

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

AGENDA

Wednesday September 23, 2015

10:00 a.m. – 12:00 p.m.

Hall of Justice Rm 322

850 Bryant Street

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 June 10, 2015 (discussion & possible action).
4. Staff Report on Sentencing Commission Activities (discussion & possible action).
5. Recidivism Workgroup Update and Proposed Next Steps (discussion & possible action).
6. Presentation on Data-Driven Approaches to the Challenges and Opportunities Confronting Criminal Justice Systems by Michael P. Jacobson, Executive Director, CUNY Institute for State and Local Governance (discussion & possible action).
7. Presentation on the Justice Information Tracking System (JUSTIS) by Matthew Podolin (discussion & possible action).
8. Members' comments, questions, and requests for future agenda items.
9. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.
10. 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 Policy & Grants Manager, San Francisco District Attorney's Office, 850 Bryant Street, Room 322, San Francisco, CA 941023, or via email: tara.anderson@sfgov.org

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City Hall, Room 244
1 Dr. Carlton B. Goodlett Place,
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DRAFT MINUTES

Wednesday, June 10, 2015

10:00 a.m. – 12:00 p.m.

City Hall, Room 305

1 Dr Carlton B Goodlett Place

San Francisco, CA 94102

Members in Attendance: Beverly Upton (Family Violence Council Appointee); Ross Mirkarimi, San Francisco Sheriff; Simin Shamji (San Francisco Public Defender's Office); Freda Randolph Glenn (Reentry Council Appointee); George Gascón, San Francisco District Attorney; Theshia Naidoo (Board of Supervisors Appointee); Robert O'Sullivan (San Francisco Police Department); Professor Steven Raphael (Mayoral Appointee); Craig Murdock (Department of Public Health); Chief Allen Nance (Juvenile Probation Department); Chief Karen Fletcher (Adult Probation Department).

1. Call to Order; Roll Call

At 10:00 a.m., District Attorney George Gascón called the meeting to order and welcomed commission members and members of the public to the San Francisco Sentencing Commission meeting.

2. Public Comment on Any Item Listed Below (Discussion Only)

No public comments received.

3. Review and Adoption of Meeting Minutes from February 25, 2015 (Discussion and Possible Action)

District Attorney Gascón asked commission members to review minutes from the previous commission meeting and asked whether anyone had comments or edits.

There were no comments. Simin Shamji made a motion to accept the minutes from the February 25, 2015, meeting, seconded by Theshia Naidoo. The motion carried.

4. Staff Report on San Francisco Sentencing Commission Activities (Discussion and Possible Action)

Tara Anderson noted that the Ordinance authorizing the San Francisco Sentencing Commission has been renewed. This came about through outreach to the Board of State and Community Corrections (BSCC).

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Scheduling for the Sentencing Commission for 2016 will be discussed.

Gascón noted that in the interim between February and March, there was interest in dealing with legislation. Should members be interested in taking positions on legislation, they now have the opportunity to do so.

The Sentencing Commission is continuing to explore what it will look like to work with the BSCC and determining which legislation the Commission will endorse (it is only allowed to do so as an advisory council). These results will be incorporated into the 2016 Sentencing Commission agenda.

Freda Randolph Glenn provided a report for the Reentry Council of the City and County of San Francisco, on behalf of commission member Karen Roye. Glenn stated that the Reentry Council has an upcoming meeting to discuss justice reinvestment, and an hour of that meeting will specifically focus on racial and ethnic disparities in the criminal justice system.

Beverly Upton provided an update from the Family Violence Council on behalf of Jerel McCrary. Upton stated that during their last meeting, on May 20, the council discussed the final draft of the Family Violence Council year-end report. This report, set to be completed and finalized in September 2015, will detail work completed to date and address work that needs to be done. Upton noted that the report provides a broad perspective on child abuse and elder abuse, making it clear that much has been done and a real impact has been made in San Francisco.

Upton added that Lynn Dolce provided a presentation to the Family Violence Council on trauma-informed care. The council noted that they would like to add trauma-informed care into all their work, which will be discussed during their next meeting on September 2, 2015.

Tara Anderson added that a link to the final Family Violence Council year-end report will be sent out to the Sentencing Commission once it is finalized. District Attorney Gascón encouraged commission members to read the report once it is finalized, as he believes there will be very valuable information in the report. He added that he would like to have a broader discussion using the information in the report after its release.

5. Presentation on Young Adult Court by the Honorable Bruce Chan, Judge of the Superior Court of California, County of San Francisco (Discussion and Possible Action)

The Honorable Judge Chan began his remarks by recognizing the work of District Attorney Gascón, specifically acknowledging his work with the Three Strikes Law and Proposition 47 in light of realignment. Judge Chan acknowledged that with the assistance of people like Gascón, San

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Francisco has adjusted to realignment. Chan stated that the rates of handgun violence and property crime are not, as some believe, an effect of realignment, but a result of longtime, misguided criminal justice policies. It has taken a long time for state legislators to look at these issues caused by bad policies and it has taken just as long for legislators to view what is happening not just as legislators, but as community members. Due to the complexity of these issues, advocating in front of the legislature is a slow process. In general, Chan said, criminal justice is full of clichés and knee-jerk reactions—it has taken a long time for legislators to look at criminal justice issues through research and to understand what is really happening in their communities. Thus, advocacy that changes the conversation about common criminal justice is just as important as legislation. Fiscal realities have created an impetus to think about making changes, and now is the time to talk about these issues. Furthermore, a multitude of departments, including public health and probation, are willing to look at things from this different angle.

As an example of changing perspectives in action, Judge Chan discussed the impact of the Young Adult Court. In February 2015, Judge Chan, with his background as a member of the taskforce that brought drug treatment to juvenile courts, was elected as supervisor of this project. Judge Chan stated that on a personal level, he thinks the Young Adult Court is a great project for the city. “In the past,” he said, “all of these stakeholders [probation; children, youth, and families; public health, etc.] have not wanted to come together for a common goal, and now they do.”

The individuals working on the Young Adult Court began their work in March, and have been meeting continually since April 2015. Chan noted it has been wonderful working with the different stakeholders, including Katie Miller (District Attorney’s Office) and Simin Shamji (Public Defender’s Office), on the process. The group had a meeting last week to discuss the timeline and role of the Young Adult Court, and they set its start date for July 2015. The group has created eligibility criteria for individuals on probation, individuals with deferred entry of judgment, and individuals at the pre-plea stage, with the understanding that incentives can be just as helpful as disincentives.

Chan stated that there are 450 individuals between the ages of 18 and 25 whose cases are currently in the Probation Department. The Young Adult Court group has asked the Probation Department to help identify the population of young people they want to serve, with 80 young people being the initial goal. The program will begin by serving those labeled as “back on track”: young offenders with whom the District Attorney has agreed to work to break the cycle of system involvement.

The program will have access to the case management services of both Goodwill and the Family Service Agency of San Francisco. The group has already begun to set up ongoing trainings on the neuroscience of young adult brains in order to better understand what tools to use for transitional-age youth. The Young Adult Court group has also been in conversation with other courts in California, thanks to the Probation Department and the Public Defender’s Office. Judge Chan noted that the process allows for a different understanding of clients because of the increased space to

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discuss factors such as gender and cultural competency. Currently the project's capacity is approximately 80 young people; however, this number is projected to rapidly increase. For the initial phase of the program, the group received advice from Chief Adult Probation Officer Karen Fletcher to help them identify youth who can benefit from more constructive supervision. Right now, Chan stated, additional supervision will be one day per week in the afternoon, which the group hopes to continue to increase.

Chief Juvenile Probation Officer Allen Nance added that he is excited to work with the 18–25-year-old population in a unique way, and reiterated that his department remains committed to assessing risk in the juvenile system to strengthen the communities that the youth in the system come from.

Chief Nance added that his department is also working with Chief Fletcher to work with the group affected by Assembly Bill 12 (AB12). Judge Chan remarked that AB12 was a small step, but we all know that just because an individual turns 18 years old does not mean much has changed for that youth. AB12 funding has been a small bridge for young adults, but it is not enough. Judge Chan added that the clock is ticking; he fears that when youth hit the end of AB12 funding, there will be a catastrophic result. The Young Adult Court program is one way to learn to better assess risk, to find ways to strengthen communities so that young people can have more opportunities.

As a whole, Judge Chan noted, San Francisco is much further ahead of other jurisdictions on the matter of youth court, and this program will allow us to collaborate and understand each department better.

District Attorney Gascón thanked Judge Chan for his commitment to the community and his work with developing the Young Adult Court. District Attorney Gascón noted that Judge Chan will continue to work with the Young Adult Court until July, even though his tenure as its supervising judge is over. He also added that through programs like the Young Adult Court, San Francisco is creating blueprints for others to follow. San Francisco, like other jurisdictions, is paying the price of 30 years of bad policies, and the need for reform is seen through influential measures like Proposition 47; it is up to us to seize this opportunity for change.

District Attorney Gascón then asked the commission members if they had any additional questions.

Steven Raphael asked if the Young Adult Court will provide specific programming for individuals on regular probation. Judge Chan replied that they are trying to get consistency in outcomes; in the past young people were sent to different judges without any consistency. He added that one of the benefits of his being involved is that as a judge, he is able to build collaborations with the other agencies to decide what is best to do for all of these groups of youth and young people.

Craig Murdock asked for further information about a calendar for the Young Adult Court program. Judge Chan answered that the group has not decided about the length of time of supervision; this

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will be dependent on a young person's type of offense, as well as the length of probation, risk of reoffending, and the risk he/she poses to the community. Chan added that the group has not decided on an exact timeline for all offenders, but he stated that it will be determined on a case-by-case basis. The goal is to look at the length of supervision using an evidence-based lens, not specifying a length of time on the grounds that "we have always done it this way." The Family Violence Council offered to assist in these efforts.

Theshia Naidoo asked if there will be data collection done on the participants in Young Adult Court. Judge Chan responded by saying yes, data collection and program evaluation is written into the grant. Creating a national model is a required component of the grant, under the leadership of the District Attorney's office. Few models out there are probation violation courts only. The San Francisco court understands that if a young person is very young when they receive their first conviction, it creates lots of barriers that can affect the young person's life greatly. Thus, it is very important to have young people be a part of the program at the pre-plea stage, before they have a felony on their record. Judge Chan continued by emphasizing the dire consequences of overcriminalization and the necessity of problem-solving for reform.

Simin Shamji added that San Francisco is always on the cutting edge, and it is in part due to the great leadership of the District Attorney's office. There are not many young adult courts in the country, and San Francisco understands the barriers that a felony conviction can cause for a young person in the areas of housing, employment, school, and so on. Ms. Shamji thanked the District Attorney for understanding those barriers and allowing some individuals who do not have a felony record to participate at the pre-plea stage (which means that if the person does meet certain milestones, their case will be dismissed and its file sealed). This gives these individuals the opportunity to become members of the community.

District Attorney Gascón stated that the over-criminalization of young people has dire consequences for individuals and the community. "I believe that problem-solving courts are the key to the future," Gascón stated.

Chief Allen Nance asked if Judge Chan will be able to return at a later date once the court is implemented, so that the Sentencing Commission can be aware of how to support these efforts.

Chief Nance made a motion to bring a representative of the Young Adult Court back at a future date to address the Sentencing Commission. The motion was seconded by Ms. Shamji. The motion carried.

6. Presentation on the Law Enforcement Assisted Diversion (LEAD) Program Evaluation: Recidivism Report, by Dr. Susan Collins, University of Washington (Discussion and Possible Action)

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Dr. Susan Collins is a professor at the University of Washington, working with the Seattle Police Department on this project. On March 27, 2015, the LEAD evaluation team released the first of three reports they plan to produce. The first report focuses on recidivism—defined here as arrest and receiving charges in criminal court—and the way these convictions more likely reflect people's behaviors within the system. Laura Thomas, deputy state director of the Drug Policy Alliance, assisted in the report.

Reducing recidivism is the primary purpose of the LEAD program. Low-level drug offenders cycle through the criminal justice system, creating a revolving door that needs to stop, Dr. Collins explained. The current system is meant to slow the revolving door, but in the real world it hasn't been successful; the same people from the same corner are being arrested every week. In Seattle, the majority of the people picked up are homeless and engaging in sex work and dealing drugs in order to survive.

Dr. Collins went on to discuss the inner workings of the program: LEAD is a pre-booking diversion program. On "green light" shift days, the person who was arrested has the opportunity to meet with a case manager and enroll in the LEAD program. On "red light" shift days, the person who was arrested does not have this opportunity. LEAD focuses on meeting people where they are and creating agreed-upon goals, not imposed goals. LEAD also offers financial assistance to maintain housing or emergency shelter, and to support vocational training and legal assistance. LEAD is not, however, a "get-out-of-jail-free card." Instead, it is a one-time diversion program individuals can opt into. Program participants can stay in the LEAD program forever; they do not get kicked out or dropped from the program unless they have chosen to go to mental health court or drug court, or have died.

Next, Dr. Collins provided information on the process of evaluating the program and creating the three reports. The University of Washington researchers received evaluation funding from the Laura and John Arnold Foundation. The evaluation was done with a non-randomized control trial and included 318 people, 203 of whom received LEAD programming (while the rest were tracked as usual). The researchers compared people in the short term and long term through a two-year data collection period, ending July 2014. Short-term outcomes focused on people six months prior and six months subsequent to entering the evaluation.

The primary finding was that the individuals in LEAD were significantly less likely to experience re-arrest, and their warrant-related charges were less significant in the long term. The program evaluation found that LEAD participants have 60% lower odds of arrest as compared to the control group, which is statically significant. The LEAD group seems to hold people steady, and the control group members seem to be increasing in their number of arrests over time.

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In contrast, there was some individual impact on warrant-related arrest. The LEAD group does have fewer warrant-related arrests than the control group, so they also looked at charges prior and subsequent to program entry. In the short term the impact of warrant-related arrests was significant, and in the long term it was not. Looking at the 19% of participants with at least one felony prior to participation, felonies decreased for those participants over time, from 42% to 20%. The preliminary findings also highlighted that LEAD participants are less likely to experience arrest overall, and the likelihood of receiving a first felony arrest decreases over time.

Dr. Collins then opened the floor for questions.

Theshia Naidoo asked Dr. Collins about the likelihood of re-arrest for control groups versus participants, and whether this includes other diversion programming. Dr. Collins responded that the “system as usual” includes drug courts and mental health courts. Naidoo followed up by asking if LEAD seems more effective than therapeutic court. Dr. Collins responded that we do not know how many participants were in therapeutic courts so she was unable to make the direct comparison; however, LEAD does have more positive outcomes as a whole.

District Attorney Gascón stated that the members of the Sentencing Commission have been divided in their thoughts on LEAD implementation in San Francisco due to lack of data and evaluation; now that data is provided, “perhaps we can move forward.” Gascón stated that the area the Sentencing Commission is looking at for a pilot of LEAD is the Tenderloin. He asked Dr. Collins if that would be a good area in which to pilot LEAD.

Dr. Collins responded by saying yes, the Tenderloin would be a great area. She added that great work is happening there already; however, LEAD may be a way to have even more harm reduction in the area. San Francisco has really been trying to use low-barrier interventions and this is great, Dr. Collins added.

District Attorney Gascón added that the social policy benefits seem obvious. Economics is a focus of research, and the second report—to be released July 1, 2015, in Washington, DC—will be talked about with the White House. The current utilization and cost findings are very encouraging.

Dr. Collins was asked whether LEAD will be most costly for policing. She responded by acknowledging that they did not look at policing because the police department said it was not worth measuring. The police department said they would not need to change hiring practices for staff, and the officers will be engaged in slightly different work instead of re-arresting the same individuals, such as checking in on community workers (as opposed to typical policing). The officers in Seattle expressed excitement over the opportunity to shift their work to become more of a positive force, rather than a punitive one.

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Commander O'Sullivan asked if the police department had done any work with the clinicians in the field. Dr. Collins responded that sometimes the officers will go out together, especially because they see themselves as serving the same community.

Chief Nance asked if the evaluation looks at the capacity of the service providers. Dr. Collins answered that the capacity of the service providers was not a focus of this evaluation, but is a good thing to consider. She offered Ron Jackson as the best person to contact on this issue. Chief Nance followed up by asking who the case managers are. Dr. Collins answered that in general, the case managers are clinicians; some are from CDPS, and some are social workers. All case managers are trained in low-barrier harm reduction methods.

District Attorney Gascón asked if it is a fair assessment to say that this population was already receiving services. Dr. Collins agreed, stating that this population was receiving and using services, but not in a comprehensive way.

Craig Murdock stated that it seemed as though LEAD runs 24 hours, seven days a week. He asked if this was true and if so, whether this was cost-prohibitive in San Francisco. Dr. Collins said that demand on case managers has decreased, and she directed Murdock to ask his question of Ron Jackson. Murdock followed by asking whether LEAD has treatment capacity, or whether it is more of a portal that leads participants to services. Dr. Collins answered that LEAD does not have dedicated treatment capacity; however, depending on the particular community, things can look different. In general, LEAD works closely with the department of health and human services to ensure participants receive the services they need. Dr. Collins also provided Ron Jackson's contact information to Tara Anderson to better answer these questions.

District Attorney Gascón proposed that the Sentencing Commission prepare a letter (with an attachment of data from the evaluation) addressing the Chief of Police, the Board of Supervisors, and the mayor, proposing that LEAD be a three-year pilot program in San Francisco and asking for a response in 60 to 90 days.

Chief Nance proposed that the letter should wait until the final report is issued.

A question from the public was asked: whether the LEAD program looked at the crime rate in the Seattle neighborhood of Belltown, where LEAD was implemented? District Attorney Gascón answered that in his understanding, crime did go down; however, the crime data was gathered in the early stages, before LEAD programming started.

A motion was made by Chief Nance, and seconded by Thesha Naidoo, to create the letter mentioned above and include a report of the economic impact of LEAD. Motion passed.

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7. Recidivism Workgroup Update and Proposed Next Steps (Discussion and Possible Action)

District Attorney Gascón introduced Chief Juvenile Probation Officer Allen Nance. Chief Nance began by saying that the San Francisco juvenile system has a lot of data, which is both positive and negative. While it is good to have data to show what is happening in the system, they do not have the capacity to analyze it all. The information we have in our system goes far beyond what we report, Chief Nance added. This winter a team of UC-Berkeley graduate students will help with some data analysis. Chief Nance asked the commission members to review the juvenile probation website and look at the trends report, which offers recidivism and crime data for the juvenile system and data on the degree to which San Francisco is detaining people.

Chief Nance gave a PowerPoint presentation. He stated that the juvenile system had 776 arrests in the community: 67% of the referrals did not result in booking and 33% did result in booking. Black youth make up the majority of the young people who are arrested, and the next largest group is Hispanic youth. Overall, a huge majority of youth who are arrested and booked are young people of color, a disproportionality that is very significant. In San Francisco, Black people represent 6% of the population and Hispanics are 12% to 15%, percentages which, when looked at with incarceration rates, are astonishing and show how much work needs to be done. In juvenile justice there has been a more than 50% reduction in detained youth. Today there are 54 youth in the 150-bed facility. This is a result of doing a better job of assessing risk and strengthening partnerships with community-based organizations. Additionally, the city's investment in community-based programs has been beneficial.

Chief Nance pointed to the rapid flow of families of color leaving the San Francisco area because they can no longer afford to live there. As a result, he said, we must take this movement into account when we look at decreased rates of incarceration.

Chief Nance added the importance of understanding counts of referrals—not a count of people but of referrals, meaning that one youth may have more than one referral. Additionally, the majority of cases that come to the court are felony cases, because most of the youth with misdemeanors are diverted from the juvenile system as a result of a partnership with Huckleberry Youth Services.

In 2014 the juvenile data system began to look at domestic violence cases. Chief Nance noted an edit on the slide; it incorrectly said 2010 and it should read 2014. For these data, they analyzed all the youth who were booked in 2014 and ran their history to see if they were new to the system or if they had previously been involved with the juvenile system. They found that only 15% had a previous arrest in San Francisco. Data on overall recidivism showed that 80% of young people placed on probation were not re-arrested within a 24-month period.

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Chief Nance noted that the San Francisco juvenile population is older than the national average, which he said points toward the high number of youth aging out of the system. A secondary contributing factor is that a lot of the young people are moving to other jurisdictions outside of San Francisco. Chief Nance stated that going forward, they would like to look at recidivism across jurisdictions in order to have a true understanding of their current numbers. Chief Nance added that he believes the San Francisco juvenile justice system is effective overall, although there is much work to be done. Most young people do all right when they are placed on probation; however, youth identified as high risk do not do nearly as well. Therefore, focus should be placed specifically on those identified as high risk.

Some of the preliminary data, representing about 105 youth, show that the more probation contacts youth have, the better they do on probation (probation contacts meaning calls, meetings, etc.). Youth with mental health issues tend to do worse on probation. Chief Nance said that when we adequately assess young people we are able to look at their needs, and their economic and poverty issues, which is important because level of income directly impacts crime.

Theshia Naidoo commented that she is very troubled by the high disparities in the system, and asked if Chief Nance would highlight some of the leading factors contributing to these disparities. Chief Nance replied that many of the young people of color who live in the Bay View–Hunters Point area have been victims of crime themselves, live in single-parent households, and are a product of teenage pregnancy. These factors contribute to the disparity and highlight that these young people have multiple challenges that the city cannot ignore. Chief Nance also stated that there is no doubt that implicit and explicit bias is also at play. He said, “I don’t think that answers the whole of what is happening. The young people of color have a lot up against them. There is not a single solution to this problem; it is a multifaceted problem that needs a multifaceted solution.”

Simin Shamji asked how trauma and adverse childhood experiences are impacting the individuals in the juvenile justice system; most young people in the system have trauma that has not been assessed, and will not be until they get into a therapeutic environment to help them develop coping skills. Chief Nance responded by saying that most of these young people have some experience that has been traumatic—this trauma is a central and significant part of what we see in the criminal justice system.

San Francisco Police Department Deputy Chief Michael Redmond stated that his team has been working with Allen Nance, and from this work they know families need sustained follow-up. They see that it is possible to remove a family from their prior risky area, but you cannot just move the family and leave them. The police department’s presence in areas like Bay View–Hunters Point is helpful because they can be connected with the family past the “intervention,” because in that case there is a more concerted effort to address trauma.

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District Attorney Gascón added that his office received a grant from the Department of Justice that is focused on Bay View–Hunters Point, to look at the impact of trauma and victimization. They are now entering into the implementation phase, and he is hopeful the grant will provide the opportunity to disrupt some of the cycles that impact our communities.

Chief Nance stated that many of the young people in juvenile hall have been victims as well, and know that focusing on trauma and violence is all part of changing the criminal justice system

District Attorney Gascón thanked Chief Nance for his presentation.

Steven Raphael from the recidivism working group then discussed the group's progress. They began to meet in April 2015. Raphael believes it is important to be inclusive and flexible when defining recidivism; whether there is recidivism depends on how it is defined. The group will be looking at various definitions of recidivism over time, focusing specifically on populations.

Chief Nance added that he does worry about the clarity of people's understanding of recidivism statistics. He emphasized the importance of knowing what the data are telling us about the effectiveness of the criminal justice system and the people committing a crime. It is important to look at people who have interventions because a more realistic measure of recidivism may be how a person is doing 1–3 years out, once interventions have taken place.

Simin Shamji added that analysis is important, including looking at who is coming back in the system, but any definition of recidivism that is adopted should be on the conservative side, that is, mostly looking at convictions.

District Attorney Gascón thanked Steven Raphael and moved on to item 8.

8. Members' Comments, Questions, and Requests for Future Agenda Items

District Attorney Gascón asked if any members would like to add future agenda items. Seeing none, the District Attorney went on to item 9.

9. Public Comment on Any Item Listed Above, As Well As Items Not Listed on the Agenda

No comment was raised.

10. Adjournment

Chief Allen Nance moved to adjourn the meeting at 12:11 p.m.; Simin Shamji seconded. Meeting adjourned.

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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.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code)

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

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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 website at: www.sfgov.org/sunshine

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE:

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

CELL PHONES

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.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance (SF Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco CA 94102, telephone (415) 581-2300, fax (415) 581-2317, and website <http://www.sfgov.org/ethics>

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San Francisco Sentencing Commission Recidivism Workgroup

Goal

The goal of the workgroup is to make recommendations to the Sentencing Commission for a comprehensive San Francisco Recidivism Definition.

Guiding Principles

Four Steps to Make Recidivism a Meaningful Performance Measure

1. Definition: Use multiple measures of success.
2. Collection: Develop protocols to ensure data are consistent, accurate, and timely.
3. Analysis: Account for the underlying composition of the population.
4. Dissemination: Package the findings to maximize impact and get the results into the hands of decision makers.

Completed

- ✓ Discuss the key indicators most important to SF CJ partners.
- ✓ Review existing organizational and state definitions for recidivism.
- ✓ Discuss what we want to know, why we want to know it and what we will do differently?
- ✓ Discuss framing of the various measures. *Safety Rate vs. Recidivism Rate*
- ✓ Discuss how to integrate existing definitions into the San Francisco multi-component Definition.

In process

- Submit recommended Subsequent Criminal Justice System Contact Measures to Sentencing Commission.
- Develop protocols to ensure data are consistent, accurate and timely.
- Establish system for regular public review and longer term research.

Recidivism Definition Summary

Agency	Definition	Notes
CA Attorney General	An arrest resulting in a charge within three years of an individual's release from incarceration or placement on supervision for a previous criminal conviction.	Released on the same day as the statewide AG definition: The California Recidivism Index charts three major indicators of seriousness – offense type, frequency, and timing. The Index is a focused and centralized method for policymakers and local authorities to design and target programs to areas of need, as well as assess the effectiveness of such programs.
Board of State and Community Corrections	Recidivism is defined as a conviction of a new crime committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.	The base definition was developed to promote consistent statewide reporting. However other useful elements can be measured to better understand recidivism trends. These include, but are not limited to arrests, returns to custody, and technical violations of conditions of supervision.
Chief Probation Officers of California	A subsequent criminal adjudication/conviction while on probation supervision. Adult: Of those terminated or closed from all adult grants of probation in a given time period, provide a count of how many had new law convictions during their time under supervision Juvenile: Of those terminated or closed from a juvenile grant of probation in a given time period, provide a count of how many had new true findings / law convictions during their time under supervision	In creating a measurement method, it is important to start with a population that is comparable across counties and that will minimize the impact of county differences in case processing and probation practices. Termination (case closure) provides a straightforward definition that allows for the creation of a consistent population of those “exiting” probation.
California State Sheriff's Association	Recidivism is defined as arrest and conviction for a new crime within three years of release from custody for a previous criminal conviction. This does not include arrest and disposition for a technical violation of parole, probation, court ordered or mandatory supervision.	

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Subsequent Criminal Justice Systems Contact Measures		
Draft: 9/20/15		
Subsequent Contact	Defined	Why Measure?
Arrest	Rearrest is measured as the first instance of arrest after inmates are released from state prison or local custody.	System input that can inform enforcement, supervision and clinical strategies.
Arraignment	Arraignment is measured as the first arraignment after release.	Provides opportunity to track subsequent use of court and custody resources.
Conviction	Conviction is measured as the first conviction after release.	Most commonly accepted subsequent contact point used by CA state agencies for measuring recidivism. This ultimate case outcome is the most resource intensive subsequent contact with the criminal justice system.



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Prior to joining CUNY in May 2013 to help create the Institute for State and Local Governance, Michael Jacobson was president of the Vera Institute of Justice, serving from 2005 to 2013. He is the author of *Downsizing Prisons: How to Reduce Crime and End Mass Incarceration* (New York University Press 2005). Holding a Ph.D. in sociology, he has had an ongoing academic career coupled with more than 20 years of government service. From 1998 to 2005 he was a professor at John Jay College of Criminal Justice and the Graduate Center of CUNY. He was New York City correction commissioner from 1995 to 1998, New York City probation commissioner from 1992 to 1996, and worked in the New York City Office of Management and Budget from 1984 to 1992 where he was a deputy budget director. In 2010 to 2012, Michael served as the chair of Altus, a global alliance working across continents and from a multicultural perspective to improve public safety and justice. See a select list of his publications.



CUNY INSTITUTE FOR STATE & LOCAL GOVERNANCE

Developing Expert Solutions

WHAT WE DO

We apply a data-driven approach to the challenges and opportunities confronting government.

- We conduct **rigorous research** that is practical to implement and responsive to demanding timelines and political realities.
- We provide **technical assistance** to implement data-driven, results-oriented practices and offer **in-depth training** to build the knowledge and skills of staff at all levels.
- We **educate** and nurture the next generation of public sector leaders, helping them build successful, lasting careers.

Our expertise includes data analysis for a wide array of purposes—including cost-benefit analysis, performance evaluation, and the development of performance indicators—and fiscal management for both short- and long-term planning. We focus on government at the state and local levels, working both nationally and internationally, because we believe cities and states are ideal laboratories for developing new approaches to longstanding social problems.

OUR LEADERSHIP

Michael Jacobson

We are a small and nimble team led by founding Executive Director Michael Jacobson. During his long career in public service, Michael has served as NYC Commissioner of Probation and Commissioner of Corrections. He has held senior positions in the NYC Office of Management and Budget and was the director of the nonprofit Vera Institute of Justice for eight years.

OUR MISSION

We work to bridge the gap between researchers, practitioners, and policymakers using data and research to help government produce better results, worthy of public investment and trust.

Marc Shaw

Our advisory board is chaired by Marc Shaw who has held numerous senior positions in government and the private sector for more than two decades. Marc is a senior advisor CUNY's Chancellor for Fiscal Policy. He has held senior positions at the state level under New York Governor David Paterson and at the city level under New York City Mayors Michael Bloomberg and Rudolph Giuliani.

JUSTIS Update

San Francisco Sentencing Commission

September 23, 2015

JUSTIS Update

JUSTIS

- Decommissioning CMS (Court Management System)
- Keeps criminal justice data flowing through the JUSTIS Hub
- Developing applications to support criminal justice data sharing

The Role of the Hub

- Transfer data between criminal justice agencies 24/7/365
- Improve data sharing and public safety
- Common store of criminal justice data for San Francisco

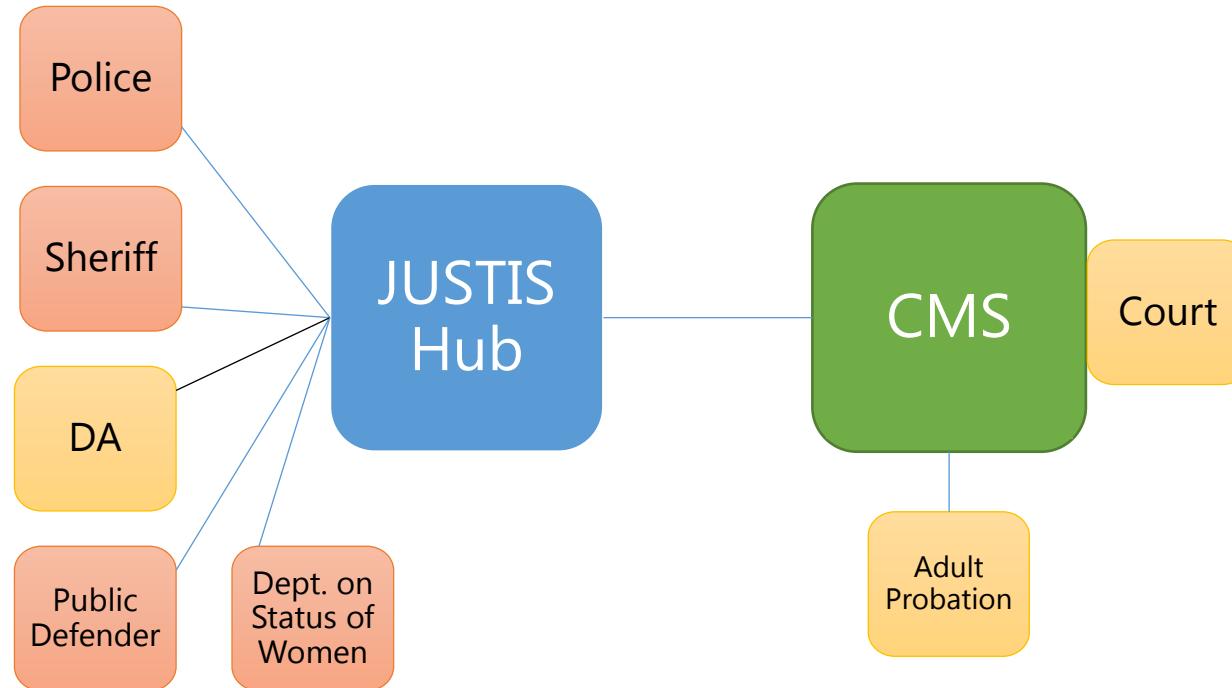
JUSTIS Update

Recent Accomplishments:

- Probation hold notification
- Booking/release notification
- Receiving Police incident data
- Connected the Public Defender's GIDEON case management system to the JUSTIS Hub
- Refreshed domestic violence reports for the Department on the Status of Women

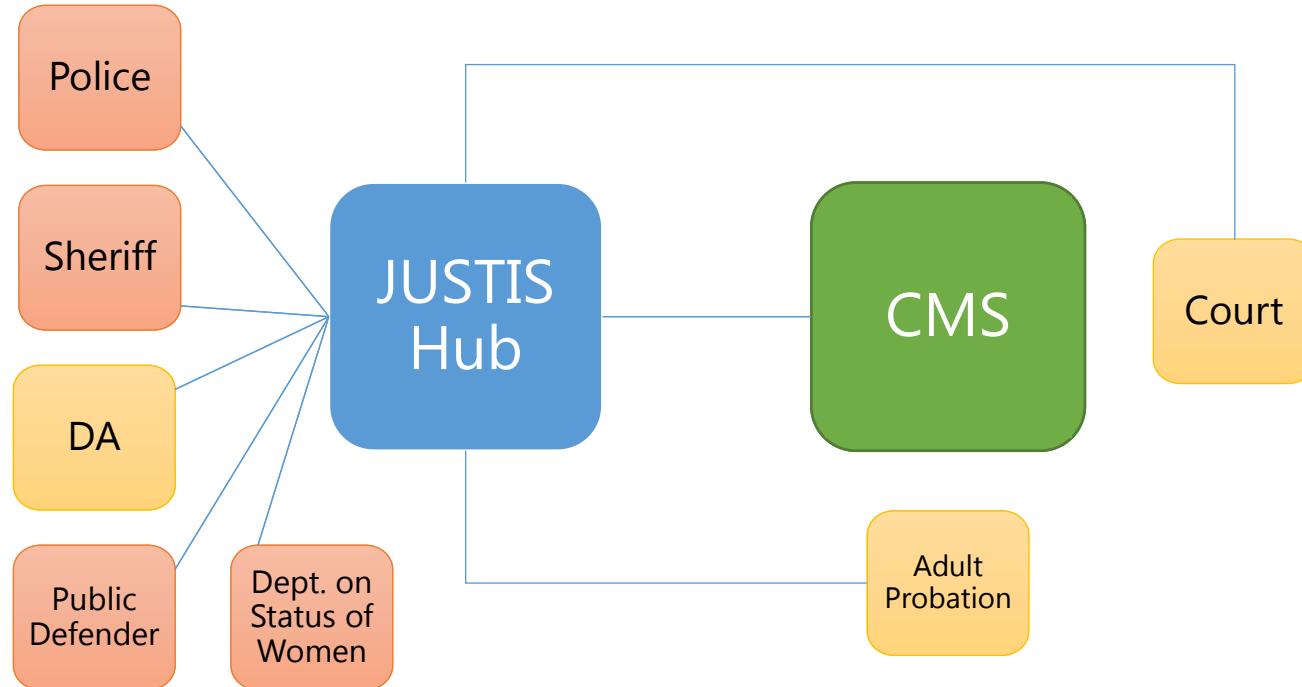
JUSTIS Update

Current Structure



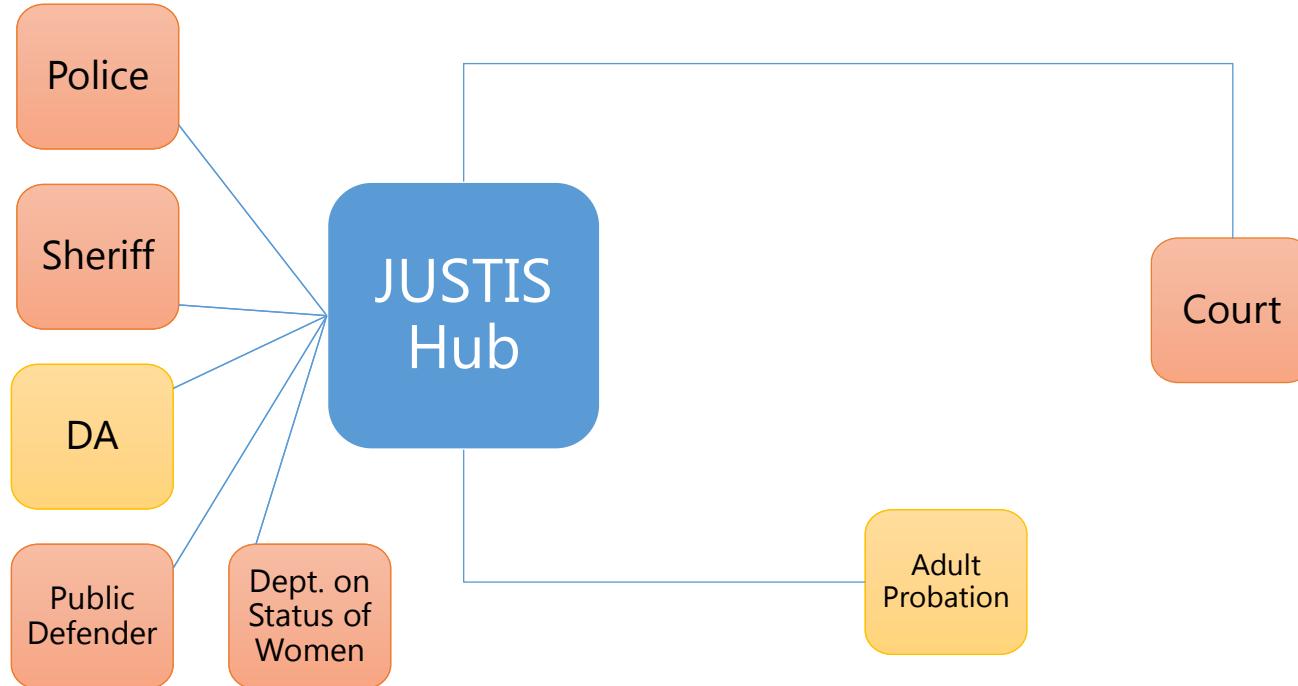
JUSTIS Update

Connect Adult Probation and Court to Hub



JUSTIS Update

Structure After CMS Decommissioning



JUSTIS Update

CMS Decommissioning: April 2016

Task	Start	End
Move JUSTIS production to new equipment at DEM	In Progress	December
Sheriff Jail Management System to Hub XML changes	October	December
DA's DAMION XML interface to JUSTIS Hub	In Progress	February
Replace key CMS transactions w/ JUSTIS web interfaces	In Progress	March
Replace key CMS reports dependent on Hub data	October	March
Court Criminal Management interface to JUSTIS Hub	October	March
CMS Decommissioned		April

JUSTIS Update

FY16 Work after CMS Decommissioning

- Support the Court integration and CMS decommissioning
- Updates to existing applications
- Begin working on XML changes to take advantage of modern data