

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

AGENDA

March 7, 2018

10:00 a.m. – 12:00 p.m.

Hall of Justice

District Attorney Law Library

850 Bryant Street Room 322

San Francisco, CA 94103

Note: Each member of the public will be allotted no more than 3 minutes to speak on each item.

1. Call to Order; Roll call.
2. Public Comment on Any Item Listed Below (discussion only).
3. Review and Adoption of Meeting Minutes from December 6, 2017 (discussion & possible action).
4. Staff Report on Sentencing Commission Activities (discussion & possible action).
5. Annual Review of San Francisco Sentencing Trends and Legislation (discussion & possible action).
6. Presentation on Recidivism: Defining the Problem by Sentencing Commission Director Tara Anderson (discussion & possible action).
7. Presentation on Justice Dashboard by Policy Fellow Alissa Skog (discussion & possible action).
8. Presentation on Sentencing Commission 2017 Annual Report Amendments (discussion & possible action).
9. Members' Comments, Questions, Requests for Future Agenda Items (discussion & possible action).
10. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.
11. Adjournment.

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SUBMITTING WRITTEN PUBLIC COMMENT TO THE SAN FRANCISCO SENTENCING COMMISSION

Persons who are unable to attend the public meeting may submit to the San Francisco Sentencing Commission, by the time the proceedings begin, written comments regarding the subject of the meeting. These comments will be made a part of the official public record, and brought to the attention of the Sentencing Commission. Written comments should be submitted to: Tara Anderson Grants & Policy Manager, San Francisco District Attorney's Office, 850 Bryant Street, Room 322, San Francisco, CA 941023, or via email: tara.anderson@sfgov.org

MEETING MATERIALS

Copies of agendas, minutes, and explanatory documents are available through the Sentencing Commission website at <http://www.sfdistrictattorney.org> or by calling Tara Anderson at (415) 553-1203 during normal business hours. The material can be FAXed or mailed to you upon request.

ACCOMMODATIONS

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Tara Anderson at tara.anderson@sfgov.org or (415) 553-1203 at least two business days before the meeting.

TRANSLATION

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For either accommodation, please contact Tara Anderson at tara.anderson@sfgov.org or (415) 553-1203 at least two business days before the meeting.

CHEMICAL SENSITIVITIES

To assist the City in its efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's web site at: www.sfgov.org/sunshine.

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Administrator
Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place,
San Francisco, CA 94102-4683.
Telephone: (415) 554-7724
E-Mail: soft@sfgov.org

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The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Co-Chairs may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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The San Francisco Sentencing Commission
City & County of San Francisco
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AGENDA

December 6, 2017
10:00 a.m. – 12:00 p.m. Hall of Justice
District Attorney Law Library 850 Bryant Street Room 322
San Francisco, CA 94103

Members in Attendance: George Gascón, San Francisco District Attorney; Rebecca Louie, Family Violence Council Appointee; Karen Roye, Reentry Council Appointee, Director of Child Support; Eric Henderson, Reentry Council Appointee; Theshia Naidoo, BOS Appointee, Drug Policy Alliance; Simin Shamji, Public Defenders Office; Greg McEachern, Police Department; Ali Riker, Sheriff's Department; Carlos Rojas, BART Police Department; Steven Raphael, Goldman School of Public Policy; Lee Hudson, Adult Probation; Paula Hernandez, Juvenile Probation; Dr. Naveena Bobba, DPH; Lisa Lightman, Superior Court.

Guests in Attendance: Laura Moyer, DCYH; Dan Kelly, Human Services Planning Agency.

1. Call to Order; Roll call

District Attorney George Gascón welcomes everyone to the 21st Sentencing Commission meeting and calls to order at 10:08 AM.

2. Public Comment on Any Item Listed Below (discussion only).

No public comments received.

3. Review and Adoption of Meeting Minutes from June 7, 2017 (discussion & possible action).

District Attorney Gascón asked commission members to review minutes from the previous commission meeting. Karen Roye motioned to approve the minutes, Ali Riker seconded the motion. Minutes from June 7, 2017 approved.

4. Staff Report on Sentencing Commission Activities (discussion & possible action).

Tara Anderson provided a staff report for the District Attorney's Office:

The Sentencing Commission is due to sunset at the end of 2017 and is going before the rules committee to extend the life of the commission. The 2 goals of the rules committee meeting are as follows:

- extend Commission to a 5-year period due to sunset in 2023 as proposed by Supervisor Cohen
- amendment to the language of the superior court seat—Presiding judge thought it was a breach of judicial ethics to be involved. The new language encourages administrative representation.

2018 schedule for SC meetings are scheduled for March, June, September, and December and the staffing retreat is scheduled for January. March's meeting will focus on research and analyses of bias and disparities of pretrial detention and effects of Prop 47.

Karen Roye provided an update for Reentry Council:

On October 26, the council voted unanimously to prioritize the use of nonprofits when contracting for reentry services. Department of Homelessness and Supportive Housing gave a presentation (at the Reentry Council meeting) as well as Human Rights Department presented on equitable access to cannabis. Next meeting is scheduled for January 25th 2018.

Rebecca Louie provided an update for: Family Violence Council:

Initiatives from last meeting on November 19, 2017: Mandate reporting by health care providers; increased staffing in SVU (actual capacity will not actually be increased until training is completed); reviewing other counties' data/models on domestic violence-related deaths; improving data collection on LGBTQ domestic violence cases; unit order for child and elder abuse in SVU. Department of Status of Women is working with Department of Public Health on training health care providers for reporting domestic violence. There is new family violence funding of 250k for child abuse prevention services and 40k has been provided to the cooperative restraining order clinic to cross train on issues of domestic violence. Beverly Upton will be hosting meetings with child abuse prevention advocates and health care providers to seek common ground.

5. Recidivism Work Group Updates (discussion & possible action).

Alissa Skog provided an update in the recidivism workgroup created December 2014 to redefine recidivism for San Francisco and conduct a local study. The pilot study focuses on individuals who are convicted of a new felony or misdemeanor in Calendar year 2013 and sentenced to jail or local supervision. The three points of measurement for the study include: re-arrests, re-arraignment, and re-conviction. Specific data available on slides (provided) and more specific data will be presented in March. In January, the workgroup received funding from MacArthur Safety and Justice Challenge to continue the work and develop a dashboard. The dashboard will be developed through a new partnership with the University of California School of Information using Tableau. A demo of the dashboard will be provided in March 2018.

6. Presentation on 2016 Juvenile Probation Report by Juvenile Probation Assistant Chief Paula Hernandez (discussion & possible action).

Paula Hernandez presented on juvenile probation demographics: referrals, juvenile population, changes in bookings, behavioral health needs, violent crime statistics, demographics by gender and ethnicity, and recidivism. Specific data provided on slide deck.

Simin Shamji asked if 31% of referrals that are non-SF residents, if those referrals have any roots in SF or if it is because of displacement. Paula Hernandez answered, some of them have roots, however most of them come in to SF in groups or from group homes.

Laura Moyer asked how many are on formal or informal probation to which Paula Hernandez answered that 758 youth are on formal probation, so that's significant.

Ali Riker asked about age range, which is 13-18 in juvenile hall. Average age at CARC is 15 and younger.

Eric Henderson commented on structural reasons as to why Black and Brown referrals and bookings are disproportionately higher.

DA Gascón requested to see arrests by zip code.

Dr. Raphael asked about the crime trends and Paula noted that kids are grabbing electronics from cafes as well as large bottles of soap, and baby formula. DA Gascón noted that the CVS on Market street sees the highest product loss in the country.

Stacy from CARC noted there is an increase in behavioral health needs. They found that 95% of the kids referred have suffered 3 or more traumatic events and their goals for the next year is addressing those specific needs. New implementations include restorative practices to misdemeanor offenders and SISS (social emotional learning).

7. Presentation on San Francisco Justice-Involved Young Adults by Katy Miller, Chief of Alternative Programs & Initiatives, District Attorney's Office (discussion & possible action).

Katy Miller provided an update for 18-25 year olds, and age group that represents 8% of the justice-involved population. She presents on young adult filings data per felony crime. Specific data available on slide deck.

San Francisco just made their first attempt at tracking individuals from juvenile to adulthood. While the study has many limitations, they found a large percentage have filings and convictions.

Young Adult Court, a program started from 2015, as a collaborative, non-combative court model where 18-25-year old participants have individualized plans, rewards and responses and results in reduced or sealed records. One of recent goals is to expand the YAC Calendar to more than one day a week. Other jurisdictions such as London, Orange County, Brooklyn are working with YAC in effort to adopt similar models. YAC has received a lot of media attention lately due to the success of the participants.

Reform efforts include different schools of thought: raise the age to adulthood, implement a young adult court and have definitive three court system, or status quo. New York raised the age from 16 to 18, however unintended consequences may result in more time in custody. In Vermont, individuals can get a referral to Department of Children and Families Restorative Justice in-lieu of prosecution, they dedicated a facility for 18-25 year olds, and they raised the age of adulthood from 18 to 21 all in one piece of legislation.

Germany and Austria has a lot more discretion for filings. For serious crimes, they file under juvenile to access the most support.

Make It Right restorative conference program works in conjunction with Huckleberry and DCYF. This is a randomized controlled trial with 31 young adults (88% positive effect) that have completed the program.

Juvenile justice local action plan: first as state mandate and now continuation. Collective attempt to address what is working and what is next.

Karen Roye offered the Department of Child Support be a partner recognizing that debt is a barrier especially for young adults.

Laura Moyer noted Children in Youth funds individuals up to age 24. Their current RFP strategy is to find multi-service agencies to provide wrap around services to youth up to age 24 specifically in the criminal justice system. They are looking to fund at least five agencies that can provide case management, clinical services, and youth development.

George Gascón proposed a motion that the Sentencing commission lead a young adult local action plan. Karen Roye motioned, Laura Moyer seconded the motion. The motion was unanimously approved.

8. Presentation on San Francisco's Shared Youth Database by Andrew Wong, President AJW Inc. (discussion & possible action).

Andrew Wong presented on the history and context of the Shared Youth Database. He receives data updates every week for the purpose of looking through pathways for individuals. Key questions addressed by the database include; How many agencies do youth come in contact with, at which age, and what are kinds of information can be extracted to reduce the amount of youth that fall between the cracks. By cross referencing agency data and aggregating info on one individual, it will become easier to provide wrap around services through a multi-disciplinary team. The purpose of data sharing is to identify intersections where at-risk youth

(as defined by state legislation) will be intervened. Further, the use of data will be used for research, prevention models, and finally testing an alert system. Crossing three agencies is an intervention point. In a previous study 51% of those who crossed three agencies committed a serious crime and 1/3 of those crossed (all three agencies) before committing the crime.

9. Presentation on Sentencing Commission 2017 Annual Report (discussion & possible action).

Tara Anderson presents the annual report and indicates that recommendations are coming in March 2018 meeting. Accomplishments are in place of recommendations for the 2017 report.

Karen Roye motioned to adopt annual report; Theshia Naidoo seconded. The annual report was approved.

10. Members' Comments, Questions, Requests for Future Agenda Items (discussion & possible action).

Theshia Naidoo requested that the Commission discuss fines and fees. Tara Anderson indicated that she would work with the Fines and Fees Taskforce to provide a presentation for the Sentencing Commission.

11. Public Comment on Any Item Listed Above, as well as Items Not Listed on the Agenda.

No Comment.

12. Adjournment.

Karen Roye moved to adjourn the meeting. Ali Riker seconded this motion. The meeting was adjourned at 12:03 pm.



**The San Francisco Sentencing Commission
City & County of San Francisco**
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2018 MEETING SCHEDULE

The March, June and September meetings will be held from 10 am to 12 pm in the Hall of Justice Rm 322, San Francisco District Attorney's Office Law Library. The December meeting location is pending.

March 7, 2018

June 6, 2018

September 12, 2018

December 5, 2018

2018 MEETING THEMES

(As Approved on December 6, 3017)

- Overview of San Francisco Sentencing Trends
- 2017 Sentencing Policy & Legislative Updates
- Re-imagining Justice: Innovations in Defense, Prosecution, and the Courts
- Justice Reinvestment Principles: Opportunities for San Francisco
- Strategies to Reduce Disparate Impact in Sentencing
- Integrating Public Health Principles into Sentencing
- Understanding the impact of Sentencing Enhancements

Copies of agendas, minutes, and explanatory documents are available through the Sentencing Commission website at <http://www.sfdistrictattorney.org> or by calling Tara Anderson at (415) 553-1203 during normal business hours.



Innovation Fund: Guidance Regarding Potential Implementation Site Funding

This brief memo elaborates upon Urban's February 5 email correspondence to Innovation Fund sites regarding the opportunity to become implementation sites. To further its commitment to local criminal justice reform, the MacArthur Foundation will be investing in a cohort of new Implementation sites with funding of up to \$1 million per year over two years. Selected Innovation sites will be invited to apply for implementation funding. As stated in that email, jurisdictions seeking implementation funding must commit to strategies that will significantly reduce their jail populations by 2020. Below, you will find details of the process and the timeline.

Is implementation funding right for my community?

- Do we have commitments from the necessary leaders to substantially change the way jail is used in our community?
- Can we produce a case-level data extract to determine jail population drivers? (See Step 3 below)
- Are we comfortable accepting recommended strategies from JFA that may not align with our Innovation Fund or other reform priorities?
- Are we ready to hit the ground running on jail population reduction strategies? *You will be subject to a high level of scrutiny, visibility, and accountability. There will be an expectation that you deliver on proposed outcomes for jail reduction.*

Please note that there is no expectation that your jurisdiction pursue SJC implementation funding, and you should consider whether this opportunity and timing are right for your community. Please inform your Urban TA lead whether you are interested in being considered at your earliest convenience, and not later than **February 26**

What is the process?

Step 1: Readiness Assessment

Per the Foundation's request, Urban will provide MacArthur with an assessment of each site's Innovation Fund implementation performance, as well as insights regarding each site's capacity for broader justice system reform and commitment across the necessary partners to undertake bold and ambitious efforts to reduce jail use and populations. The assessment will focus on sites':

- Performance in the Innovation Fund
- Capacity for broader system reform
- Commitment for broader system reform

We recognize there may be efforts past and present in your jurisdiction that demonstrate capacity and commitment to system reform that we may not be aware of due to the targeted focus of the Innovation Fund. We welcome you to submit to your TA lead up to 5 documents substantiating these efforts to us for consideration and incorporation into the readiness assessment, along with a one-page summary document describing the documents and why they were selected. Supporting examples could include reports, policies, and procedures, committee charters, and data analysis. These documents do not need to be specifically



related to jail population reduction, and can be efforts in other justice reform areas that indicate relevant capacity or commitment. Please note that these documents will be used internally to inform our readiness assessment, and not shared with the Foundation.

Urban is asking sites that wish to do so to supply the additional documentation described above regarding capacity for and commitment to broader system reform by **February 26**.

Step 2: Invitation to apply for implementation funding

Informed by the readiness assessments, the Foundation will invite a select group of current Innovation Fund sites to engage in the implementation funding application process.

Step 3: Jail population driver analysis

Invited jurisdictions will be expected to provide a case-level data extract for analysis by the JFA Institute to identify key jail population drivers. This extract will include data on the population currently in your jail, in a snapshot form, and data on 12 months of releases from your jail. See attachment A for more detail on the data elements that would be requested at this stage.

JFA will provide a written summary of your key jail population drivers to provide guidance in the development of strategies to significantly reduce your jail population. Your application will be expected to address the identified drivers.

Step 4: Prepare and submit application

Applications will be due in early June of 2018, and we anticipate final funding decisions in September of 2018

2017 Legislative Update: San Francisco Sentencing Commission				
Bill Number	Chapter	Sponsor	Title	Summary
Parole/ Sentencing				
AB 255	39	Gallagher	Sexually violent predators: out-of-county placement.	Requires courts to consider additional factors including prior residence, employment, and next of kin in the county when determining placement of an SVP on conditional release in a county other than county of domicile
AB 335	523	Kiley	Parole: placement at release.	Adds certain sexual penetration offenses as well as several sexual assault offenses in which the victim is unconscious or unable to give consent to the list of offenses to which the PC 3003 release restriction applies. PC 3003--prohibits parole placement within 35 miles of the residence of a victim or witness, if requested and found to be necessary
AB 1308	675	Stone	Youth offender parole hearings	Expands Youth Offender Parole to individuals who were 25 or younger at the time they committed the offense
SB 394	684	Lara	Parole: youth offender parole hearings	This bill makes a person convicted of offense before he or she was 18 years of age for which a life sentence without the possibility of parole was imposed eligible for parole under a youth parole hearing after his or her 25th year of incarceration.
AB 1448	676	Weber	Elderly Parole Program	Codifies the Elderly Parole Program, to be administered by the Board of Parole Hearings (BPH).
AB 1542	668	Dababneh	Violent felonies: video recording	Creates a one-year enhancement for recording the commission of a violent felony.
SB 670	287	Jackson	Sentencing: county of incarceration and supervision	Requires, when imposing specified felony sentences concurrent or consecutive to another felony sentence in another county or counties, the court rendering the subsequent judgment to determine the county or counties of incarceration and supervision of the defendant; and requires the Judicial Council to adopt rules providing criteria for the consideration of the judge to determine the appropriate county or counties of incarceration and supervision.
SB 239	537	Weiner	Infectious and communicable diseases: HIV and AIDS: criminal penalties.	Eliminates various felonies related to HIV when the punishment is higher than those that apply to other communicable diseases. Generally makes intentional transmission of any infectious or communicable disease a six month misdemeanor.
Enhancements				
SB 180	677	Mitchell & Lara	Controlled substances: sentence enhancements: prior convictions.	Eliminates 3-year enhancements for prior commercial drug convictions. Exception: using a minor in the commission of an offense
SB 620	682	Bradford	Firearms: crimes: enhancements	Allows the court, in the interest of justice and at the time of sentencing, to strike a firearm enhancement, under 12022.5 and 12022.53
Restitution				
SB 756	101	Stern	Restitution: noneconomic losses: child sexual abuse	Authorizes noneconomic restitution in cases where a person is convicted of continuous sexual child abuse or sexual acts with a child 10 years of age or younger.
Criminal History & Records Sealing				
SB 393	680	Lara & Mitchell	Arrests: sealing.	Allows a person who has suffered an arrest that did not result in a conviction to petition the court to have his or her arrest sealed.
SB 312	679	Skinner	Juveniles: sealing of records	Establishes a process by which a juvenile may petition to have records of WIC 707(b) offenses sealed under WIC 781. If committed to DJJ: after 21 yrsold and completing post-release supervision. If not committed to DJJ: after 18 yrsold and completing post-release supervision.
AB 529	685	Stone	Juveniles: sealing of records.	Requires the juvenile court to seal all records, pertaining to a dismissed or unsustained petition alleging wardship, that are in the custody of the juvenile court and other government agencies, as specified.

SB 420	333	Monning	State summary criminal history information: sentencing information	Requires the Department of Justice (DOJ) to include sentencing information in the state summary criminal history information record.
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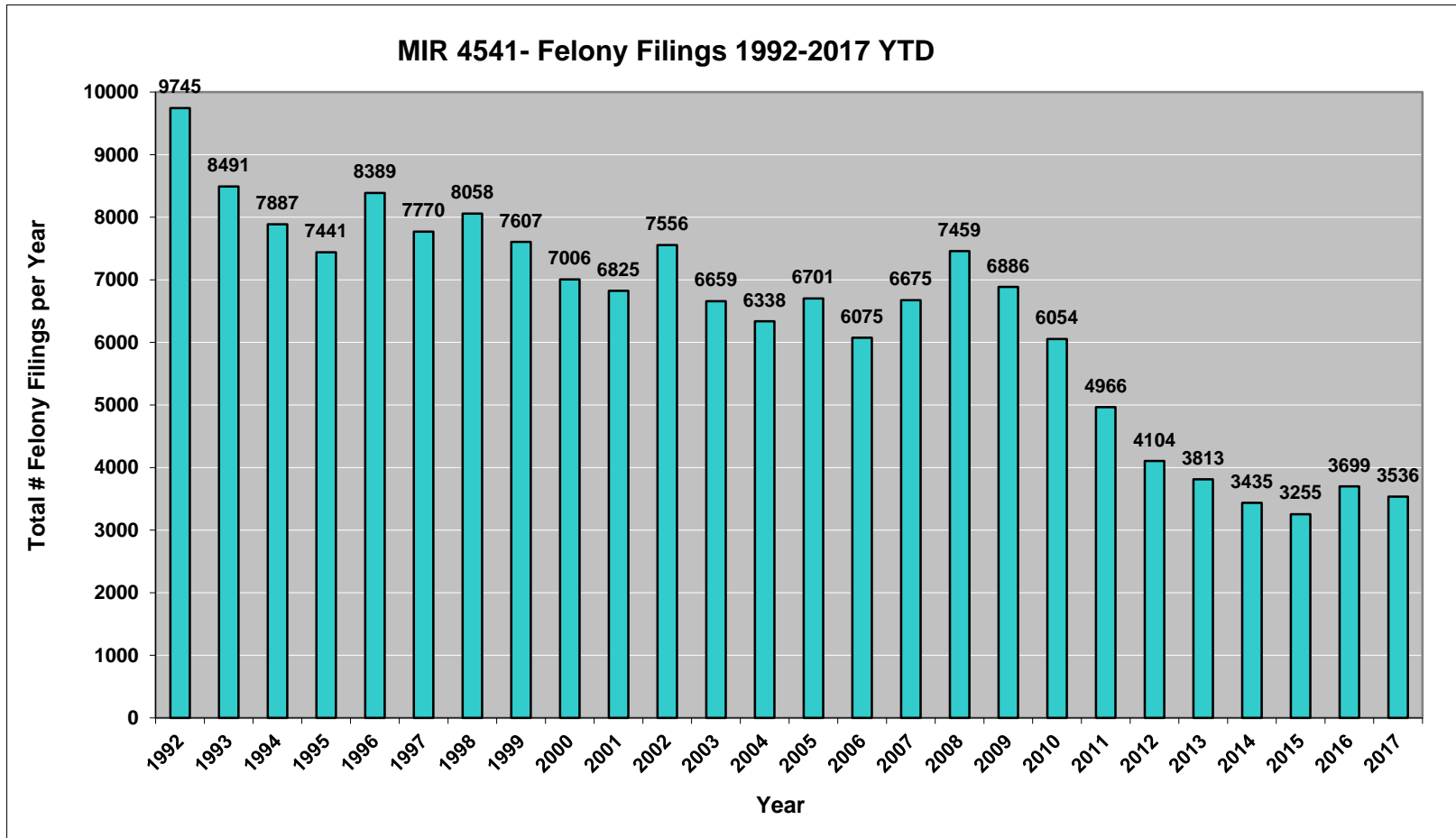
San Francisco Criminal Case Statistics 2017

Superior Court of California, County of San Francisco

San Francisco District Attorney's Office

March 7, 2018

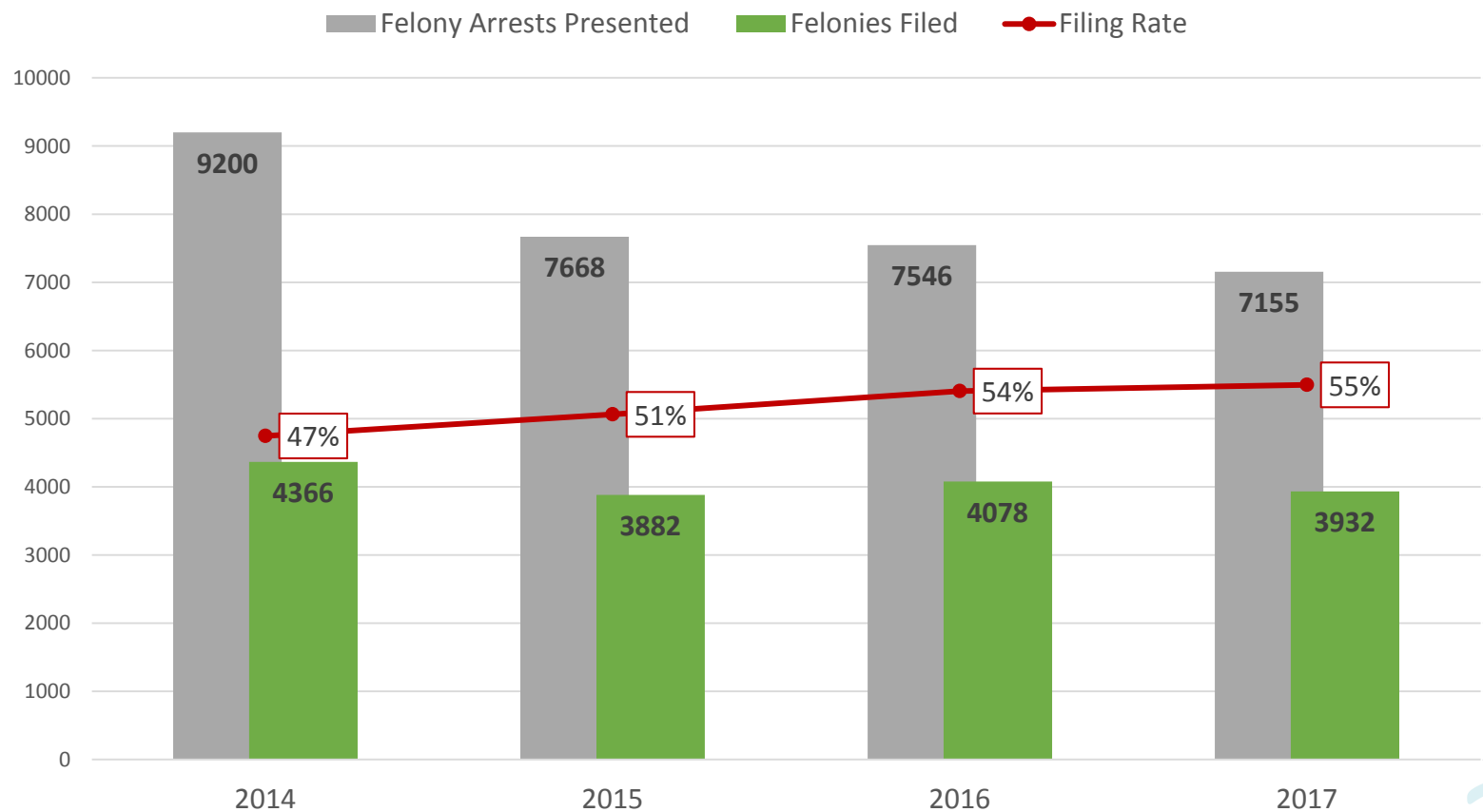
I. Superior Court: Felony Filings, 1992-2017



Source: CMS; Unit: Court Numbers

II. San Francisco District Attorney's Office: Felony Incident Filing, 2014-2017 (Incident Numbers)

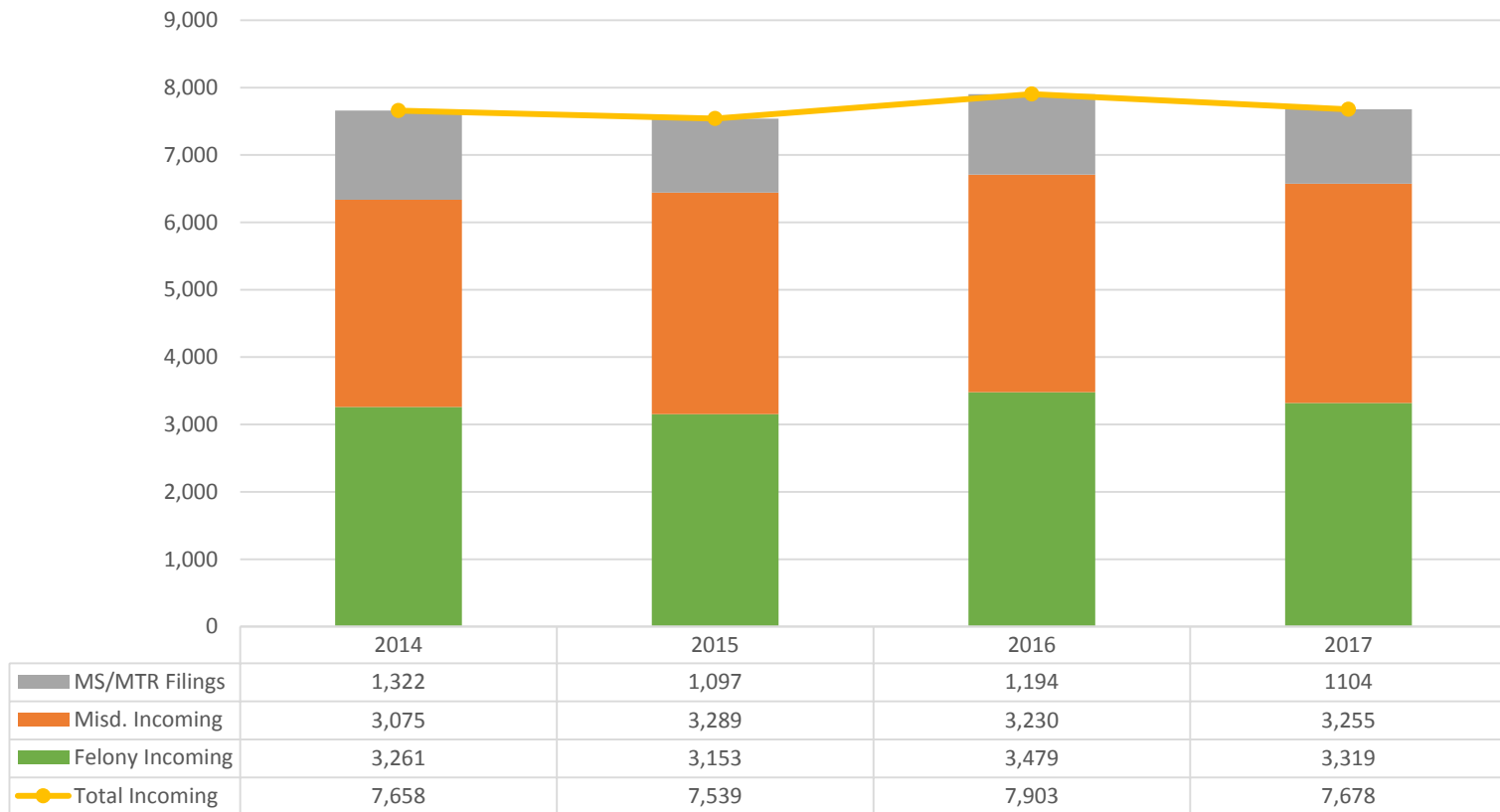
Felony Arrest Incidents Presented & Filed
2014-2017



Source: DAMION; Unit: Incident Numbers

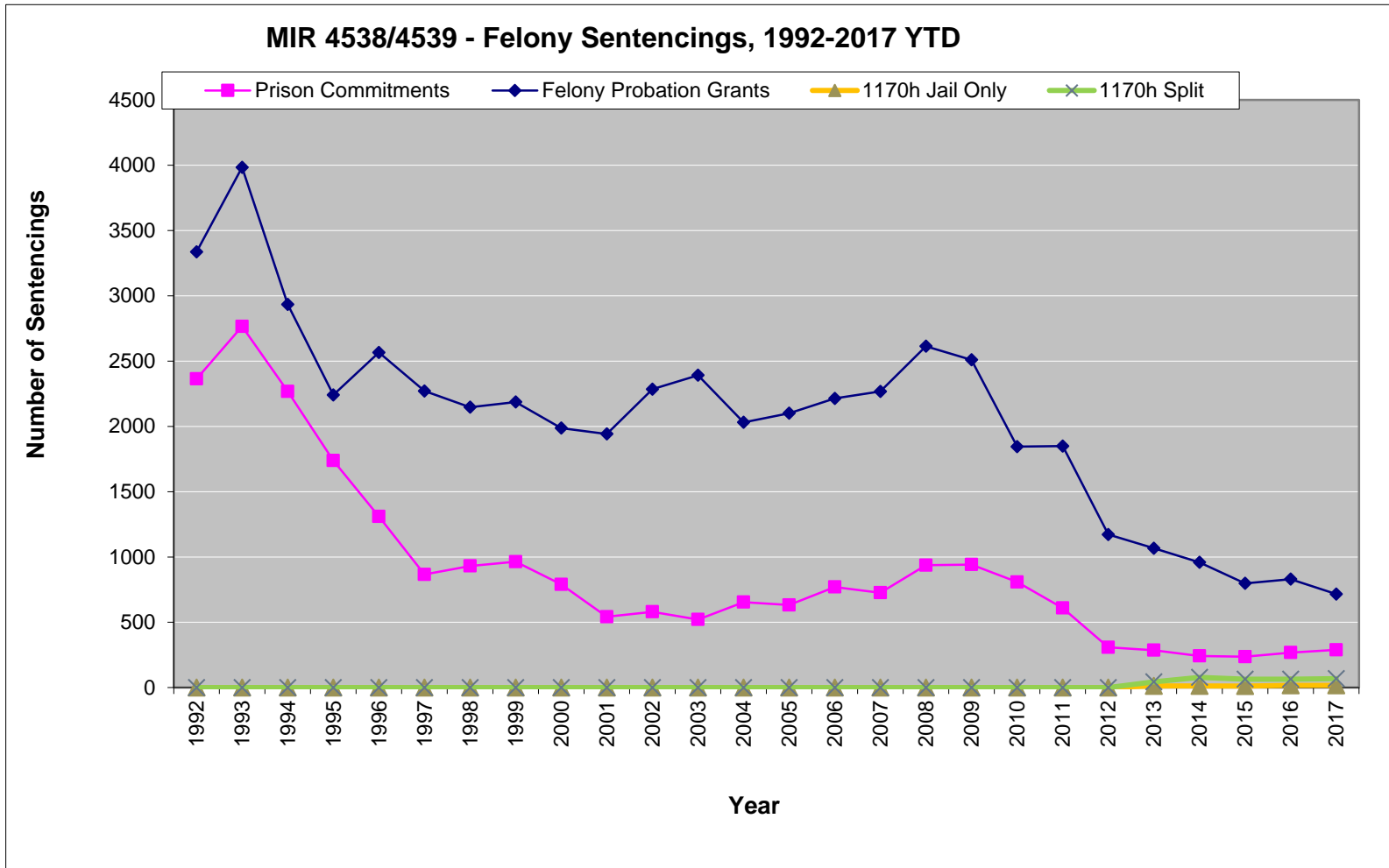
III. San Francisco District Attorney's Office: Incoming Caseload, 2014-2017

SFDA Incoming Filings (Court Numbers)
Felony, Misdemeanor, MS/MTR Filings, 2014-2017



Source: DAMION; Unit: Court Numbers

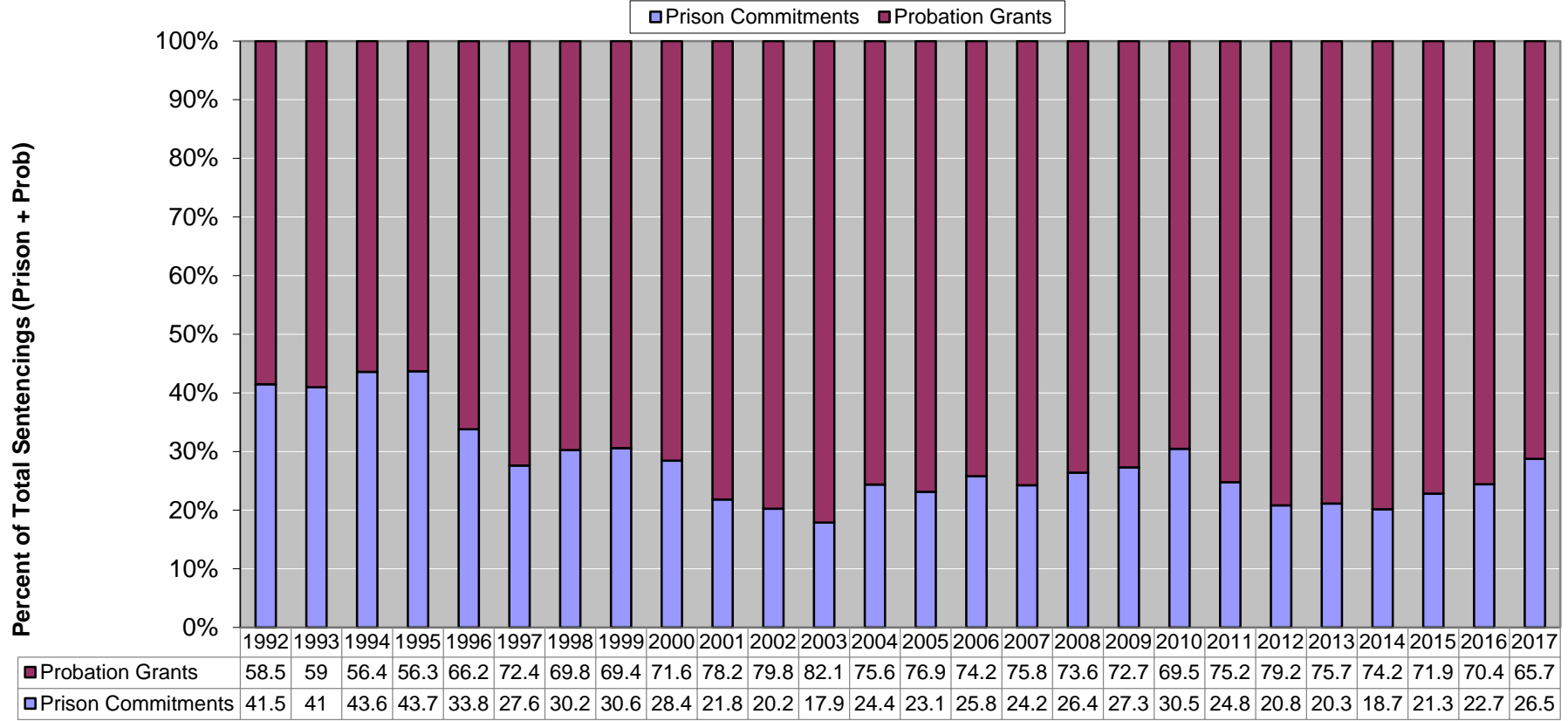
IV. Superior Court: Felony Sentencings, 1992-2017



Source: CMS; Unit: Court Numbers

V. Superior Court: Felony Sentencing, Probation vs. Prison %, 1992-2017

MIR 4538/4539 - Felony Sentencing, 1992-2017 YTD
Prison and Probation, as % of Total Sentencings



Source: CMS; Unit: Court Numbers

VII. San Francisco District Attorney's Office: Felony Trials, 2015-2017

Felony Trials, 2015-2017 (By Defendant)

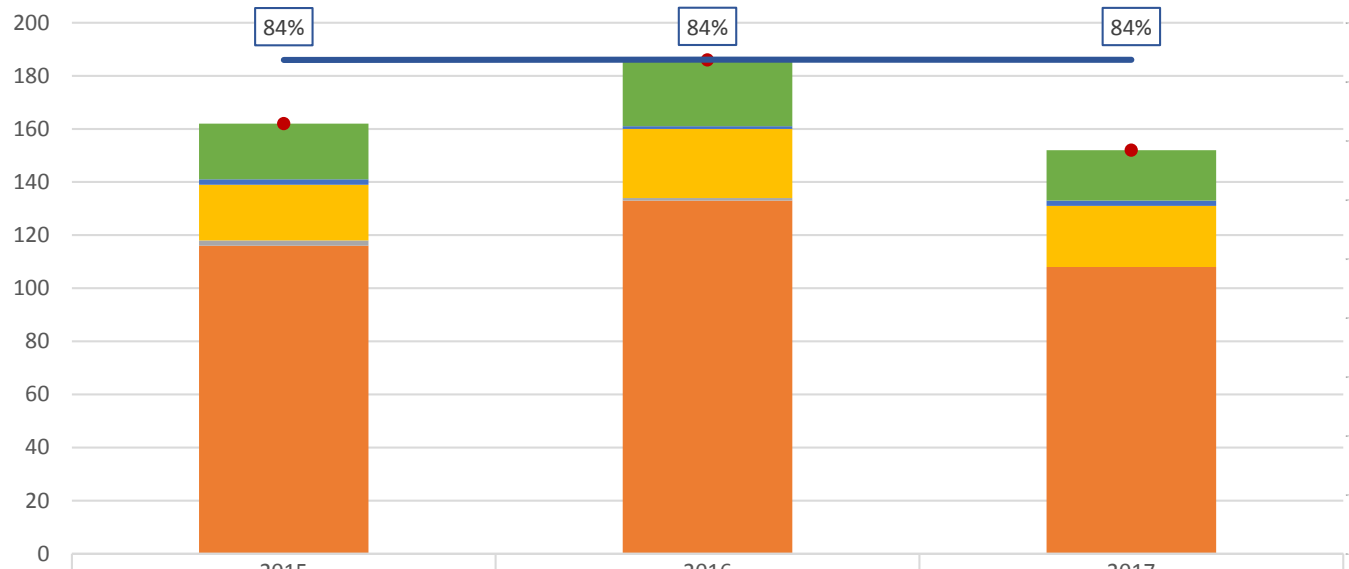


Source: DAMION; Unit Defendant



VIII. San Francisco District Attorney's Office: Misdemeanor Trials, 2015-2017

Misdemeanor Trials, 2015-2017 (By Defendant)



	2015	2016	2017
Not Guilty	21	25	19
Dismissed	2	1	2
Mistrial	21	26	23
Plea-Misd	2	1	0
Guilty	116	133	108
Total Defendants Tried	162	186	152
% Convicted	84%	84%	84%

RECIDIVISM: DEFINING THE PROBLEM

San Francisco Sentencing Commission

San Francisco District Attorney's Office

Tara Anderson

March 7, 2018

Sentencing Commission Mandate

- Evaluate effective and appropriate sentences for the most violent offenders
- Explore opportunities for drug law reform
- Examine inconsistencies in the penal code related to realignment sentencing
- Identify and define the most important factors that reduce recidivism.

Sentencing Commission Mandate

- Evaluate effective and appropriate sentences for the most violent offenders
- Explore opportunities for drug law reform
- Examine Inconsistencies in the penal code related to realignment sentencing
- Identify and define the most important factors that reduce recidivism.

Problem

- Decision makers in San Francisco lack the **information** needed to establish an optimal sentencing system that **avoids unwarranted disparity**, recognizes the most **efficient and effective use of correctional resources**, and provides a meaningful **array of sentencing options**.

Why is this a problem?



Previous Efforts to Measure Recidivism in San Francisco

Justice Reinvestment (April 2011)

- Subsequent criminal conviction while on probation supervision
- Three-year follow up ranged from 70-95% for person, property and drug offenses

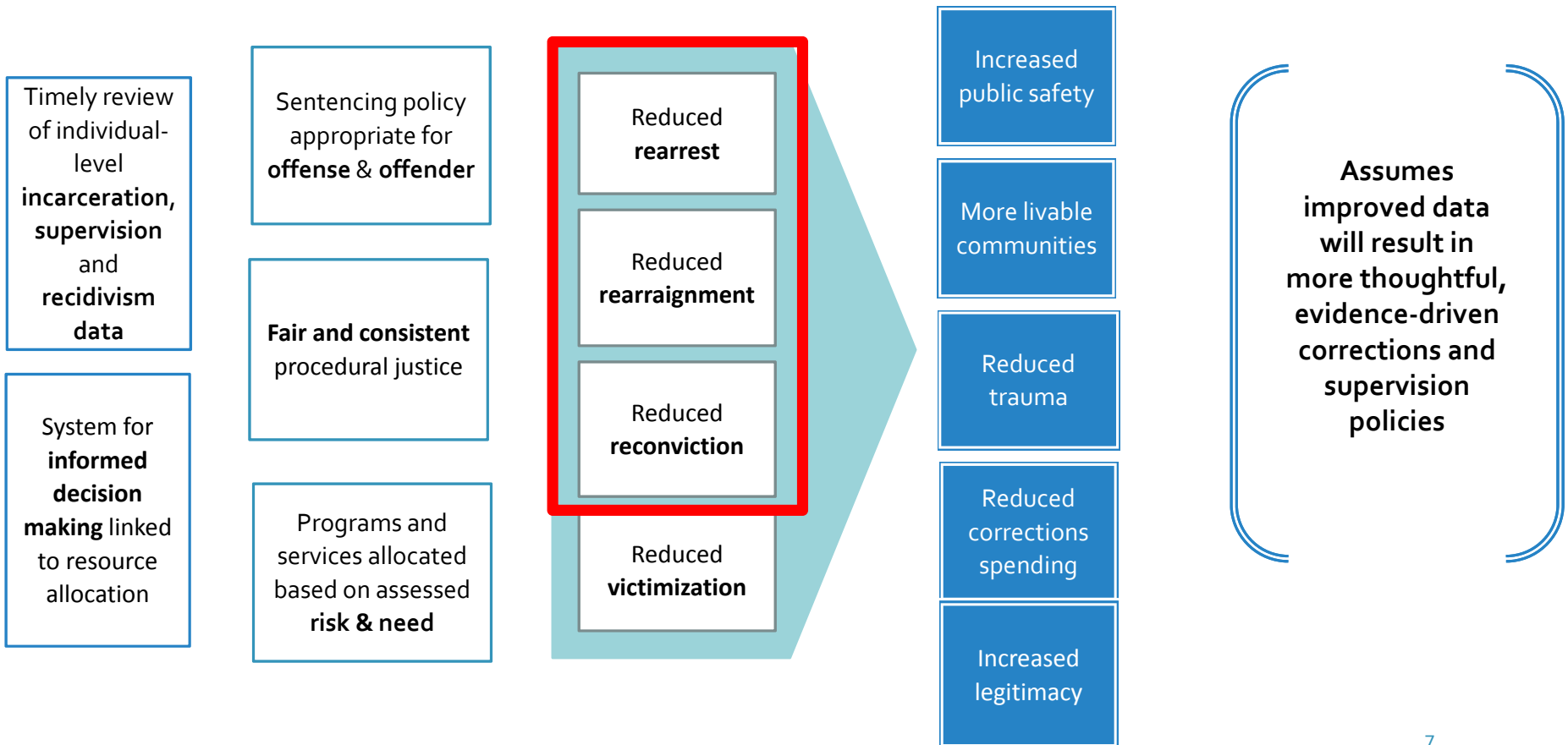
CDCR Outcomes Report (2017)

- Conviction rates for offenders released from CDCR adult institutions released during FY 2012-13
- 14.3% in one year, 25.7% in two years, and 32.3% in three years

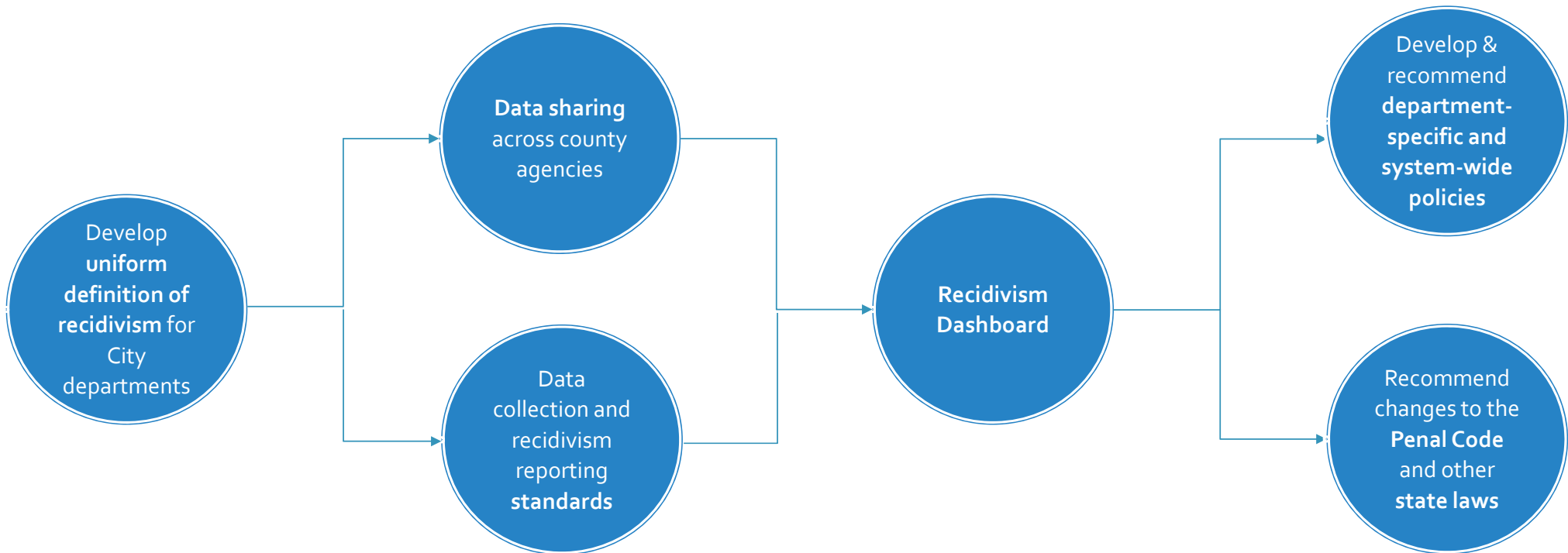
Community Corrections Partnership (2015)

- A subsequent criminal adjudication/conviction while on local supervision
- PRCS and Mandatory Supervision clients (13 and 14%)

Theory of Change



Project Plan



Defining Recidivism

Subsequent Criminal Justice System Contact Measures

Subsequent Contact	Measurement	Policy Implications
Rearrest	First instance of arrest after an inmate is released from state prison or local custody.	System input that can inform enforcement, supervision, and clinical strategies.
Rearraignment	First arraignment after release.	Provides opportunity to track subsequent use of court and custody resources.
Reconviction	First conviction after release.	Most commonly accepted subsequent contact point used by California state agencies for measuring recidivism. This ultimate case outcome is the most resource intensive subsequent system contact.

Recidivism as a Performance Measure

- **Definition:** Utilize multiple indicators of success carefully calibrated to the outcomes intended to measure.
- **Collection:** Develop protocols to ensure recidivism data collections are consistent, accurate, and timely.
- **Analysis:** Utilize statistical techniques that account for the underlying composition of the population being studied.
- **Dissemination:** Package recidivism findings succinctly to maximize impact and disseminate to key decision makers to influence policy and practice.

Citation: King, Ryan and Brian Elderbroom. "Improving Recidivism as a Performance Measure." Urban Institute. October 2014. Available at: <https://www.bja.gov/Publications/UI-ImprovingRecidivism.pdf>.

Goals for Today

- Review the interactive Justice Dashboard.
- Provide direction about further analysis and ongoing support for the dashboard.
- Provide direction for the dashboard dissemination plan, both internal and public.

Who will a Dashboard help?

What questions can it answer?

foster youth
Veterans' Affairs
Juvenile Probation Department
Board of Supervisors
San Francisco Unified School District
communities
business owners
victims of crime
housing insecure
Police
community-based service providers
Human Services Agency
Marginalized Communities
survivors of domestic violence
Adult Probation
Department of Public Health
children of incarcerated parents
Public Defender
Reentry Council
Department of Children, Youth, and their Families
Mayor
Sheriff
Family Violence Council
employers
victims of crime
San Francisco Housing Authority
District Attorney

Justice Dashboard Overview & Key Terms

The San Francisco Sentencing Commission passed a motion to convene a Recidivism Workgroup (RWG) on December 18, 2014. The Workgroup is comprised of representatives from a cross-section of City and County departments and academic researchers. Membership includes representatives from the following agencies:

- District Attorney
- Sheriff's Department
- Adult Probation
- Public Defender
- Police Department
- Department of Public Health
- Office of the City Administrator

With funding from the MacArthur Foundation's Safety and Justice Challenge, the RWG is conducting the first local analysis of recidivism outcomes in San Francisco. Data for this dashboard is provided by the District Attorney's Case Management System (2008-2017) and the Sheriff Department's Jail Management System (2010-2017).

The inaugural RWG cohort includes anyone that is convicted on a new misdemeanor or felony in calendar year 2013 and sentenced to local custody or supervision.¹ Subsequent criminal justice contact is tracked for three years from the point of entry into the cohort, which is defined as the date of disposition or date of release from local jail, whichever came later. Contact is measured at the points of rearrest, arraignment, and reconviction². Rearrest includes arrests for probation and other supervision violations, per the directive of the RWG. Furthermore, arraignment includes DA- and APD-filed MTRs on new criminal activity. The Justice Dashboard is populated with local data from 2008 to 2017.

Key definitions of the terms used in the dashboard are summarized below.

Arrest History: The number of misdemeanor and felony arrests for new criminal activity in San Francisco prior to the conviction that put the individual in the 2013 cohort (index conviction). Arrests that occur between the index arrest and index conviction are counted in the arrest history total. This figure excludes any arrests prior to the age of 18 and any arrests that occurred outside of San Francisco or prior to 2008.

Conviction History: The number of convictions in San Francisco that occurred prior to the index conviction.³ This figure excludes any convictions prior to the age of 18 and any convictions that occurred outside of San Francisco or prior to 2008.

¹ The cohort is restricted to individuals sentenced to County Jail, County Jail with a Probation Condition, County Jail per 1170(h)(5)(a)/Straight, or County Jail Split per 1170(h)(5)(b).

² The identified points of subsequent contact are for any offense, which may or may not include the offense index conviction.

³ Convictions include: Sentence Stayed Purs 654PC, 1210,1(D)(1)PC-Dismissed Prop 36, Suspended Fine Sentence, Suspended County Jail Sentence, CYA Sentence, State Prison Suspended Sentence, Court Probation Sentence, Summary Probation Sentence, Formal Probation Sentence, Fine Sentence, Vacaville

Crime Type: The San Francisco Justice Dashboard categories all penal codes utilizing California Department of Justice BCS Summary Codes. Further information can be found: <https://oag.ca.gov/careers/descriptions/cjis>.

Index Arrest: The arrest that led to the conviction which placed the individual into the 2013 cohort.

Index Conviction: The conviction to local custody or supervision which placed the individual into the 2013 cohort.

Latino Ethnicity: The Sheriff's Department is the only agency of the data providers to consistently track ethnicity. Because some individuals in the cohort were not booked into county jail, multiple steps were taken to provide the best estimate of Latino ethnicity. The first step was to utilize the ethnicity listed in JMS attached to the index Court Number (case which placed the individual into the cohort). If this ethnicity field was blank, the mode ethnicity for each individual's SF Number (a county-issued unique identifier) was used. If JMS does not have an ethnicity listed for the individual, then Census data was utilized to impute Latino ethnicity for individuals with surnames where the proportion of the Census respondents that self-identify as Latino is 85 percent or higher.

New Arrest: A new arrest is defined as misdemeanor and felony arrests for new criminal activity in San Francisco. Arrests in which an out-of-county warrant is the only charge are excluded from this analysis, as are arrests for infractions (i.e. jaywalking).

New Arraignment: A new arraignment is defined as a new misdemeanor or felony charge filed by the SFDA or a motion to revoke probation (MTR) filed on new criminal activity by the SFDA or APD.

New Conviction: A new conviction is defined as a conviction to local supervision, county jail, or state prison for new criminal activity in San Francisco. See footnote two for a list of the disposition codes.

Subsequent Criminal Justice Contact: The Recidivism Workgroup measures subsequent criminal justice contact at three points: arrest, arraignment, and conviction.

Subsequent Criminal Justice Contact Window: The Recidivism Workgroup measures subsequent criminal justice contact for three years. For individuals sentenced to custody, the window begins at the point of release from San Francisco Jail. If convicted out-of-custody (and not sentenced to return to custody), the window opens at the date of conviction. When an individual has a subsequent contact during the pretrial period and are held in custody at the point of conviction, the date of release from county jail from their subsequent booking will be used as the cohort entry date.

Sentence, State Hospital Sentence, MDSO Sentence, CRC Sentence, County Jail Split 1170(H)(5)(B), County Jail per 1170(H)(5)(A)/ Straight, County Jail w/ Probation Condition, County Jail, California Youth Authority, State Prison Sentence, State Prison w/Life Parole, State Prison w/Life Term, and State Prison w/Death Penalty



San Francisco Justice Dashboard

Presentation to the San Francisco Sentencing Commission

March 7, 2018



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Innovation Fund

Convicted of a **new felony or misdemeanor** in
calendar year 2013

Sentenced to **county jail or some form of
supervision**

Cohort **entry date** prior to July 31, 2014

Cohort Definition

Arrest

- New misdemeanor or felony arrest in San Francisco
- Includes custodial arrests and street citations

Arraignment

- Charge filed by SFDA for new criminal activity
- DA or APD MTR on new criminal activity

Conviction

- Sentenced to local supervision, county jail, or state prison on a new misdemeanor or felony

Subsequent Contact

Subsequent contact outside of San Francisco excluded

Criminal history outside of San Francisco and prior to 2008 excluded

Analysis often limited to most serious offense

Additional questions raised by results

Interpreting Results

Incorporate statewide criminal history and subsequent contacts

Identify paper commitments and include in cohort

Utilize text analysis to extract charge detail from the court comments

Incorporate MTRs filed by APD or the SFDA that are not related to new criminal activity

Additional Research