

## **Our Commitment to Diversity, Equity, and Inclusivity**

Our office is committed to ensuring that the justice system is fair and equal for all, and this commitment expands across all aspects, roles, and staffing decisions of our Office. As part of that effort, we are committed to the recruitment, hiring, retention, and promotion of a diverse staff. We strive to create an inclusive environment that provides all employees an opportunity to advance their careers successfully. Our staff should reflect the community we serve, which results in a better office -- one that pursues and projects fair-mindedness to all those encountering the criminal justice system.

### **Recruiting/Hiring**

We actively work to recruit a diverse staff of attorneys and personnel through active outreach at law schools and specialty bar associations. We consider non-traditional career paths and value different life experiences, understanding that a wide range of experience and perspective enriches our community and enhances the practice of our office.

### **Salaries**

Last year, we conducted an extensive market analysis. Based on that analysis, we secured significant salary increases for several different positions. However, while our staff reports high levels of satisfaction in the call to public service and the meaningfulness of our work, we compete with the private sector and/or public employers in areas with more affordable housing and lower cost-of-living rates than Boulder County. The DA's Office will continue to advocate for salary increases to match the cost of living, and to emphasize diversity and equity in hiring, promotion, and salary considerations.

### **Mentoring and Training**

Our office works to support and retain outstanding staff. We promote from within the office whenever we can do so and meet the needs of the office. Our commitment to diversity includes investing in training, mentoring, and a supportive evaluation process, so that our employees have the tools they need to grow within the office. In 2018, we formally launched an Attorney Mentorship program to match new Deputy District Attorneys with our pool of experienced Deputy District Attorneys. These mutually beneficial relationships foster a supportive environment in our challenging work, allows attorneys dedicated time to learn from each other, and helps to identify areas of strength and growth. This and other opportunities for mentorship and training remind us to reevaluate and consider existing or new procedures, initiatives, and programs.

## **Implicit bias**

Implicit bias is the unwitting ways in which our brains categorize the world around us – influence how all of us make decisions, including prosecutors, defense attorneys, and judges. Taking steps to recognize these unconscious reactions when making decisions will make the criminal justice system fairer for everyone.

We sought and secured a grant for implicit bias training programs for all staff. On June 24, 2019, the District Attorney's Office held a community discussion entitled, "Swords & Shields: A 21<sup>st</sup> Century Justice System – Can It Be Just for All?" at the Boulder Jewish Community Center. Over four hundred community members attended the event.

Out Boulder County, Moms Demand Action, Blue Sky Bridge, Voices for Children CASA, Colorado Criminal Justice Reform Coalition, Boulder – NAACP, YWCA Boulder County, Safehouse Progressive Alliance for Nonviolence, Safe Shelter of St. Vrain, and many of our local law enforcement agencies partnered in the event.

After opening remarks from District Attorney Michael Dougherty, Adam Foss discussed the complexities of power, privilege, and opportunity through the lens of the criminal justice system. Mr. Foss is a fierce advocate for criminal justice reform and racial equity. Mr. Foss urged attendees to take concrete steps, working together, to address disparities and inequities in our community.

The following day, on June 25, 2019, Mr. Foss and Dr. Kristin Henning with Georgetown Law provided implicit bias training for the entire staff of the District Attorney's Office. The District Attorney's Office secured grant funding for this important training program. All staff were required to attend.

The training covered the impacts of implicit bias on the assessment of someone's risk to the community, understanding of people's responses to law enforcement contact, and the consideration of racial trauma; as well as the factors that go into decisions about charging, plea bargaining, and sentencing, including the decision to refer a defendant to diversion and other appropriate interventions. The training also provided tools on how to overcome the bias that occurs naturally and unintentionally in everyone.

We continue working with Mr. Foss and others on developing our next steps and overall goals.

## **Community Outreach**

We participate in a significant amount of community outreach, including an emphasis on our immigrant communities. We communicate these opportunities to the staff and stress the importance of this work on a regular basis. The District Attorney, and many staff members, participate in events to highlight our strong commitment to diversity and inclusion, such as the City of Boulder's community discussions on race and equity, multiple boards and committees,

and panels and educational events. We work to be proactive and to prevent crime, and to facilitate programs and progressive initiatives that emphasize public safety and rehabilitation over ineffective programs.

Our Office works to build trust within the community and educate our community on what the District Attorney Office does, and our commitment to justice and equity. We strive to be approachable, knowledgeable, and available to our community. Access to justice is a key component to ensure justice is served. The District Attorney's Office created numerous initiatives to enable the community to access the justice system. For example, our office understands people must feel safe in reporting that they have been a victim of crime for justice to be secured. We announced our commitment to not report victims and witnesses to Immigration authorities. As another example, the District Attorney's Office organized the Fresh Start Program, launched in 2019, that provides defendants the ability to respond to certain outstanding warrants without facing immediate arrest, while creating a safer community.

### **Conferences and Professional Memberships**

We secured funds from the County and grant providers to send additional staff to trainings and conferences for career growth and, also, to enhance the diversity of the office. For example, we sent two members of the staff to the National Black Prosecutors Conference and Job Fair in 2018 and 2019.

Our office participates in Boulder County's Cultural Responsiveness and Inclusion Advisory Committee (CRIAC). In 2016, after robust input from county employees, the Boulder County Commissioners adopted the Cultural Responsiveness and Inclusion Road Map in order to increase diversity and inclusive practices within Boulder County. CRIAC was formed from that road map and a diversity and inclusion manager was hired to shepherd the process of implementing the changes needed around the five priority areas of: Accountability, Leadership, Training, Policy and Sustainability, and Recruitment, Hiring and Retention. To achieve the County's goal of assuring that it is living up to its values of diversity and inclusivity, each of the County's elected and appointed leaders has affirmed their commitment to helping actualize a culturally responsive and inclusive environment for all, and the District Attorney's Office remains an active member.

In August 2019, our CRIAC representative and a supervisor of the District Attorney's Office participated in a two-day Beyond Diversity training and workshop, along with other county leaders and employees.

Boulder County joined the Government Alliance for Racial Equity (GARE) in 2019. As such, our office sent two employees to the annual meeting and conference where staff attended workshops on advancing racial equity in local justice reform initiatives.

Link: <https://www.raciaequityalliance.org/jurisdictions/boulder-county-co/Conferences and Memberships> such as these highlight best practices, innovative models and initiatives, and support strong collaboration, alignment, and partnership in these efforts.

### **Bias and Hate Crimes Initiative**

Bias and hate crimes cannot be tolerated in our society. These crimes must be prosecuted to the full extent of the law. Although data on these crimes is often incomplete, both Boulder County and the country showed an increase in reported hate crimes committed in 2016 (the most current year for which data is available). Our community partners report increases in bias and hate motivated incidents as well.

We are taking specific steps to fight these crimes in Boulder County that include:

- Dedicate prosecutors to receive training and develop expertise on prosecuting hate crimes;
- Work proactively with law enforcement partners to identify bias and hate crime cases and gather necessary evidence;
- Regularly meet with leaders in the religious, immigrant, LGBTQ and other affected communities to discuss events and trends of concern, as well as the response of the District Attorney's Office;
- Use the Community Outreach Partnership Program to provide educational programs at schools and community organizations;
- Started the Bias & Hate Crimes Initiative with a dedicated District Attorney Office Hotline number.