed into service by the seizing agencies. In addition, no department personnel shall purchase, directly or indirectly, forfeited property seized by the agency.

Forfeiture proceeds distributed to Contra Costa District Attorney's Office shall be maintained in a separate fund or account with the county treasurer subject to appropriate accounting controls and financial audits of all deposits and expenditures at the request of the county governing board. All money received or transferred shall be in accordance with the "Money Handling Procedures" of the District Attorney's Office.

The Contra Costa District Attorney's Office will seek to protect the interests of innocent property owners, to guarantee adequate notice and due process to property owners, and to ensure that forfeiture serves the remedial purpose of the forfeiture law.

It is the policy of the District Attorney's Office that in order to initiate asset forfeiture proceedings, the total value of the property seized must be equal to or exceed $ 1,000.

B. Statutory Basis for Forfeiture:

California Health and Safety Code section 11470 provides that certain kinds of property may be forfeited under specified circumstances. The circumstances will differ for each type of property, but in general, property may be subject to forfeiture if it is used as an "exchange" for drugs, to "facilitate" drug trafficking or if it is "proceeds traceable" to drug trafficking. "Facilitation" means anything done by someone to make drug trafficking easier, while "proceeds" refers to things acquired directly in drug transactions, or which can be traced back to drug transactions. The types of property that can be seized includes cash and cash substitutes [Health and Safety Code Section

District Attorney Administration
900 Ward Street, Fourth Floor
Martinez, California 94553

(925) 957-8604
Fax (925) 646-4683

11470(f)], vehicles [Health and Safety Code section 11470(e)], real property [Health and Safety Code Section 11470(g)], and “other things of value” [Health and Safety Code Section 11470(f)].

1. Limitations and Exemptions

a. The “innocent owner” defense

One of the important defenses built into the forfeiture law is the “innocent owner” defense. If property owned by a third party is used by a criminal suspect to facilitate drug trafficking, it must be proved that the owner “consented to the use of the property with the knowledge that it would be or was used” to facilitate drug trafficking. (Section 11488.5(d)(1))

b. The family vehicle exemption/ Community property

A community property interest in a vehicle that is the sole transportation available to the criminal defendant’s immediate family is completely exempt from forfeiture. Community property is generally property acquired during a legitimate marriage. It is imperative that the seizing officers determine if this exemption applies as soon as possible. (Section 11470(e))

c. Real property exemptions

Real property is exempt from forfeiture if it is used as a family residence or for other lawful purposes or which it is owned by two or more persons, one of whom had no knowledge of the unlawful use of the property. (Section 11470(g)) This is a very broad exemption, intended to limit forfeitures of such properties. As such, particular care should be exercised in circumstances when real property is subject to asset forfeiture proceedings.

C. Requirements for Initial Seizure

The law allows any peace officer to seize personal property subject to forfeiture without a court order, incident to an arrest, during a search under a search warrant, or when he or she has “probable cause to believe that the property was used or is intended to be used in violation of” California drug laws. (Section 11471).

If the seizure involves an intrusion into, or upon, a privacy interest, or a situation defined by statute as requiring process (e.g. a bank), then a “seizure order” from the Superior Court would be required to seize the property

The Contra Costa District Attorney's Office must decide whether to proceed to forfeit the property seized. This decision must be made within 15 days of seizure unless the property is seized as evidence of a crime, or any other valid legal reason. (See Sections 11488, 11488.1, and 11488.2).

D. Criminal Charging Document Policy:

Although not required under the law, as a general policy, the Contra Costa County District Attorney’s Office will only proceed with asset forfeiture proceedings when an accompanying “criminal charging document” is filed on a related criminal case. A “criminal charging document” includes a complaint, information, indictment, and/or probation or parole violation that has been filed in Contra Costa County, or in another

State or Federal jurisdiction. In order to fall under the general policy, the "criminal charging document" must allege conduct that would qualify as an asset forfeiture criminal offense.

Specific exceptions to this general policy include the following:

1. Where the property subject to forfeiture is abandoned or unclaimed.
2. Where the property subject to forfeiture is claimed by a third party who does not appear to own the property or have an interest in the property;
3. Where initiating asset forfeiture proceedings absent a criminal charging document would be in the interest of justice.

A Deputy District Attorney who reviews an asset forfeiture case and determines that asset forfeiture proceedings should proceed absent the filing of a criminal charging document shall obtain authorization to do so from the head of the Community Violence Prosecution Unit [CVRU] and the Assistant District Attorney in charge of the unit. In addition, the head of the CVRU unit shall review all asset forfeiture proceedings that are filed in conjunction with a criminal charging document, prior to the filing of the criminal charging document.

E. Third-Party Claims

It is the policy of Contra Costa District Attorney's Office to promptly resolve claims of innocent ownership and, where appropriate, expeditiously release seized property.

Claims by third parties will be forwarded for follow-up investigation. The Forfeiture Unit will conduct civil discovery, where appropriate, in an attempt to determine the true owner of the property. The Forfeiture Unit will obtain as much information as possible early in the litigation to determine whether third party claimant does have a legitimate interest in the asset. The goal is to restore the property to an innocent third-party in a timely and efficient manner.

F. Notice

The seizing agency must serve a Notice of Non-Judicial Forfeiture Proceedings and a Claim Opposing Forfeiture on any person who has, or may have, an interest in the seized property. (Section 11488.4(C)). Failure to provide a Claim form invalidates the service of notice. The Notice of Non-Judicial Forfeiture Proceedings will be available in English, Spanish, and Mandarin.

Notice of Seizure forms and Claim Opposing Forfeiture forms can be obtained from the Asset Forfeiture Specialist in the CVRU on the 1st Floor at 900 Ward Street. Additional Claim Opposing Forfeiture Forms can be found online at http://www.courts.ca.gov/documents/mc200.pdf.

The notice must be personally served and an affidavit/declaration of service completed by the person serving the notice. The notice may also be served by registered mail.

Service of the Notice of Non-Judicial Forfeiture Proceedings and a Claim of Opposing Forfeiture should occur, when reasonably possible, at the time the assets are initially seized.

G. Return of Assets:

If, after the initial seizure of the assets, further investigation reveals that there is insufficient evidence to file an accompanying, “criminal charging document,” and that there are no applicable exceptions to continue with asset forfeiture proceedings, the seized assets shall be returned to the property owner, if reasonably possible.

H. Policies Applicable to Vehicles

The seizing agency shall implement the following policies regarding seized vehicles for forfeiture:

1. The value of the vehicle should be determined by the lowest estimate under, “Kelley Blue Book,” or similar evaluation method.
2. The current payoff amount for any liens shall be determined, and the vehicle must be worth at least $7,500.00, or have that much equity in the vehicle after the lienholder is paid in full.
3. The vehicle will be housed in an area that is protected from the public and where its security can be assured.
4. Prior to storing the vehicle, the seizing agency will photograph the vehicle, place copies of those photos in the case file, and submit a copy to the forfeiture unit.
5. The seizing agency will take reasonable steps to maintain the condition of the vehicle.
6. In the event a claim is filed for the vehicle, the seizing agency will complete an investigation pursuant to Health and Safety Code section 11488.4(d) as to the ownership of the vehicle.
7. Upon forfeiture of the vehicle, the seizing agency will arrange for the vehicle to go to auction to be sold and act as the liaison between the auction yard and the Contra Costa District Attorney's Office.
8. When the vehicle is sold and a check is issued for the vehicle, the seizing agency will deliver that check to the forfeiture unit for distribution.

I. Policies Applicable to Real Property

Real Property can only be forfeited by judicial proceedings. A Petition must be filed before *a lis pendens* may be recorded or any action to remove the residents can occur. The following must be done in all cases:

1. The seizing agency must obtain an appraisal of the property. The appraisal must be current and, where possible, performed by a qualified appraiser.
2. The state of the title to the property and the knowledge of the owners must be included in any investigation of the feasibility of forfeiting real property.
3. There must be a determination of the equity owned by the party against whom forfeiture is sought.

J. Policies Applicable to “other things of value.”

1. The foundation for forfeiture of personal property other than cash is that it was purchased with the proceeds of drug transaction.

2. The Contra Costa County District Attorney’s Office will review the case to determine if sufficient evidence exists to initiate asset forfeiture proceedings against personal property. In making that determination the District Attorney’s Office will consider whether or not there is proof tracing the proceeds of a drug transaction to the property seized, whether or not there is proof of income by the claimant reflecting no ability to accumulate property without drug proceeds, as well as any other relevant evidence.

OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Mark A. Peterson
DISTRICT ATTORNEY

TO: Mark A. Peterson, District Attorney

FROM: Laura Delehunt

DATE: July 15, 2016

SUBJECT: Use of Gang and Drug Abatement Fund

County-wide Gang and Drug Abatement Fund

A. Statutory Guidelines & Limitations

Health and Safety Code Section 11489 establishes the procedure by which " …the money forfeited or the proceeds of sale [of forfeited property] shall be distributed by the state or local governmental entity …"

65% of the forfeited proceeds are to be distributed to the state or local law enforcement agencies participating in the seizure. (HS 11489(b)(2)(A).) **However, 15% of the funds distributed to law enforcement (equalizing 9.75% of the total amount forfeited) must be deposited in a "special fund" which "shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity." (HS 11489(b)(2)(A)(i).)**

The Legislature stated that their intent in creating the "Special Fund" was to "…cause the development and continuation of positive intervention programs for high-risk elementary and secondary school age students." (*Id.*) Local law enforcement was encouraged to work "In partnership with state and local agencies and the private sector in administering these programs." (*Id.*) Actual distribution of Special Fund moneys is determined by a panel consisting of the County Sheriff, the District Attorney, the Chief Probation Officer and a Police Chief selected by the other chiefs in the county. (HS 11489(b)(2)(A)(ii).)

The statute requires that "[t]hose programs that have been evaluated as successful … be given priority." Further, Special Fund moneys " …shall not be used to supplant any state or local funds that would, in the absence of this clause, otherwise be made available to the programs."

In Contra Costa County, the County Auditor has designated this account as the "CO-WIDE GANG AND DRUG" Fund (Fund 133400). The balance as of 7/11/16 is $1,246,358.12 (Exhibit A).

B. History of Use of the Anti-Gang and Anti-Drug Fund

2005

In 2005, the Drug Unit of the Contra Costa County District Attorney's Office began exploring means by which we could impact the rising number of cases involving young people, guns, drugs and gangs. By 2006, we had decided to adopt a modified version of an educational program known as "GIFT" (Gun Violence Information for Teens) which started in Seattle, Washington and was successfully implemented by DA's Offices in Sonoma and Sacramento Counties. We received approval for funding from the Asset Forfeiture Special Fund (Health and Safety Code section 11489) and extensive research was conducted to identify successful models across the state and country. The result was development of our "Big Picture" Program.

The initial plan was to offer the "Big Picture" Program to middle school students in West Contra Costa County and spread to other parts of the county once we gauged its effectiveness. Due to staffing issues, the program was shelved before initial implementation.

2012

New interest in the "Big Picture" Program arose in 2011. The Program was updated to include prescription drug abuse and truancy components. On February 15, 2012 it was presented to the Gang and Drug Abatement Panel, which at that time consisted of Sheriff David Livingston, Chief Probation Officer Philip Kader, District Attorney Mark Peterson and San Ramon Police Chief Scott Holder (Exhibit B). Unanimous approval was granted for a 3 year pilot program with funds allocated as follows:

- $140,000.00 for Calendar Year 2012 (included initial equipment costs)
- $125,000.00 for Calendar Year 2013
- **TOTAL: $390,000.00**

The Gang and Drug Abatement Panel also agreed that the balance of the fund shall never be permitted to drop below $250,000.00, recognizing funds are replenished by on-going statutory distributions from successful asset forfeiture cases (averaging approximately $72,000 per year in the preceding 12 years) (See Exhibit B).

2015

Due to the success and expansion of the GIFT Program, unanimous approval was granted on June 22, 2015, to continue funding the GIFT program accordingly (Exhibit C):

- $209,000 for each Calendar Year (2015-18)
    - Includes salary for part-time probation officer ($36,518.34)
- On or about August 10, 2015, an additional $40,000 was approved for Ankle Monitoring Costs associated with pilot truancy program (Exhibit D)
    - To date, $7,947.76 has been spent on this program (Exhibit E)
- Since the adoption of the 2015 budget to date, Gang and Drug Abatement programs have been funded as requested by the Gang and Drug Abatement Panel (Exhibit F)

C. Current Anti-Gang and Anti-Drug Programs: 2011-2016

The panel determined that several additional programs would best meet the goals of HS 11489. Therefore, the "Big Picture" program was supplemented with a Jr. Achievement program, Kops for Kids program, and a variety of prescription drug, anti-bullying and truancy efforts.

The program originally envisioned a part-time prosecutor and investigator, but its success and growth over the last 3 years has been tremendous and it's now a full-time position for current prosecutor, Laura Delehunt.

1. "Big Picture" Program

The Big Picture program is presented to 6th, 7th and 8th grade students over the course of a full school day, in 6 consecutive weeks. The weekly components are: causes and effects of violence on the community; gun violence; gang violence; gang violence prevention; family and dating violence; and alcohol and drug abuse, and its relationship to violence. The presenters use real-life experiences, stories and current events while maintaining sufficient flexibility to meet the needs of a particular school. (For example, one school was struggling with bullying issues. Another school had a surge of marijuana use on campus). Presenters work closely with teachers so that the teachers can incorporate our teachings into their lesson plans during the course of the program and the rest of the school year.

The program launched in the fall of 2012 at Park Middle School in Antioch and was presented to 5 classes of mixed seventh and eighth-graders. Participants included school administrators, teachers, a gang expert from APD, a family and dating violence expert from STAND, juvenile probation officers, a prosecutor and investigator from the DA's Office. The program served approximately 125 students.

In the spring of 2013, the program was presented to the entire 6th grade (approximately 275 students) Riverview Middle School in Pittsburg. Program participants included teachers and school administrators, a gang and gun expert from the Sheriff's Department, an expert on teen dating violence from Community Violence Prevention, Juvenile Probation Officers, a prosecutor and investigator from the DA's Office.

In the 2013-2014 School year, the program was invited back to Park and Riverview Middle Schools. That fall, the program was presented to the entire 7th grade at Park. The entire 6th grade went through the program in the spring of 2014. Presenters included gang experts from the Pittsburg Police Department, a prosecution expert on teen dating violence, juvenile probation officers and a prosecutor and investigator from the DA's Office. The program then expanded into Orchard Park Middle School in Oakley for the spring of 2014. The entire 7th grade had the benefit of attending.

We continued to expand in the 2014-2015 school year, and the 6 week program was presented at both Park and Dallas Ranch middle schools in the fall of 2014. The Deputy District Attorney and two Probation Officers responsible for presenting the full-day program worked closely on curriculum preparation and coordination with school administrators and teachers.

In 2015-2016, we taught two semesters at both Dallas Ranch middle school and Park Middle School. We also taught a semester at Black Diamond Middle School in Antioch, Orchard Park Middle School in Oakley and Golden Gate Community Schools in Pittsburg. Given this expansion, we were able to reach approximately 1,000 students.

In 2016, we established a partnership with Community Violence Solutions which will allow us to expand our program to several elementary and high schools in West County this fall. We also anticipate piloting a program at Lovonya DeJean Middle School in Richmond, which will incorporate the teachings of Big Picture and educate students about Human Trafficking and Sexual Assault, and how it may relate to gang activity.

Also in 2016, we met with educators at Meadow Homes Elementary School in Concord, as they have been experiencing gang recruitment among their 4th and 5th grade students. As a result of this, we will teach Big Picture at this school site starting in September.

2. Kops for Kids

This established program addresses our objectives by involving active and retired police officers working to prevent violence, drug abuse, gangs and juvenile delinquency by presenting "Positive Mental Attitude" education programs for at-risk youth. Our participation helps the program reach over 4,000 youth per year. We continue to work closely with Neil Stratton (Ret'd Captain, WCPD) to return to and implement this program at schools throughout the county.

This summer, DDA Delehunt, and one of our Victim/Witness Advocates, will make a special presentation to youth at the first Leadership Camp hosted by the Concord Mt. Diablo Trail Ride Association in Clayton.

3. Achievement ("JA"): Law and Justice Summits

For several years, we have partnered with JA to bring the Law and Justice Summit to schools throughout the county. In this capacity, over a dozen prosecutors from the District Attorney's Office attend a full day event, at different schools, at which students are educated and participate in activities surrounding a variety of topics, including DUI, texting while driving, teen suicide, gang violence and decision making.

Due to the tremendous success of this program, JA nominated DDA Delehunt, as their "play maker" and JA was awarded a $10,000 grant by the 2016 Super Bowl Committee. Specifically, the committee recognized that these summits "serve Contra Costa County's youth and teach students about bullying, drug, gang and violence prevention."

In 2015-2016, in a coordinated effort with JA, more than 20 members of the District Attorney's Office participated in the Public Law and Justice Summits at Pinole Valley High School, Deer Valley High School and several middle schools in Antioch.

4. Summer Meals Program

Our office continues to participate in the Summer Nutrition Program developed and led by Patrice Chamberlain, the Director of the California Summer Meal Coalition. This program serves to provide federally funded healthy, free and reduced-price lunches to kids 18 and under in low-income families. These students have no access to healthy meals when school is not in session, and often have little supervision and guidance during the summer. In an effort to, not only provide meals but also to promote educational opportunities, the Summer Nutrition Program provides free summer meals at various libraries in West County. These locations provide a safe environment as well as literary programs which strive to emphasize the importance of learning.

This summer, DDA Delehunt will attend these events and provide families with information regarding truancy and the potential consequences of chronic absenteeism; Delehunt will be accompanied by our Courthouse Dog, who serves as a conduit through which we can foster a positive relationship between the attending families and law enforcement.

5. Anti-Truancy Program

a) Parent Truancy Calendar

Due to the proven connection between chronic absenteeism and juvenile crime, our efforts to deter youth gang membership and substance abuse also entail a commitment to combat truancy. In this capacity, we launched our first Parent Truancy Calendar in October, 2016, in partnership with the Superior Court and school districts, to combat chronic absenteeism among elementary and middle school students.

The new court proceedings place great emphasis on the parents' legal obligation to ensure that their young children attend school on a daily basis. Parents of chronically absent children are placed on a 12 month grant of probation, during which they may be required to attend parenting classes, family counseling and/or other wrap around service programs.

This holistic approach educates parents about the importance of school attendance for their children's future and will address the barriers that have led to their children's chronic absenteeism. The parents' progress is monitored and if, after 12 months, their children are attending school, the charges will be dismissed. This collaboration between the schools and the court will allow families to benefit from resources available through both systems.

To ensure that our parents are successful, we have secured funding from the Long's Foundation (which is matched by Behavioral Mental Health) to employ clinicians from Lincoln Child's Center to provide intensive services to the parents who attend our calendar. Such services will include consistent personal interaction with families, counseling and mental health support, and bridging the communication gap between the parent(s) and school district. This model has proven to be successful in Alameda County, and we anticipate similar results in Contra Costa. Currently, we have 70 open and 15 pending cases on this calendar; referrals have been made from districts throughout the county.

b) Drastic Decrease in Truancy: Pittsburg Unified School District

During the 2015-2016 school years, our office partnered with the Pittsburg Unified School District to assemble numerous "Impact of Chronic Truancy Parent Meetings"; parents of students with a history of chronic absenteeism were invited to attend. At these workshops, parents were provided informational packets detailing their child's attendance history, and DDA Delehunt presented parents with information regarding the potential consequences of continued truancy.

Of the 26 families who attended one of these meetings at Pittsburg High School on April 18, 2016, 46% of the students had improved absences, 77% had a decrease in number of tardies, and 6 students had 100% attendance from the day after the workshop through the last day of school (data provided by Pittsburg Unified School District).

Of the 36 families who attended one of these meetings at Stoneman Elementary School on September 24, 2015, 50% of the students had improved absences, 78% had a decrease in number of tardies, and 11 students had between 98%- 100% attendance from the day after the workshop through the last day of school (data provided by Pittsburg Unified School District).

Given the extremely positive results at all of the school sites that conducted parent meetings on the Impact of Chronic Truancy, this has definitely proved as a productive avenue to curb chronic truancy. The district has requested that we not only continue this partnership, but also that we substantially increase the frequency of these meetings next year.

c) Student Attendance Review Board Support

Keeping kids in school substantially decreases the risk that they will be exposed to gangs, drug, guns, violence and other delinquency. In addition to the above programs, we participate in the Student Attendance Review Board (SARB) in several school districts including Pittsburg, Mt. Diablo, Acalanes, San Ramon, and Contra Costa Community Schools. The SARB process serves as an intervention at which community members, school district and law enforcement representatives provide the family of the truant students with strategies and resources to improve attendance. If the student's chronic absenteeism continues, the case is forwarded to the court.

Routinely, we provide support to school district representatives about specific cases and give guidance with respect to the court SARB process as requested. We also regularly attend half day "Coordinating Council" meetings every other month at the Contra Costa Office of Education.

D. Proposed Changes to Programs/New Programs

1. Hiring of a Non-Attorney Civilian to Implement Additional Services

Given the vast expansion of our Special Fund programs, we are in the process of hiring of a non-attorney with over 20 years of experience in the area of education, truancy and teen substance abuse, to assist in the implementation of additional services to support our community.

2. Parent Project

Parent education is a critical component to deterring crime and truancy among our youth. The Parent Project is a 10 week parent training program designed for parents of out-of-

control children that has been very successful in Southern California and Santa Clara County. Our civilian employee will be tasked with implementing this program in our county.

3. Parent Night Pilot

Beginning in the fall, we will be partnering with the Acalanes School District to present "Parent Information Nights" at Miramonte, Acalanes, Campolindo and Las Lomas High Schools. Topics will focus on educating parents in the following areas: how to recognize substance abuse in teenagers; the consequences of providing alcohol to minors; and how to talk to teens about sexual assault/consent. We would like to expand this program to additional school districts, with the assistance of our civilian employee.

4. Prescription Drug Abuse Prevention/Education

There have been over 15 Xanax overdoses at Pittsburg High School within the last year, as well as similar incidents at Pinole Valley School. We also continue to have similar issues in our more “affluent” areas such as Orinda and San Ramon. One of the ways which we would like to expand the Big Picture program is to partner with organizations such as the National Coalition against Prescription Drug Abuse and increase our efforts to educate students and parents. Our civilian’s background in substance abuse and mental health support for youth could be a great asset in designing such a program.

5. Teen Truancy Ankle Monitoring Program

We successfully began an ankle monitoring program in our Teen Truancy Court for the first time in 2016. While we have certainly seen some impressive results thus far, we need additional support to track the truant students who fail to comply with their monitors. Our civilian employee could assist us in coordinating such support with the school districts.

OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Diana Becton
DISTRICT ATTORNEY

County-wide Gang and Drug Abatement Fund

Statutory Guidelines & Limitations

Health and Safety Code Section 11489 establishes the procedure by which " …the money forfeited or the proceeds of sale [of forfeited property] shall be distributed by the state or local governmental entity …"

65% of the forfeited proceeds are to be distributed to the state or local law enforcement agencies participating in the seizure. (HS 11489(b)(2)(A).) **However, 15% of the funds distributed to law enforcement (equalizing 9.75% of the total amount forfeited) must be deposited in a "special fund" which "shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity." (HS 11489(b)(2)(A)(i).)**

The Legislature stated that their intent in creating the "Special Fund" was to "…cause the development and continuation of positive intervention programs for high-risk elementary and secondary school age students." (*Id.*) Local law enforcement was encouraged to work "In partnership with state and local agencies and the private sector in administering these programs." (*Id.*) Actual distribution of Special Fund moneys is determined by a panel consisting of the County Sheriff, the District Attorney, the Chief Probation Officer and a Police Chief selected by the other chiefs in the county. (HS 11489(b)(2)(A)(ii).)

The statute requires that "[t]hose programs that have been evaluated as successful … be given priority." Further, Special Fund moneys " …shall not be used to supplant any state or local funds that would, in the absence of this clause, otherwise be made available to the programs."

In Contra Costa County, the County Auditor has designated this account as the "CO-WIDE GANG AND DRUG" Fund (Fund 133400). The balance as of July 2018 is $827,101.10.

The Gang and Drug Abatement funds are replenished by on-going statutory distributions from successful asset forfeiture cases (averaging approximately $75,000 per year over the last 15 years).

Review of 2015-2018 Proposal

Due to the success and expansion of the GIFT Program, unanimous approval was granted on June 22, 2015, to continue funding the GIFT program accordingly:

- $209,000 for each Calendar Year (2015-18)

  - Including salary for part-time probation officer ($36,518.34)
- On or about August 10, 2015, an additional $40,000 was approved for Ankle Monitoring Costs associated with pilot truancy program
  - Subsequent approval of an additional $25,000 was approved by the panel to continue this program through December 2018

Current Anti-Gang and Anti-Drug Programs: 2015-2018

Anti-Violence Program for Youth
The ***Big Picture Program*** has become one of the most impactful anti-violence programs in our county. In partnership with our probation department and ***Victim Witness Advocates***, we present this curriculum to approximately 1,000 elementary and middle school students throughout the county over the course of a full school day for a period of 6 consecutive weeks.

The weekly components cover the causes and effects of violence on the community including: gun violence, gang education and prevention, family and dating violence, and alcohol and drug abuse. The presenters use real-life experiences, stories and current events while maintaining sufficient flexibility to meet the needs of a particular school. The lessons are interactive, and they invite extensive participation from students in the form of role-playing and personal sharing. Presenters work closely with teachers so that the teachers can incorporate our curriculum into their lesson plans throughout the school year.

Law Enforcement Career Day
The tremendous success of the ***Big Picture Program*** led to a partnership with the ***Junior Achievement Organization*****,** an extensive volunteer network of corporate and community-based volunteers who develop programs emphasizing the importance of education and deterring truancy for at-risk K-12 students. Partnering with ***Junior Achievement***, we brought the first ever ***Law Enforcement Career Day*** to multiple schools in west and east county. For this program, we partner with Public Defender's Office, California Highway Patrol, local police agencies, and local fire departments to engage students in a variety of activities that introduce them to career opportunities and answer their questions about important topics such as immigration, the consequences of driving under the influence, and the legal ramifications of turning 18.

Richmond Crime Lab and Court Tours
In partnership with Jr. Achievement and the California Attorney General's Office, our office developed a program to take high school students on a tour of our Richmond Crime Lab and introduce them to a judge presiding over matters at the Richmond Superior Court. Students are then given an opportunity to observe court proceedings and participate in a discussion about the criminal justice system. This program has been tremendously successful, and due to my initiative, we currently offer the program to Richmond High School, Pinole Valley High

School, Deer Valley High School, Antioch High School and Pittsburg High School Law Academy students.

School Safety Presentations to Address Threats of Violence
In response to the numerous school shootings throughout the country and threats of violence in many of our schools throughout the county, we are partnering with the ***Sandy Hook Promise Campaign*** and ***Contra Costa County Office of Education*** to bring assemblies, and interactive programs and support services to educate students about the seriousness of this behavior. We are working closely with our ***Victim Witness Advocates*** to ensure that our office plays a vital role in combatting these safety threats and have received very positive responses from administrators throughout our community.

Parent Education and Support
Parent education and support is critical in ensuring the success and safety of our youth. We partner with a variety of agencies and nonprofit organizations to provide resources to parents in our community. Throughout the county, we present at parent meetings on topics including Teen Substance Abuse, Cyber-Safety, Firearm Safety, and Bullying. Not only do we provide information, but also, we connect families with services and resources to address these issues.

Juvenile Hall Outreach
Research tells us that the majority of our youth who commit crimes have been victims of trauma and often severe abuse. In an effort to assist our incarcerated youth explore productive options upon their release, we partnered with our ***Victim Witness Advocates***, Los Medanos College and Juvenile Hall Staff to combat recidivism among this population. In support of this effort, we brought our first ever art contest to Juvenile Hall in honor of ***Victim's Rights Week***. We had several winners who created posters that exceeded our expectations. Additionally, we worked with Los Medanos College to provide these youth with information regarding programs and educational opportunities.

Health & Wellness Curriculum
In partnership with the Acalanes Unified School District Superintendent, School Board and Director of Student Services, the District Attorney's Office developed a curriculum specific to the needs of this youth population. While the families in this community are among the most affluent in our county, the students are not without problems. The bulk of our juvenile driving under the influence cases are committed by these teens, and the pressures placed on them to achieve often leads to significant substance abuse issues. In response to this crisis, our ***Health and Wellness*** curriculum informs students, through highly interactive activities, of the dangers of driving under the influence and texting while driving. CHP Officers conduct field sobriety tests on students, while students wear goggles that simulate a blood alcohol level that is over twice the legal limit. Students then ride a recumbent bike through an obstacle course while wearing the goggles. Finally, students attempt the same exercise while holding

a cell phone and texting. This program provides students with the opportunity to experience being impaired while attempting to use their motor skills.

Anti-Truancy Program

Parent Truancy Calendar

Due to the proven connection between chronic absenteeism and juvenile crime, our efforts to deter youth gang membership and substance abuse also entail a commitment to combat truancy. In this capacity, in partnership with the Superior Court and the local school districts, we launched the first ***Parent Truancy Calendar*** for the purpose of combatting chronic absenteeism in our elementary and middle schools. Our ***Parent Truancy Court*** places great emphasis on the parents' legal obligation to ensure that their young children attend school on a daily basis. The primary goal of these proceedings is to provide families and students who have been brought to court for chronic absenteeism, with the support that they need to be successful, without stigmatizing parents with a criminal record. In the majority of cases, a child's truancy is a symptom of a deeper problem and families are in desperate need of social services that they cannot afford.

Securing Grant Funding for Lincoln Child Center Support

To provide these critical social services, we worked closely with the ***Lincoln Child's Center*** to seek grant funding from the ***Thomas Long Foundation***. The ***Thomas Long Foundation*** provided a three-year grant which, with matching funds by ***County's Behavioral Health Services***, totals over $1.25 million. With this funding, ***Lincoln Child's Center*** developed a ***School Engagement Program (SEP)*** to support dozens of students who face an array of obstacles that lead to chronic absenteeism, such as: poverty, the lack of adequate resources to navigate school policies related to attendance, and the lack of transportation to and from school.

Providing Mental Health Services to Families and Students

One of the most vital components of the ***Parent Truancy Court*** is the mental health support provided to all participating families. Nearly every Friday, parents who have been charged with infractions for failing to ensure their child's school attendance, participate in these unique court proceedings. Each hearing is attended by representatives from ***County Mental Health, Lincoln Child Center***[1], the ***REACH***[2] ***Organization*** and the ***C.O.P.E. Organization***[3].
Parents appear before the Honorable Rebecca Hardie and share with the court the barriers that have prevented them from ensuring their child's education. Parents are often required to attend parenting classes, family counseling and/or other wrap around service programs. This holistic approach educates parents about the importance of school attendance for their children's future and addresses the barriers that have led to their children's chronic

[1] Lincoln provides intensive individual and family therapy.
[2] REACH provides families with support for substance abuse issues.
[3] C.O.P.E. provides individual and family therapy as well as parenting classes and youth support/activities.

absenteeism. Since the inception of this court in October 2016, approximately 150 families have participated, and nearly all of them have drastically improved their children's attendance.

Bolstering Supports for Truant Teens

In addition to launching our ***Parent Truancy Court,*** our office has worked closely with our judges to bolster the support services offered to our teens who are referred to our "***Teen Truancy Court***." Teens in our court often have substance abuse issues, peer conflicts, and learning difficulties. Typically, they have given up on their education and perceive themselves as failures. Legally, there are limited means by which teens can be compelled to attend school. However, by enhancing the support services to families and students, we have drastically increased their chances of academic success. Partnering with the ***C.O.P.E. Organization*** and ***County Behavior Mental Health*** has provided families with the support and guidance they need to ensure that their teens graduate high school.

Ankle Monitoring Program for Truant Teens

Our ***Ankle Monitoring Program*** for truant teens is modeled after that which has been very successful in Alameda County. This tool allows our judge to order that the most chronically truant teens wear ankle monitors, provided and monitor by our office. Surprisingly, many of the teens now request monitors in court as a protective device that allows them to then tell their friends that they won't join them in cutting classes. As a result of this monitoring, teens who would not have graduated high school have made it to the finish line and received their diplomas.

Additional Support for Pittsburg Unified School District (PUSD)

While I provide services and support to all of our school districts, one of our most effective partnerships has been with the PUSD. During the 2015-2016 and 2017-2018 school years, we partnered with the Pittsburg Unified School District to assemble numerous "***Impact of Chronic Truancy Parent Meetings"*** where parents of students with a history of chronic absenteeism are invited to attend. At these workshops, parents are provided informational packets detailing their child's attendance history, and I present parents with information regarding the potential consequences of continued truancy.

Of the 26 families who attended one of these meetings at Pittsburg High School on April 18, 2016, 46% of the students had improved absences, 77% had a decrease in number of tardies, and 6 students had 100% attendance from the day after the workshop through the last day of school (data provided by Pittsburg Unified School District).

Of the 36 families who attended one of these meetings at Stoneman Elementary School on September 24, 2015, 50% of the students had improved absences, 78% had a decrease in number of tardies, and 11 students had between 98%- 100% attendance from the day after the workshop through the last day of school (data provided by Pittsburg Unified School District).

Given the extremely positive results at all of the school sites that conducted parent meetings on the ***Impact of Chronic Truancy***, this program has definitely proved as a productive avenue to curb chronic truancy. The district has requested that we not only continue this partnership, but also that we substantially increase the frequency of these meetings next year.

Community Support

S.H.E. Leads Mentoring
Every year, Deputy District Attorney Delehunt participates as a mentor at the "***S.H.E. Leads"*** conference hosted by the ***Junior Achievement Organization***. This conference connects local businesswomen and outstanding female high school students from the East Bay Area in a day of career path exploration. Through hands on activities, students develop workforce readiness and gain insights from panel speakers. Celebrating the power of female leadership, ***S.H.E. Leads*** imparts participants with increased career knowledge and the confidence to further their aspirations and build their professional network. Through panelist speakers, table discussions and interactive student/mentor activities, ***S.H.E. Leads*** provides real-world experiences that help youth create a successful future.

Kops for Kids Community Support
Over the last four years, representatives from our office have presented "***Positive Mental Attitude***" education programs to students throughout the county both on weekdays and Saturdays to support the ***Kops for Kids*** mission to deter gang violence and substance abuse among youth. Every summer, we attend a half day of a Leadership Camp in Clayton which is funded by ***Kops for Kids*** and hosted by the ***Concord Mt. Diablo Trail Ride Association***. At this camp, we have the opportunity to interact with high school students and talk with them about law enforcement careers.

Support of Community Leaders in Antioch
The ***Affiliated Martial Arts Promoter's Association*** (AMAPA) in Antioch hosts an event on Saturday mornings twice a year to educate women in self-defense and domestic violence. I attend these events, interact with the participants and speak about the legal ramifications of these issues. This year, Deputy District Attorney Delehunt attended a similar event for students at Los Medanos College. We are partnering with this organization and Antioch City Council Member Monica Wilson to bring additional events to schools and community members in East County.

Student Attendance Review Board Support
In addition to the above programs, Deputy District Attorney Delehunt participate in the ***Student Attendance Review Board*** (SARB) process in all of our school districts. The SARB process serves as an intervention vehicle. Community members, school district and law enforcement representatives provide the family of truant students with strategies and

resources to improve attendance. If the student's chronic absenteeism continues, the case is forwarded to the court. Serving on these panels assists us in teaching families that keeping kids in school substantially decreases the risk that they will be exposed to gangs, drug, guns, violence and other delinquency.

Partnership with Los Medanos College

Over the last 2 years, our office has cultivated a partnership with staff and administrators at Los Medanos College. Through this partnership, we have provided resources to the youth incarcerated at Juvenile Hall. Additionally, we are in the process of developing a ***Pathway Program*** for middle and high school students in the Antioch Unified School District. The program will allow us to begin working with a group of students in middle school who will become mentees of LMC staff; their skill sets will be developed according to their interests, and they will be exposed to opportunities on the LMC Campus.

Collaboration with the California Summer Meal Coalition

This Coalition serves to provide federally funded healthy, free and reduced-price lunches to kids 18 and under in low-income families. Students served by this program have no access to healthy meals when school is not in session, and often have little supervision and guidance during the summer. In an effort to not only provide meals, but also to promote educational opportunities, the ***Summer Nutrition Program*** provides free summer meals at various libraries in West County. These locations provide a safe environment as well as literary programs which strive to emphasize the importance of learning.

Throughout each summer, representatives from the District Attorney's Office attend these events and provide families with information regarding truancy and the potential consequences of chronic absenteeism. When available, we are accompanied by our *Courthouse Dog,* who serves as a conduit through which we can foster a positive relationship between the attending families and law enforcement.

Partnership with Contra Costa County Crisis Center

In an effort to address recent suicides and emotional crises among teenagers in our community, our office is working with the ***Crisis Center*** to educate middle and high school students about life saving resources in our county. This program continues to be very well received by students, faculty and administrators.

BUDGET

Case Preparation Assistant

Given the vast expansion of our Special Fund programs, we are asking for funding of a Case Management Assistant for $82,414 to support our truancy and anti-violence work. This individual would be tasked with supervising the Ankle Monitoring Program, serving subpoenas to parents who fail to appear in our Parent Truancy Court, and organizing the logistical details of our Anti-Violence Program and Youth Academy.

OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Diana Becton
DISTRICT ATTORNEY

Annual Expense: $82,414

Youth Academy
This summer, we will be hosting our first Youth Academy for 25 high school students from all areas of the county. This 4-week program will require participants to attend 3 times a week for a variety of presentations and "field trips" to expand their understanding of the criminal justice system. The spirit of this Academy is to introduce youth to career opportunities and inspire them to achieve. We do not want economic barriers to potential participants, so we are asking for funding to support this program. The following are the costs we anticipate will be associated with this Academy:

Transportation: $1,500[4]

Field Trip Costs: $5,000[5]

Food & Materials: $3,900[6]

Stipend: $10,000[7]

Annual Expense: $20,400

Continued Support of Full Time Prosecutor Position
In order to continue the work set forth herein, we are asking for $166,050, annually to fund a full time Deputy District Attorney, Level IV. Our office will continue to pay for benefits for this position.

Annual Expense: $166,050

Continued Support of Ankle Monitoring Program
To continue this support for our most chronically truant teens, we are asking that the Panel approve one lump sum payment of $75,000, which will sustain this program for the next 3 years.

Lump Sum: $75,000

[4] Calculated as follows: 25 students X $5.00/BART Ticket X 12 sessions.
[5] Calculated as follows: 5 field trips, which will require bus rentals for approximately $1,000 per trip.
[6] Calculated as follows: 25 students X $11.00 per meal X 12 sessions; $600 for snacks, water and general materials.
[7] In researching similar programs for youth, we have learned that they are often deterred from participation due to their need to work during the summer. We propose that providing a $100 stipend for each week attended will eliminate this obstacle (25 students X $100 X 4 weeks).

OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Diana Becton
DISTRICT ATTORNEY

General Equipment Costs
These costs are incurred to purchase presentation equipment, including but not limited to laptops, projectors, accessories, and student activity materials.

Annual Expense: $15,000

Training
We anticipate that training may be required for participants implementing the anti-violence programs discussed herein. To ensure that presenters are up to date on all topics, the District Attorney's Offices will provide training materials and costs associated with off-site instruction.

Annual Expense: $5,000

TOTAL ANNUAL EXPENSE: $288,864
TOTAL LUMP SUM EXPENSE: $75,000

Any unexpended funds at the end of each calendar year shall role over to the following calendar year. Any exceeding costs will be borne solely by the District Attorney's Office, and any unexpended funds at the end of 2021 shall be returned to the Special Fund coffers.

CLOSED CASES FOR 2019 THROUGH MAY 13, 2019

CASE NO.	AGENCY	DATE SEIZED	DATE FILED	TOTAL SEIZED
17-0086	RPD	9/1/2017	11/3/2017	$4,891.15
17-0074	SSTF	8/6/2017	9/29/2017	$44,070.45
18-0048	PHPD	4/5/2018	6/5/2018	$6,100.00
18-0030	CCSO	1/21/2018	4/16/2018	$31,881.00
17-0034	LIV. PD	4/26/2017	5/1/2017	$134,909.00
18-0010	PHPD	1/4/2018	1/25/2018	$4,456.00
18-0075	SPPD	7/3/2018	8/10/2018	$777.00
18-0074	SPPD	7/2/2018	8/10/2018	$2,301.00
18-0084	PHPD	8/25/2018	8/29/2018	$2,360.00
18-0002	PLEAS. PD	11/30/2017	1/4/2018	$32,910.86
18-0077	BPD	7/14/2018	8/17/2018	$1,780.00
18-0079	CCSO	8/23/2018	8/27/2018	$1,189.00
18-0059	CCSO	9/29/2016	7/26/2018	$7,867.00
18-0060	CCSO	7/19/2018	7/26/2018	$565.00
18-0064	CCSO	7/20/2018	7/26/2018	$806.00
18-0065	CCSO	3/28/2018	7/26/2018	$2,464.00
18-0026	HPD	3/21/2018	4/3/2018	$7,134.00
18-0067	VACAPD	4/20/2018	7/26/2018	$12,021.00
18-0072	PINPD	7/29/2018	7/31/2018	$1,675.00
12-0049A	PPD	9/8/2011	3/1/2012	$3,200.00
18-0085	SPPD	8/16/2018	8/31/2018	$1,261.00
18-0087	RPD	9/17/2018	9/26/2018	$749.00
18-0088	RPD	9/18/2018	9/26/2018	$546.00
18-0101	RPD	10/15/2018	10/25/2018	$3,351.00
18-0092	RPD	7/30/2018	9/27/2018	$684.00
19-0011	SSTF	12/21/2011	1/28/2019	$2,601.27
18-0034	PHPD	4/3/2018	4/17/2018	$1,000.00
18-0104	SPPD	9/17/2018	11/2/2018	$810.00
18-0073	SPPD	8/2/2018	8/8/2018	$6,345.00
18-0090	ACSO	9/12/2018	9/26/2018	$7,740.00

CASE NUMBER	DATE FILED	DATE SEIZED	ARRESTING AGENCY	AMOUNT SEIZED
19-0010	1/10/2019	7/18/2018	ALAMEDA CO. SO	$34,000.00
19-0002	1/10/2019	7/18/2018	ALAMEDA CO. SO	$7,900.00
19-0003	1/10/2019	12/23/2018	PINOLE PD	$1,788.00
19-0004	1/10/2019	12/1/2018	PITTSBURG PD	$2,583.00
19-0005	1/10/2019	12/25/2017	PITTSBURG PD	$7,463.00
19-0006	1/10/2019	8/24/2017	CONCORD PD	$16,095.00
19-0007	1/10/2019	12/19/2018	ANTIOCH PD	$2,100.00
19-0008	1/10/2019	12/18/2018	PINOLE PD	$7,219.00
19-0009	1/10/2019	12/9/2018	SAN PABLO PD	$1,009.00
19-0010	1/10/2019	12/17/2019	SAN PABLO PD	$1,500.00
19-0011	1/24/2019	12/29/2018	CCSO	$10,250.00
19-0012	1/24/2019	12/29/2018	CCSO	$2,100.00
19-0013	1/24/2019	11/30/2019	WALNUT CREEK PD	$1,633.00
19-0014	1/24/2019	1/11/2019	PLEASANT HILL PD	$61,773.00
19-0015	1/25/2019	1/8/2019	PLEASANT HILL PD	$2,388.00
19-0016	1/28/2019	12/6/2018	HERCULES PD	$259,677.71
19-0016	4/1/2019	12/6/2018	HERCULES PD	$18,703.18
19-0017	2/4/2019	11/3/2018	PITTSBURG PD	$802.00
19-0018	2/4/2019	1/9/2019	ANTIOCH PD	$1,510.00
19-0018A	2/4/2019	1/9/2019	ANTIOCH PD	$935.00
19-0019	2/4/2019	1/29/2019	WALNUT CREEK PD	$1,135,420.00
19-0020	3/14/2019	3/14/2019	SAN PABLO PD	$109,100.00
19-0021	3/14/2019	3/14/2019	PINOLE PD	$2,013.00
19-0022	3/14/2019	3/7/2019	PINOLE PD	$20,360.00
19-0023	3/28/2019	2/19/2019	RICHMOND PD	$6,591.00
19-0024	3/28/2019	10/28/2018	CONCORD PD	$1,516.00
19-0025	3/28/2019	11/4/2018	CONCORD PD	$2,958.00
19-0026	3/29/2019	3/16/2019	ANTIOCH PD	$2,110.00
19-0027	3/29/2019	1/24/2019	BRENTWOOD PD	$980.00
19-0028	4/1/2019	3/9/2019	BRENTWOOD PD	$1,953.00
19-0029	4/1/2019	2/26/2019	RICHMOND PD	$6,011.00
19-0030	4/9/2019	3/6/2019	CHP-OAKLAND	$678.00
19-0031	4/10/2019	12/13/2018	PITTSBURG PD	$1,312.00
19-0032	4/10/2019	3/14/2019	CHP-OAKLAND	$47,859.00
19-0033	4/10/2019	3/18/2019	CCSO	$2,951.00
19-0034	4/10/2019	3/21/2019	CCSO	$1,069.00

OF INTERESTED PARTIES
1
1
1
1
2
1
1
1
1
1
1
1
1
1
1
1
3
3
1
2
2
1
1
1
1
1
1
1
1
1
1
2
1
1
1
1
1
1