The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Safety and Justice Challenge Subcommittee

AGENDA: SPECIAL MEETING

Wednesday, September 23, 2020, 9:30 am

REMOTE MEETING VIA VIDEOCONFERENCE

Watch via Zoom: https://sfdistrictattorney.zoom.us/j/98610285573

Public Comment Call-In: 877 853 5247 US Toll-free

Meeting ID: 986 1028 5573

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" – and with the numerous local and state proclamations, orders and supplemental directions – aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

The Safety and Justice Challenge Subcommittee meetings held through videoconferencing will allow remote public comment via the videoconference or through the number noted above. Members of the public are encouraged to participate remotely by submitting written comments electronically to josie.halpern-finnerty@sfgov.org. These comments will be made part of the official public record in these matters and shall be brought to the attention of the members of the Subcommittee. Explanatory and/or Supporting Documents, if any, will be posted at: https://sfdistrictattorney.org/sentencing-commission-relevant-documents

1. Call to Order; Roll Call.
2. Public Comment.
    a. General Public Comment.
    b. Public Comment on All Agenda Items.
    Note: submitted written public comment included in packet.
3. Review of the SJC Subcommittee Final Report on the Closure of County Jail #4 (discussion and possible action).
4. Adjournment.

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SUBMITTING WRITTEN PUBLIC COMMENT TO THE SAN FRANCISCO SAFETY AND JUSTICE SUBCOMMITTEE
Persons who are unable to attend the public meeting may submit to the San Francisco Safety and Justice Challenge Subcommittee, 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 Subcommittee. Written comments should be submitted to: Josie Halpern-Finnerty, San Francisco District Attorney's Office, via email: josie.halpern-finnerty@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 emailing josie.halpern-finnerty@sfgov.org. The material can be faxed or mailed to you upon request.

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San Francisco, CA 94102-4683.
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FINAL REPORT ON COUNTY JAIL #4 CLOSURE

September 30, 2020

Submitted to: *Members of the Board of Supervisors, the Office of the Mayor, City Administrator, and Safety and Justice Challenge Subcommittee Member Organizations*

From: *Safety and Justice Challenge Subcommittee of the San Francisco Sentencing Commission*

Overview

On September 4, 2020, San Francisco closed County Jail #4 ("CJ4"). The closure is the culmination of years of effort by community advocates and City leaders.

This final report summarizes actions taken in response to Ordinance 80-20, which directed the closure of County Jail Number #4 ("CJ4") and established the Safety and Justice Challenge (SJC) Subcommittee of the San Francisco Sentencing Commission (Sentencing Commission) to plan for the reduction of the City's daily jail population and the closure of CJ4.

This final report on CJ4 closure includes progress and data on the current jail population, updates on measures and strategies implemented across justice agencies, mitigation activities related to the Novel Coronavirus (COVID-19), and outstanding challenges and next steps.

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BACKGROUND

On May 12, 2020, the Board of Supervisors for the City and County of San Francisco (CCSF) passed Ordinance 80-20, directing the closure of CJ4 by November 1, 2020. The Board further assigned a newly formed SJC Subcommittee operating under the auspices of the Sentencing Commission with the task of identifying measures and strategies to sustain jail population reductions. The Ordinance became effective on June 21, 2020, and the Sentencing Commission voted to approve the bylaws of the newly formed Subcommittee on July 15, 2020. On September 4, 2020, Sheriff Paul Miyamoto announced that CJ4 was no longer being used to house or hold people, functionally closing the jail two months ahead of schedule.

Prior Planning Efforts: This latest effort builds on years of work by community advocates and local leaders to close CJ4. SJC Subcommittee members are particularly indebted to the Work Group to Re-envision the Jail; recommendations from their final report informed the next steps outlined in this report to sustain jail population reductions.

Safety and Justice Challenge: The Safety and Justice Challenge (SJC) Subcommittee was formed around an existing partnership to implement a $2 million-dollar Safety and Justice Challenge grant investment from the MacArthur Foundation in fall 2018. The goal of the SJC initiative is to safely reduce the local jail population and address racial disparities. San Francisco's SJC initiative is a partnership between the Superior Court, the Sheriff's Office, Public Health Department, Adult Probation Department, Public Defender's Office, the District Attorney's Office, community representatives designated by the San Francisco Reentry Council and the Family Violence Council, and community stakeholders such as the San Francisco Pretrial Diversion Project. The SJC partnership has operated with oversight from the San Francisco Sentencing Commission since the grant's inception. See ***Attachment A*** for SJC members and a description of the group's working structure.

Review of the Final Report: This final report was shared at a special meeting of the SJC Subcommittee on September 23, 2020. The members gave feedback that was incorporated into the progress report, including.... [to be updated after meeting].

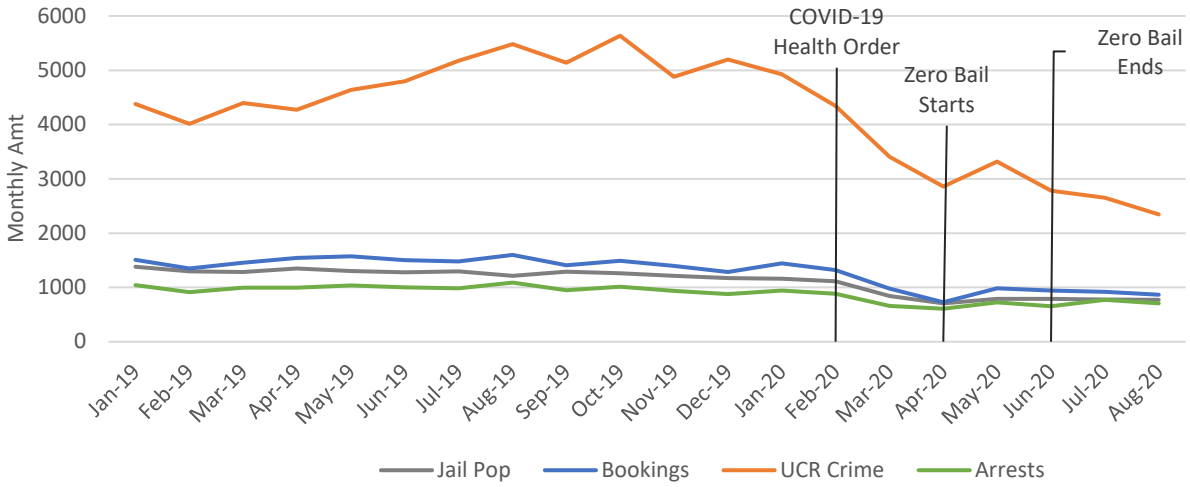
CURRENT PROGRESS & DATA ON JAIL POPULATION

CJ4 closure was made possible by a jail population reduction of nearly 40%. As of August 2020, the Average Daily Population (ADP) was 738. This reduction surpassed the original SJC jail goal, which was to achieve an ADP of 1,044 or fewer people based on the estimated reduction needed to allow for the closure of CJ4. This goal built on many years of work to reduce the jail population and minimize the presence of low-risk individuals and those with limited criminal histories in jail.[1] In recent years, the population has predominantly been comprised of individuals on pre-trial status for alleged felonies and a small number of misdemeanors—with none detained for traffic violations or warrants associated with failure to pay fines or fees.

[1] See James Austin, *Eliminating Mass Incarceration: How San Francisco Did It*, JFA Institute, for more information.

The urgency of COVID-19 spurred partners to revise the original SJC reduction goal. Based on guidance from Jail Health Services Medical Director Dr. Lisa Pratt, the District Attorney, in partnership with the Public Defender's Office, Sherriff's Office, Public Health Department, the Superior Court, Adult Probation, and SF Pretrial, initiated an expedited process to safely reduce the jail population to between 700-800 people using a host of strategies outlined in this report. In January 2020, prior to the onset of COVID-19 in San Francisco, the Average Daily jail population (ADP) was 1,212 people. As noted above, the August ADP is 738 people, a 39% decrease in the jail population since the onset of COVID 19 (see Figure 1 below). Statewide, there has been a 20.9 percent reduction in the jail population between February 29 and September 5, 2020.[2] CJ4 closure means the City must sustain jail population reductions to ensure ability to follow safety protocols as the pandemic continues.

Figure 1. San Francisco Crime, Adult Arrests, and Jail Population Trends January 2019 - August 2020

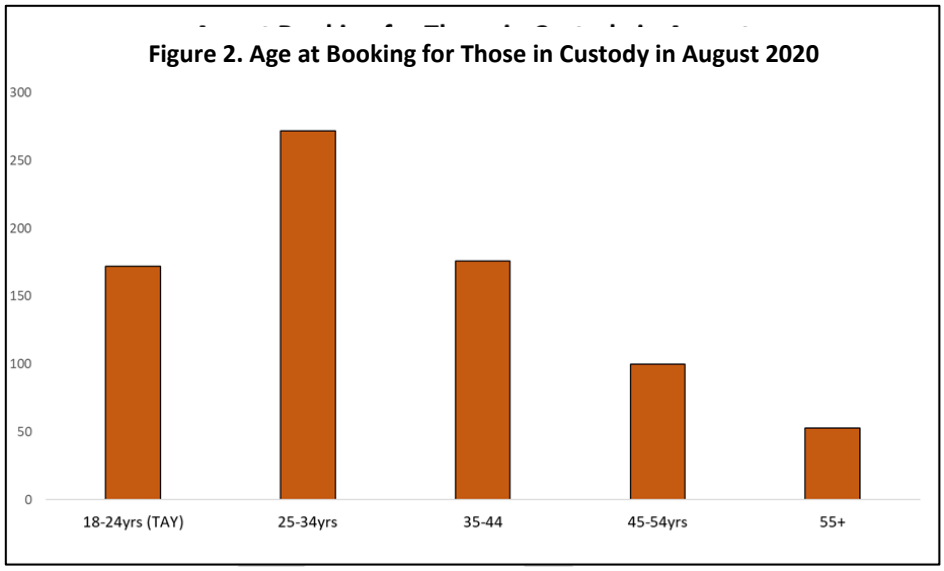


Source: Data from Sheriff's Office and SF Police Department, July 2020. "Crime" includes violent & property crime.

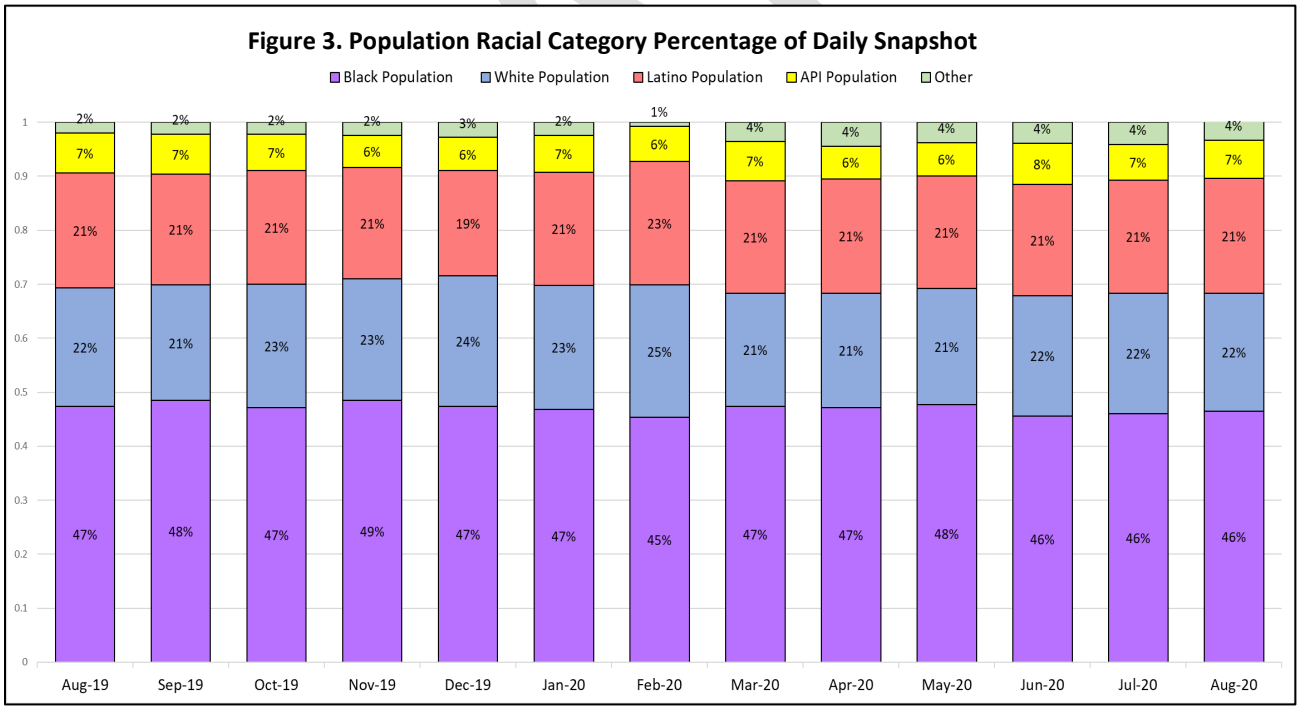
In 2019, the annualized average of daily jail admissions was 50 people. Post COVID-19, daily admissions have been between 20 to 30 people. Figure 1 also illustrates the corresponding reduction in crime reported to the San Francisco Police Department during the period when COVID-19 restrictions have been in place. In February through August 2020, the average length of stay for individuals released each month increased sharply and then declined, likely reflecting in part the joint effort of partners around stipulated releases for those serving a sentence in jail. The jail population includes a sizeable number of residents from other counties. In 2019, 26% of the 11,258 people booked into the San Francisco Jail had addresses outside of San Francisco.

[2] CA Board of State and Community Corrections, "Supplemental Jail Profile Survey Reporting Dashboard" (September 2020), https://app.smartsheet.com/b/publish?EQBCT=82b29a92ea9a4a0ea7aa480f1287e137

Men make up most of the jail population, representing 92% of the population as of August 2020. Over half of all people in jail are young adults between the ages of 18-34 (see Figure 2). Racial disparities in the population have remained constant during the reduction of the jail population, neither growing nor shrinking, as shown in Figure 3 below. Significant disparities have also remained in jail bookings. Partners remain committed to reducing these persistent disparities, see strategies for details on next steps. Additional data on jail population trends, including bookings and releases, is available in ***Attachment B***.



Source: Data compiled from the Sheriff's Office, August 2020.



Source: Data compiled from the Sheriff's Office, August 2020.

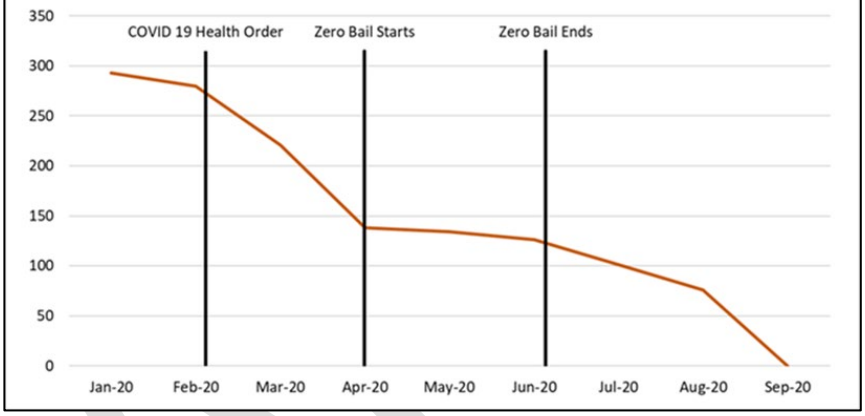
COMPLETION OF THE OPERATIONAL PLAN TO CLOSE CJ4

A series of critical operational steps occurred to enable the closure of CJ4; these steps are outlined below along with a description of the plan to respond should the population increase beyond the capacity to follow COVID-19 medical guidelines.

Operational Steps to Close CJ4

Transfer to Other Facilities.
CJ4 housed people with a range of different needs and classification levels, and staff made plans to find other safe and appropriate jail locations. The Sheriff's Office completed these transfers by September 4, 2020. The Sheriff's Office, in collaboration with the Department of Human Resources' Employee Relations Division, has met all obligations regarding meet and confers with the bargaining units affected by the closure of CJ4.

Figure 4. Average Daily Population of County Jail #4



Source: Data compiled from the Sheriff's Office, August 2020.

Use of Kitchen Facilities. Ordinance 80-20 permits the Sheriff's continued use of the 7th floor for administrative, kitchen, and laundry purposes. The 7th floor kitchen serves people housed in County Jail #2 (CJ2). The City has started construction of a new kitchen at CJ2 to replace this facility. When complete, the renovated kitchen will provide meals for people in the Intake and Release Center and for those who are housed at CJ2. The City's contract for the remodel of the kitchen states that the project must be completed within 270 days from the issuance of the notice to proceed; the notice was issued on July 13, 2020. Tentative completion is scheduled for March of 2021. Until that time, the Sheriff plans to continue to use the kitchen on the 7th floor and will escort individuals housed at CJ2 until the remodel is complete.

The Sheriff's Office has notified the Department of Real Estate (DRE) that there are no people housed at CJ4, and that people housed at CJ2 are being transported daily to the 7th floor until the kitchen remodel is completed. Upon the completion of the CJ2 kitchen remodel, the 7th floor will only be used for administrative duties. DRE notified the Sheriff's Office that they (DRE) would advise the City Administrator's office of the closure of CJ4.

Use of Holding Cells. The Sheriff's Office also requires secure spaces to hold individuals who are being transferred from the San Bruno facility to the Hall of Justice court rooms for appearances. CJ4 formerly provided transitional space to hold individuals scheduled for court appearances

and legal interview rooms for defense counsel to meet with clients before and after court. The Sheriff's Office has identified space within existing facilities that can accommodate these needs without compromising security or increasing the risk of exposure to COVID-19.

Addressing Challenges

The operational plan to close CJ4 was completed two months ahead of schedule. The Sheriff's Office and SJC partners will work collaboratively to address the following remaining challenges related to closure.

Ensuring Efficient and Safe Holding/Transport: The Sheriff's Office has developed workflows and staffing patterns necessary for safe transport and holding of individuals from the San Bruno facility to the Hall of Justice for court appearances. Over the next several months the Sheriff's Office will refine these protocols to best ensure efficiency and ability to maintain COVID safety measures during transport and holding.

Plan if Population Increases: Jail population reductions must be sustained to enable the Sheriff's Office to follow COVID-19 medical guidelines around safe physical distancing and quarantine procedures. Partners will pursue a number of strategies, outlined in the following section, to sustain jail population reductions. Should the jail population increase beyond the level advised by the Jail Health Services Medical Director, partners will convene to discuss options. These may include reviewing cases of eligible persons sentenced to a term in the county jail for early release and prioritization of review and action on cases of people in-custody pretrial.

SUSTAINING JAIL POPULATION REDUCTIONS

San Francisco must continue to implement strategies to safely sustain reductions or make further reductions in the jail population now that CJ4 is closed and as the pandemic continues. A summary of activities already underway is included below, along with critical priorities and next steps. Partners believe these steps will enable CCSF to sustain jail reductions, continue successful COVID mitigation activities, and tackle racial disparities in the jail population.

Lead with Race

Racial disparities have not been exacerbated by recent population reductions, but nor have they improved. System partners and community members are committed to ending these persistent disparities and believe that change is possible in San Francisco.

SJC partners' racial and ethnic disparities reduction work has been informed by the Government Alliance on Race and Equity (GARE). As a result of GARE participation, SJC partners adopted a racial equity statement that acknowledges the harm that the criminal justice system has done in communities of color and committing to the elimination of racial disparities in the system. The DA's Office and Adult Probation co-chair the Criminal Justice Racial Equity Workgroup (CJREWG). The CJREWG developed an "Agenda for Action" to pursue the commitment to eliminate racial disparities in San Francisco's criminal justice system. The action plan includes steps such as creating an inventory of implicit bias trainings conducted by criminal

justice agencies, which will lead to recommendations for and implementation of additional training funded by SJC.

Conversations with system and community partners in SJC meetings, and informed by broader citywide conversations, point to the urgency of repairing harm caused by systemic racism and to reducing disparities in the local jail population. Community members who participated in the recent roundtable process led by the Human Rights Commission on priorities for reinvesting police funds called for, among other recommendations, "holistic practice that values Afro-centric strategies and allows communities to practice restorative practices within the community."

Priorities and next steps include:

- Develop an SJC Fellowship to support ongoing, authentic engagement with communities of color and training for system partners to improve effectiveness in serving these communities. Training will be led by SJC Fellows in partnership with national experts on reducing bias and anti-racism.
- Partners will stay engaged with and support broader citywide conversations on justice reinvestment that expand community-based supports and opportunities for communities of color.
- Justice and community partners will also explore expansion of restorative justice options designed to address the disproportionate representation of black people in jail.

Sustain Shared Focus

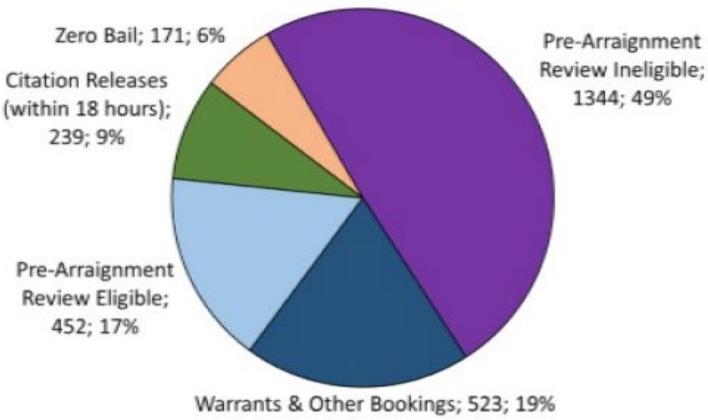
Jail reductions and disparities reduction can only be accomplished through shared focus by local partners. People awaiting trial make up the majority of those in custody (95% as of a snapshot at the end of August) and partners have therefore focused on this population, among others. SJC partners launched a Jail Population Review team composed of system stakeholders and community partners who meet on a regular basis to discuss the jail population and methods to safely reduce it, with a focus on reducing racial disparities. Since the JPR team began meeting a year ago, the group has developed agreements and processes that allow full participation and sharing of relevant information. The JPR team reviewed cases of individuals who had a "release recommended" score on the Public Safety Assessment (PSA) tool – or would have but for an exclusion prompted by the local Decision-Making Framework – but remained in custody, and cases of individuals with medical and behavioral health needs and vulnerabilities.

San Francisco recently ended the Sheriff's use of the Court's bail schedule pre-arraignment through the implementation of the *Buffin v. San Francisco* settlement in February 2020, instead relying on risk assessment to determine pre-arraignment release for eligible individuals who are arrested. The *Buffin* settlement mandates that the Public Safety Assessment (PSA) report go to Superior Court within 8 hours from time of ID confirmation, and that the Sheriff's Office use the PSA results to determine release if the Superior Court has not made a decision regarding release within 18 hours or a law enforcement agency requested extended time. In the past

three months of *Buffin* implementation (June 1 thru August 31, 2020), 452 bookings into the county jail were eligible for pre-arraignment review, or 17% of all bookings (see Figure 5).

Prior to implementing the *Buffin* injunction, the Sheriff's Office engaged in a review of booking processes in collaboration with various stakeholders. New procedures were identified and implemented. The first quarter *Buffin* data has been published, while the second quarter report has been completed and submitted but has not yet been authorized for public release.

Figure 5. Bookings by Legal Proceeding, 6/01/20-8/31/20



Source: Data compiled from the Sheriff's Office, August 2020.

Priorities and next steps include:

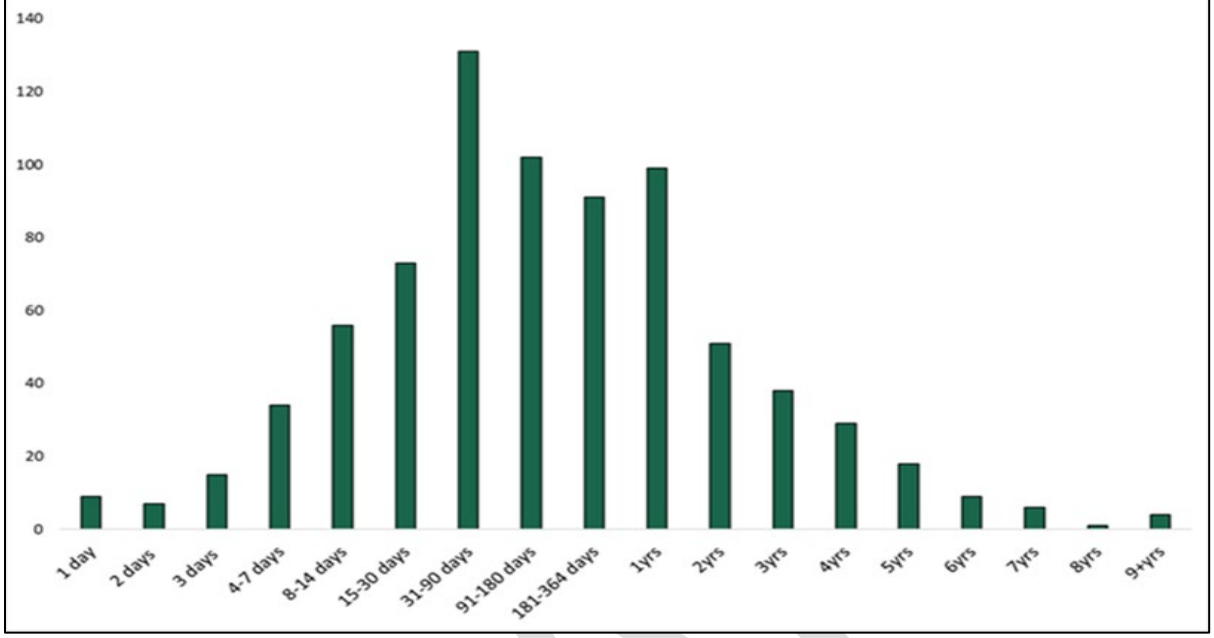
- The Sheriff's Office will continue to monitor the implementation of the *Buffin* settlement. Partners will use this information to understand the impact of bail reform on the jail population and opportunities for improvement.
- San Francisco's PSA tool is currently undergoing validation by a third-party researcher, the CA Policy Lab, who plans to complete their research by the end of the year. The analysis will include an assessment of the PSA's intersection with race. Partners will use findings from the analysis, along with lessons learned from case review, to inform further discussion on San Francisco's PSA and decision-making on pretrial release.
- The JPR team will continue to use data to identify case types for review, focused on the drivers of the jail population. In addition to the pretrial population, partners will continue to look at individuals with behavioral health or medical vulnerabilities and those with long stays. The group will also look at cases where young black men and women are particularly overrepresented, such as burglaries, to identify community-based solutions and inform development of new programming.

Improve Case Processing

San Francisco must improve case processing and address lengthy stays in jail to sustain reductions to the jail population. Analysis from SJC technical assistance provider Justice Management Institute (JMI) found that as of January 2019 there were 2,868 active pending felony cases, and that CCSF had a backlog of roughly 38% in which cases exceeded California's 365-day resolution standards. JMI's analysis echoed earlier findings by the JFA Institute that the number of court continuances is a key driver of the local jail population. A snapshot from July

14, 2020 shows that fully 32% of the jail population had been in custody for more than one year inclusive of a cohort of 13% who had been in custody more than 3 years.

Figure 6. Length of Stay for Those in Custody in August 2020



Source: Data compiled from the Sheriff's Office, August 2020.

JMI's engagement with the Superior Court culminated in a report describing local legal culture and a set of recommendations regarding management standards that were shared with judges and SJC stakeholders in November 2019. The Superior Court established a workgroup to review and begin implementing JMI's recommendations before the workgroup's activities were disrupted by the onset of COVID-19. Despite this setback, the Superior Court proceeded to work with Measures for Justice to develop a set of key performance measures relevant to improving case processing and began developing data dashboard templates to aid the Court.

Priorities and next steps include:

- As partners adjust to the new reality of COVID-19, addressing systems and structures to reduce delay and coordinate criminal case priorities is more important than ever. The SJC-funded Superior Court Analyst will develop a series of dashboards for judges to monitor caseloads and for the Court to track case management progress, informed by JMI's recommendations and performance measures developed by Measures for Justice.
- Prosecution and Defense Counsel have a critical role to play in the shared work of maintaining a local legal culture that ensures procedural justice and efficient flow of criminal cases. While the Court sets the standards for how cases move through the system, attorneys must prepare for each calendared event to ensure they are meaningful. With support from the SJC, partners will explore concrete changes to administrative policy and decision-making tools that can support San Francisco in shifting local practices to address case processing challenges.

- Partners will also explore processes and practices related to when people are placed on different types of "holds" in the jail to understand how they influence the population.

Increase and Maintain Healthy Connections.

Addressing behavioral health needs of people in custody remains an urgent priority for San Francisco, where over 75% of people in jail are estimated to have either serious mental illness and/or a history of substance use. SJC partners have taken steps to increase access to and maintenance of healthy supports for people with jail contact. Two positions have been funded through the SJC to increase access to existing behavioral health supports: a jail-based Behavioral Health Clinician based in Jail Health Services and a Mental Health Disposition Planner in the District Attorney's Office.

SJC partners also conducted a two-day Sequential Intercept Mapping (SIM) with 34 system and community partners in fall 2019 led by Policy Research Associates (PRA). One of the strongest recommendations out of the SIM process was to explore alternative 24-hour response system for individuals experiencing a behavioral health crisis. This recommendation echoes that of the Methamphetamine Task Force, coordinated by the Department of Public Health, and calls by community advocates for implementation of community-based crisis response models such as Oregon's CAHOOTS program.

A pilot behavioral health crisis response program is part of the City's proposed budget. The Street Crisis Response Team would be part of the first phase of implementation of Mental Health SF, the City's strategic framework for improving the behavioral health response to people experiencing homelessness. In addition to funding the Street Crisis Response Team, the proposed budget includes funding to establish an Office of Coordinated Care within the Department of Public Health, increasing behavioral health bed capacity to reduce wait times to access treatment beds, and expanding service hours at the Behavioral Health Access Center. These broader, complementary efforts are critical to sustaining reductions to the jail population and connecting people with behavioral health needs to care at the earliest possible moment.

Housing is a significant need for people leaving jail. Inspired by community housing models developed by the Los Angeles Office of Diversion and Reentry, San Francisco partners launched a pilot program to facilitate and fund transitions from jail into the City's system of housing supports, in partnership with SF Pretrial, Episcopal Community Services, the Sheriff's Office, SFDA, and Tipping Point.

Priorities and next steps include:

- Address PRA's major recommendations from the SIM Process; including the need for stronger planning coordination across local criminal justice, public health, and housing systems. Partners will seek formal partnerships and representation across justice system policy bodies and broader citywide mental health and housing reform efforts.
- Shared planning efforts will be informed by an analysis of high utilizers across each system conducted by the CA Policy Lab at University of CA, Berkeley. Planning

coordination will also involve identifying appropriate ongoing funding streams focused on justice-involved people.

- Local partners will increase operational coordination across these systems by developing new workflows and protocols to serve people who touch multiple systems. Partners have agreed to start by improving processes to identify and connect individuals identified as "shared priority" when they come in contact with the jail. The SJC-funded DPH clinician will play a critical role in this process, and in referring other clients with significant behavioral health needs to the JPR for collaborative problem-solving.
- Lastly, local justice and public health partners will participate in the citywide effort to build out a coordinated, 24-hour crisis response system for people with behavioral health needs that does not rely primarily on law enforcement. The SJC Subcommittee can leverage TA resources from the national SJC network to provide additional insight to these discussions as needed.

Drive with Data

Change is only possible when you understand what is happening. In August 2019, SJC Subcommittee partners launched the Justice Dashboard which reviews subsequent criminal justice contact at distinct decision-making points for three years post-conviction: arrest, arraignment, and conviction. The Dashboard is disaggregated by race/ethnicity as well as gender, age and offense type. To guide local SJC efforts on an operational basis, partners convened a Data Team that meets bimonthly. The SJC Data Team provides jail population trend data to the broader SJC Workgroup to ground discussion and inform case selection for the Jail Population Review Team. SJC partners are actively involved in broader citywide efforts to improve criminal justice data-sharing through the JUSTIS hub.

Priorities and next steps include:

- A critical priority is finalizing a cross-agency agreement to guide data-sharing through the JUSTIS hub. Reciprocal data-sharing of appropriate local criminal justice data is necessary to improve planning and coordination related to sustaining jail reductions.
- JUSTIS partners have developed draft key performance indicators for San Francisco's criminal justice system; these should be finalized and regularly shared with City leadership and the public. The City should consider engaging DataSF to develop a public sharing platform for critical justice system performance indicators.
- SJC partners will continue to play a role in building a more transparent, data-driven criminal justice system. The SJC Data Team will continue to meet to discuss jail trends, data-sharing needs, and collaborative analysis with a focus on reducing racial disparities.

MAINTAINING COVID MITIGATION EFFORTS

San Francisco justice system leaders and community partners instituted a range of emergency measures in response to the COVID-19 crisis. During the initial shelter-in-place period, the SF Superior Court suspended many of its operations and dramatically increased the use of virtual conferencing technology for others. Numerous measures were put in place by the Sheriff's Office, the Department of Public Health's Jail Health Services, and other local justice partners to

implement COVID-19 safety protocols related to the jail. Jail Health Services began offering COVID-19 tests on April 12, 2020 to people who were being booked in county jail. Working with the Sheriff's custody division, they have quarantined all new arrestees and isolated positive cases of individuals entering the jail from the rest of the incarcerated population.

The Sheriff's Office's implemented strict COVID prevention protocols, requiring space for quarantine, isolation and physical distancing in order to avoid an outbreak of COVID-19 in the jails and to identify asymptomatic people who are COVID positive. As of September 17, 2020, 60 people have tested positive for COVID-19. Five people are currently housed in isolation in custody, while the remainder of people who tested positive have since been released or have recovered.

Use of the emergency bail schedule ("zero bail") established by California's Chief Justice allowed those charged with specific offenses to be quickly released from custody without waiting for a judicial review. In June the California Judicial Council voted to end use of the COVID-19 emergency bail schedule, leaving it to individual counties to determine whether to continue the policy. San Francisco County Superior Court made the decision to end use of the emergency bail schedule. During the period when zero bail was in effect, from April 13 to June 20, 2020, there were 1,821 individuals released from jail in San Francisco; 448 people or 25% were released due to the emergency bail schedule. 152 people or 34% were subsequently booked as of August 26, 2020. The Sheriff's Office is currently working on an assessment of the impact of zero-bail on the local jail population and the effects on public safety, including subsequent bookings and the impact on victims.

Other COVID mitigation efforts included: reviewing cases of eligible persons sentenced to a term in the county jail for early release;[3] prioritization of review and action on cases of people in-custody by the District Attorney's Office; collaborative work to pursue the release of those held pretrial who do not pose a safety risk to a specific person or persons; reentry coordination by Jail Health Services with justice partners and community organizations to ensure the health and safety of individuals leaving jail; and expansion of emergency reentry housing options through the Adult Probation Department.

Priorities and next steps include:

- The continuation of rapid COVID testing in the jail is critical to partners' ability to keep people in custody and staff safe. Jail Health Services has recently begun testing those without symptoms on a rotating basis at the San Bruno facility to enhanced COVID-identification efforts among people in custody.
- In addition, on-site testing of staff on a routine basis should continue to be prioritized, as it allows for the identification and quarantine of asymptomatic, COVID positive staff.

[3] As of September 21, 2020, there have been 61 stipulated releases.

- Continue to ensure that COVID positive individuals identified by Jail Health Services receive housing for the duration of their isolation if they leave jail during that period. Housing support for people coming out of jail is critical for those without homes or who cannot risk returning home for fear of infecting their families.
- The San Francisco Public Defender's Office, District Attorney's Office, Department of Public Health, and various community partners all expressed disagreement with the Superior Court's decision to end use of the emergency bail schedule. At least 30 California counties have kept COVID-19 emergency bail schedules to help curb the spread of COVID-19 in jails and surrounding communities during the pandemic, according to data reported by superior courts.[4]

CONCLUSION

The closure of CJ4 is a historic milestone for San Francisco, the culmination of years of effort and advocacy by community members and system partners. Now that CJ4 is closed, and as the COVID-19 pandemic continues, it is more important than ever to sustain reductions to the jail population and reduce persistent racial disparities. SJC partners remain committed to working collaboratively in pursuit of these goals, in alignment with larger citywide efforts. Key takeaways and remaining challenges are outlined below.

Key Takeaways and Remaining Challenges

Reduce Racial Disparities: San Francisco must lead with race, addressing persistent disparities in the jail population through targeted policies and programming, including the expansion of restorative justice options. Partners will stay engaged with and support broader citywide conversations on justice reinvestment that expand community-based supports and opportunities for communities of color.

Maintain Efficient and Safe Jail Operations Following Closure: The Sheriff's Office will continue to refine protocols related to transport of people from the San Bruno facility to the Hall of Justice for court appearances to ensure efficiency and the ability to maintain COVID safety measures during transport and holding.

Monitor Impact of Pretrial Release: Bail reform efforts and changes to pretrial release, such as implementation of the *Buffin* settlement, have had an impact on the jail population. San Francisco partners must continue to monitor these impacts and make policy/protocol improvements as needed. The City must also sustain investments in pretrial release staffing and support. The City should review forthcoming research on the effectiveness of electronic monitoring and its impact on the jail population.

[4] The Judicial Branch of CA, "CA Counties Keeping COVID-19 Emergency Bail Schedules," July 10, 2020, https://newsroom.courts.ca.gov/news/california-counties-keeping-covid-19-emergency-bail-schedules

Address Needs of High Utilizers and Maintain COVID Supports: Understanding and meeting the needs of people connected to multiple systems will help reduce repeat jail contact – and ensure people experiencing homelessness or a behavioral health crisis receive support and care. Partners will continue to coordinate across criminal justice, public, and homelessness systems to increase and maintain healthy, community-based supports. Many of the community-based service investments made in response to COVID-19 were intended as temporary, emergency measures. As the pandemic continues, the City will need to invest in and identify solutions to address housing, service, and treatment needs of people who come into contact with the jail.

Ensure Parallel Justice for Victims/Survivors: San Francisco partners expanded supports for victim/survivors of family violence during COVID-19, including initiatives supported by the District Attorney's Office to increase free transportation and safe housing in partnership with Lyft, Airbnb, and the CA Partnership to End Domestic Violence. The City should consider how to sustain these investments on behalf of victim/survivors as the pandemic continues.

Reduce Delays and Lengthy Stays in Custody: San Francisco must improve case processing and address lengthy stays in jail to sustain reductions to the jail population. The Superior Court, Prosecution, and Defense Counsel all play a critical role in the shared work of maintaining a local legal culture that ensures procedural justice and efficient flow of criminal cases.

Increase Data-Sharing and Transparency: Sustaining jail reductions requires a transparent, data-driven criminal justice system. Justice partners must finalize cross-agency data-sharing agreements, identify key performance indicators, and regularly share information about the system with City leadership and the public.

Appreciation

Thank you to the members of the SJC Subcommittee, including the Superior Court, the Sheriff's Office, Public Health Department, Adult Probation Department, Public Defender's Office, the District Attorney's Office, community representatives designated by the San Francisco Reentry Council and the Family Violence Council, and community stakeholders such as the San Francisco Pretrial Diversion Project and the SF No New Jail Coalition for their leadership and commitment to CJ4 closure. Thank you to those who have shared their stories of the impact of incarceration on themselves and their families Thank you to the Mayor and Board of Supervisors for your leadership in advancing CJ4 closure. Together, we can safely reduce the jail population, reduce racial disparities, and promote public health.

ATTACHMENTS

A. SJC Working Structure and Members
B. Jail Data Trends through August 2020, prepared by the Sheriff's Office for the 9/15/20 SJC Subcommittee Meeting

Attachment A: SJC Working Structure and Members

The Safety and Justice Challenge (SJC) Subcommittee of the San Francisco Sentencing Commission is a partnership between the members listed below. As of this report, all the members required by Ordinance 80-20 are participating in the SJC Subcommittee.

SJC Subcommittee Members and Participants

Organization	Representative(s)
Adult Probation*	Chief Karen Fletcher; designee Tara Agnese or Cristel Tullock
District Attorney's Office*	District Attorney Chesa Boudin; designee Tara Anderson, Josie Halpern-Finnerty
Department of Public Health*	Medical Director Dr. Lisa Pratt; designee Tanya Mera
Reentry Council Designee*	Jose Bernal
Family Violence Designee*	Beverly Upton or Jerel McCrary
No New Jail Coalition	Various
Public Defender's Office*	Public Defender Manohar Raju; designee Carolyn Goossen or Danielle Harris
Reentry Council Designee*	Director Karen Roye; designee Freda Randolph
SF Pretrial	ED David Mauroff, Cristina Barron, Ivan Corado-Vega, Matt Miller
Sheriff's Office*	Sheriff Paul Miyamoto; designee Undersheriff Matthew Freeman or Alissa Riker
Superior Court*	COO (Criminal) Mark Culkins or Allyson West
Tipping Point	Nina Catalano

**Voting member per Ordinance 80-20*

All meetings of these bodies are open to the public and information is posted on the District Attorney's website and with the library. Meetings are held virtually in response to the ongoing pandemic per guidelines issued by Governor Gavin Newsom and Mayor London Breed.

Public Meetings July-November 2020

Public Meeting	Meeting Dates July-November 2020
San Francisco Sentencing Commission Founded in 2012, Administrative Code 5.250 - 5.250-3 Meetings are held virtually once a quarter from 10:00am-12:00pm unless otherwise specified.	• July 15, 2020 • October 7, 2020
SJC Subcommittee Founded July 2020 (Formerly the SJC Workgroup) Meetings are held virtually from 12:00-2:00pm unless otherwise specified.	• July 21, 2020 • Special Meeting: July 30, 2020, 9am • August 18, 2020 • September 15, 2020 • Special Meeting: September 23, 9:30am • October 20, 2020
Criminal Justice Racial Equity Workgroup Founded in September 2018	• July 31, 2020, 1:00pm • September 24, 2020, 10am

ATTACHMENT B: JAIL DATA TRENDS

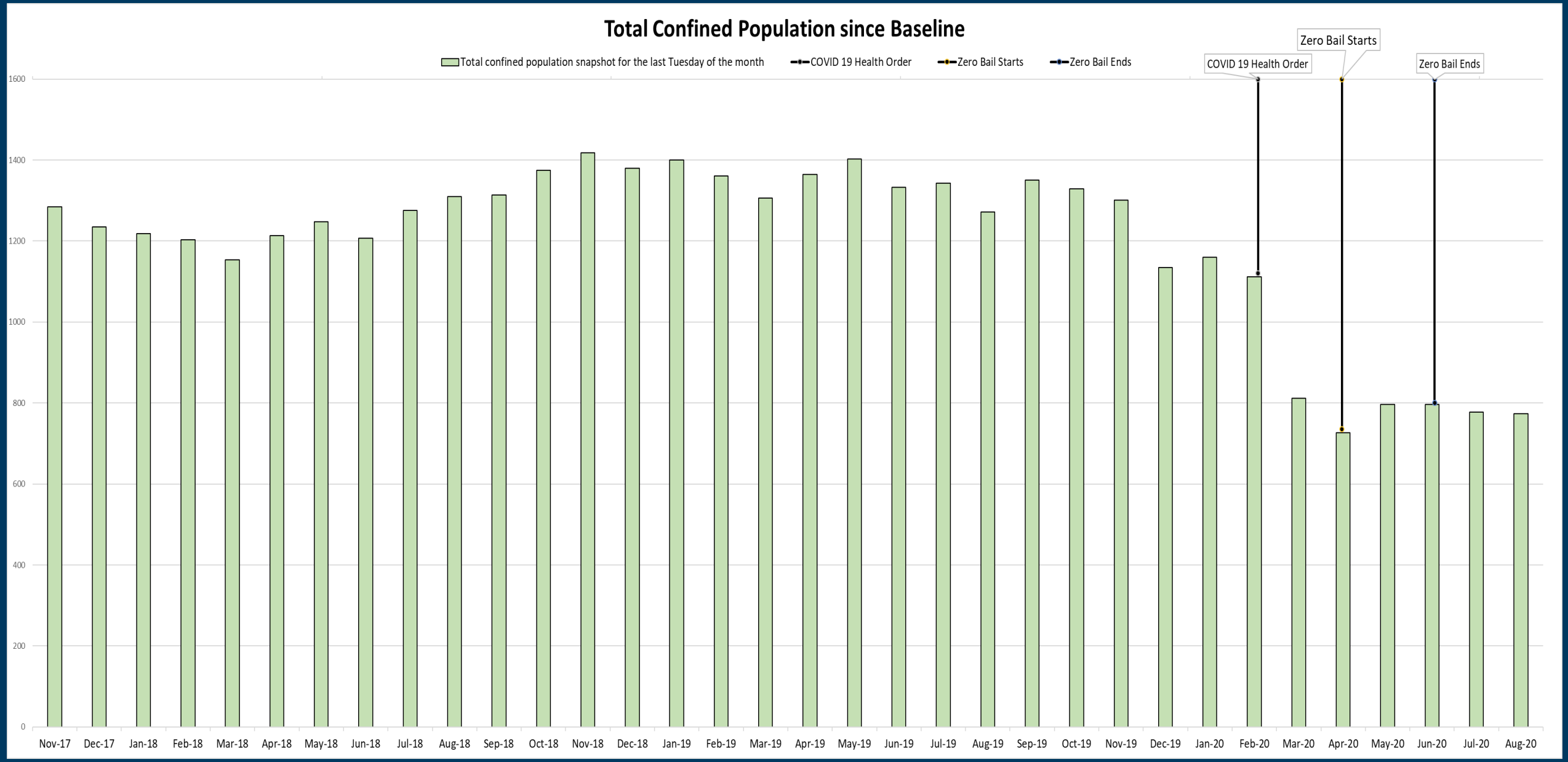
Safety and Justice Challenge Subcommittee

Sept 15th, 2020

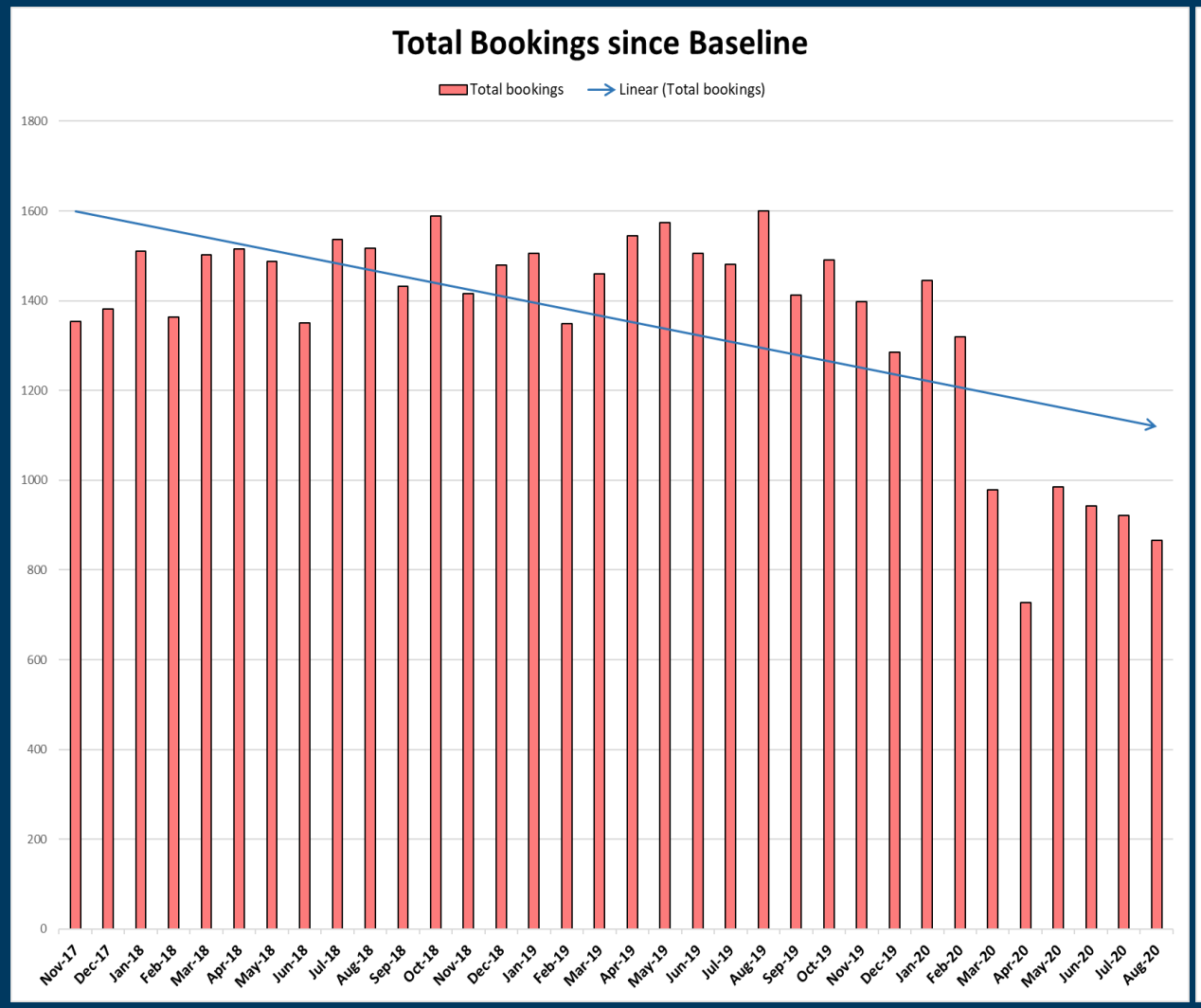
SAFETY+JUSTICE CHALLENGE

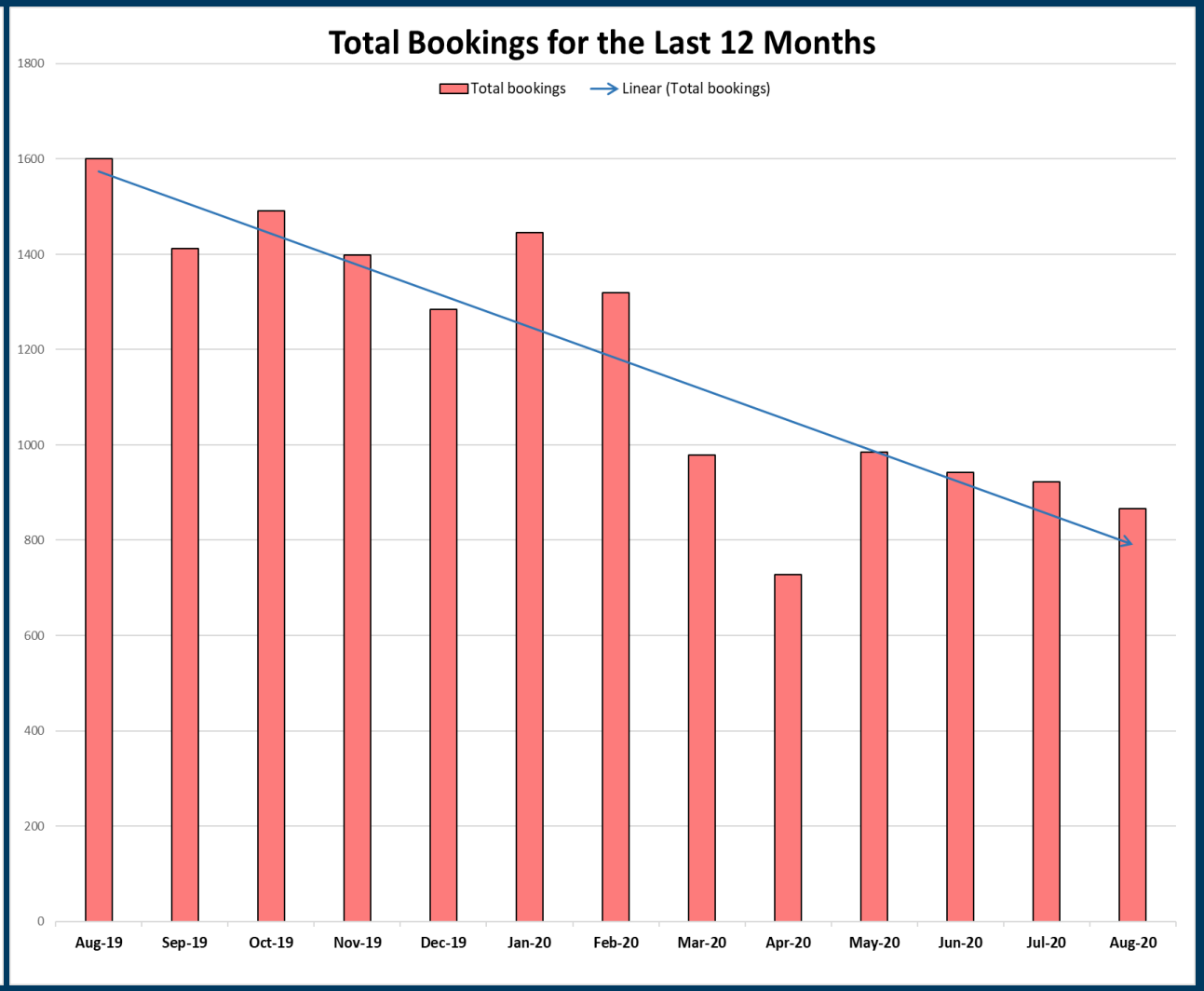
Supported by the John D. and Catherine T. MacArthur Foundation

August Safety and Justice MacArthur Report

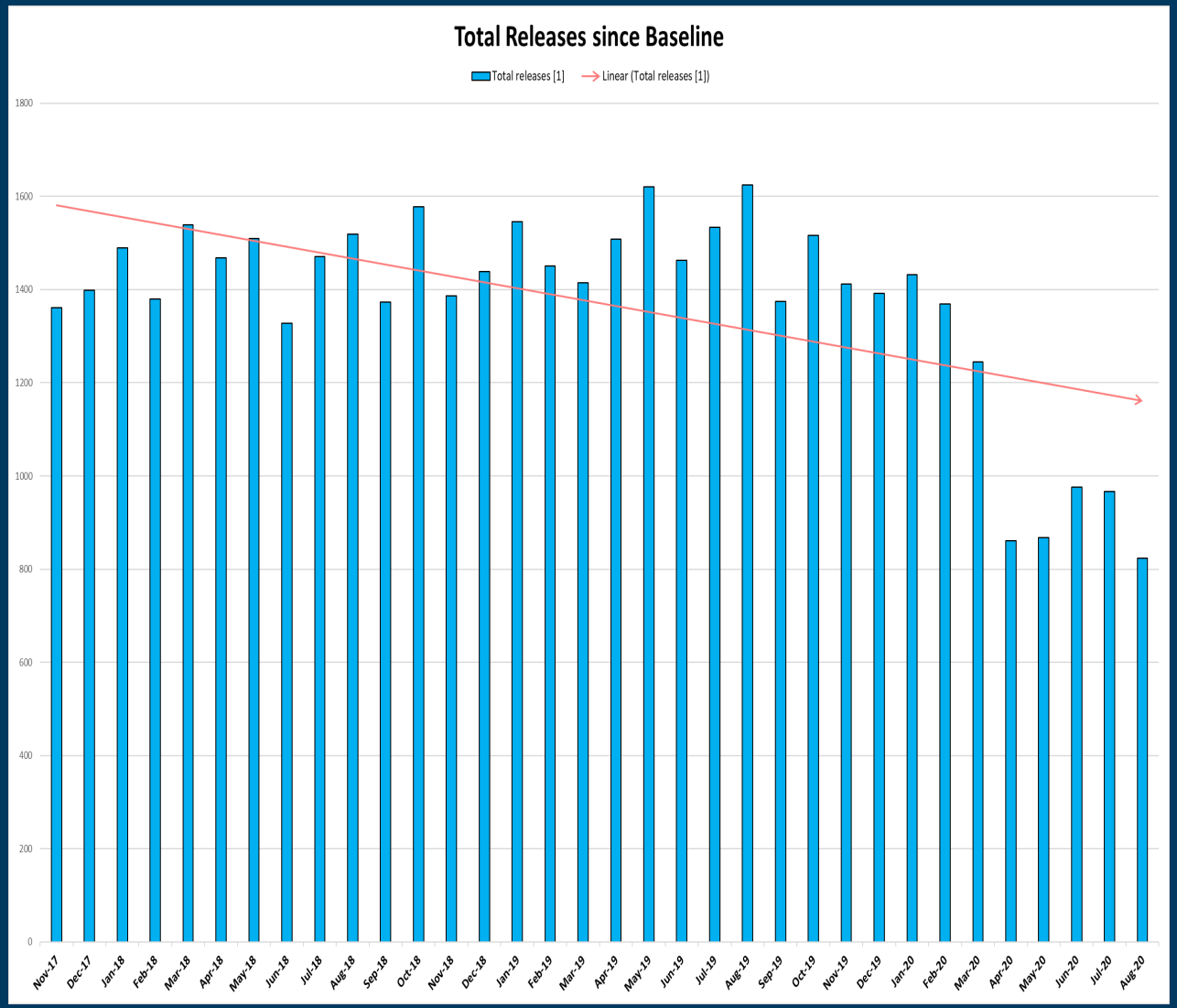


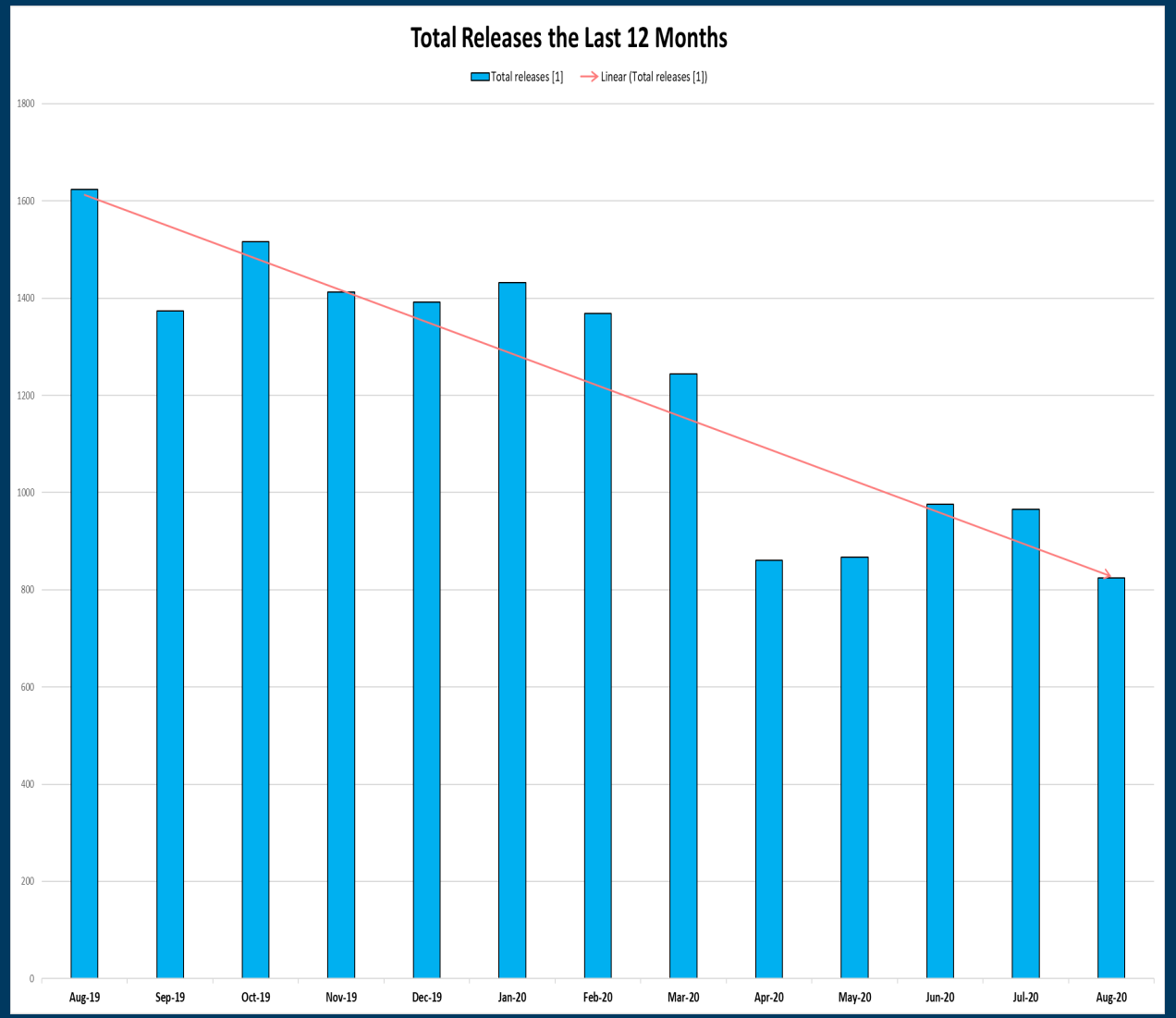
August Safety and Justice MacArthur Report



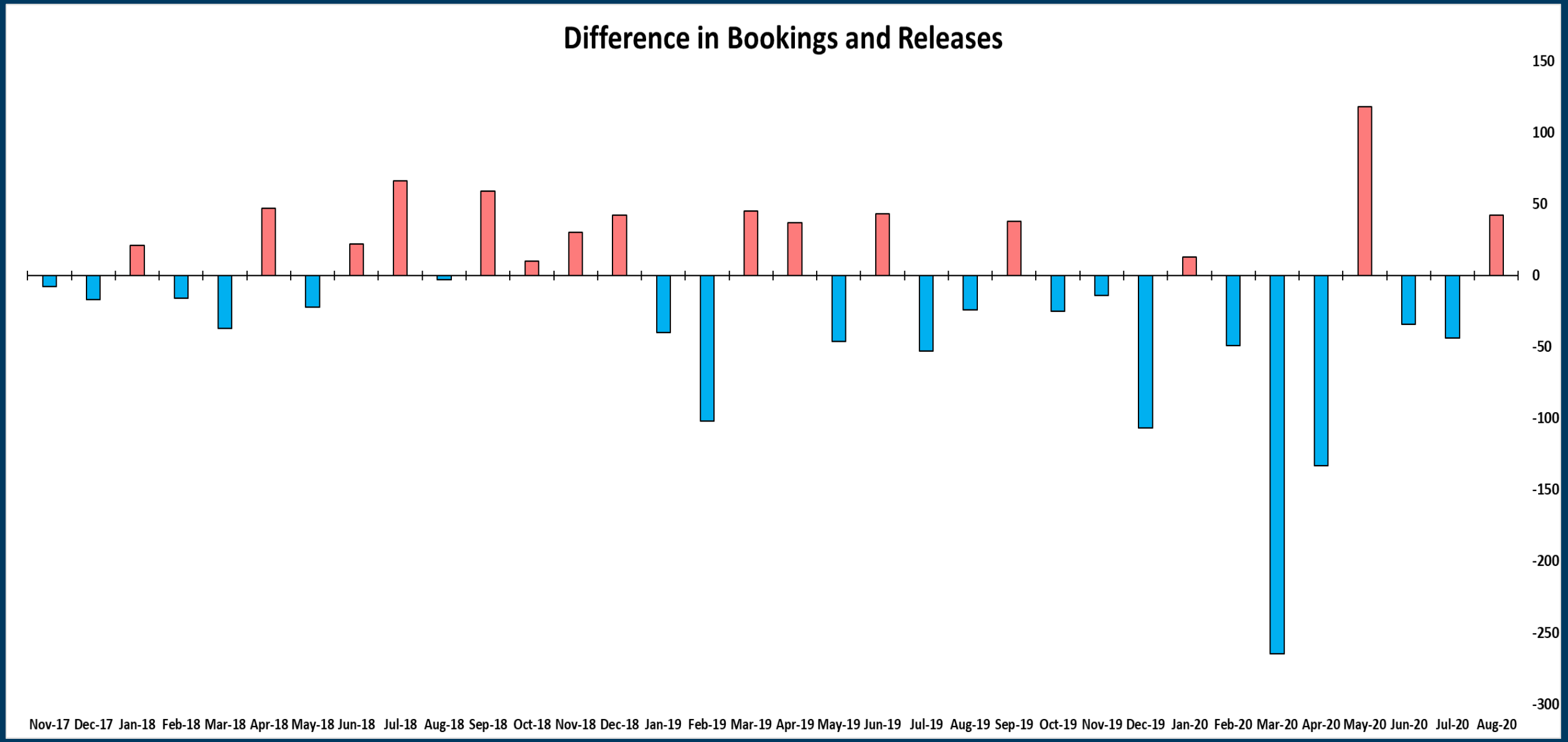


August Safety and Justice MacArthur Report



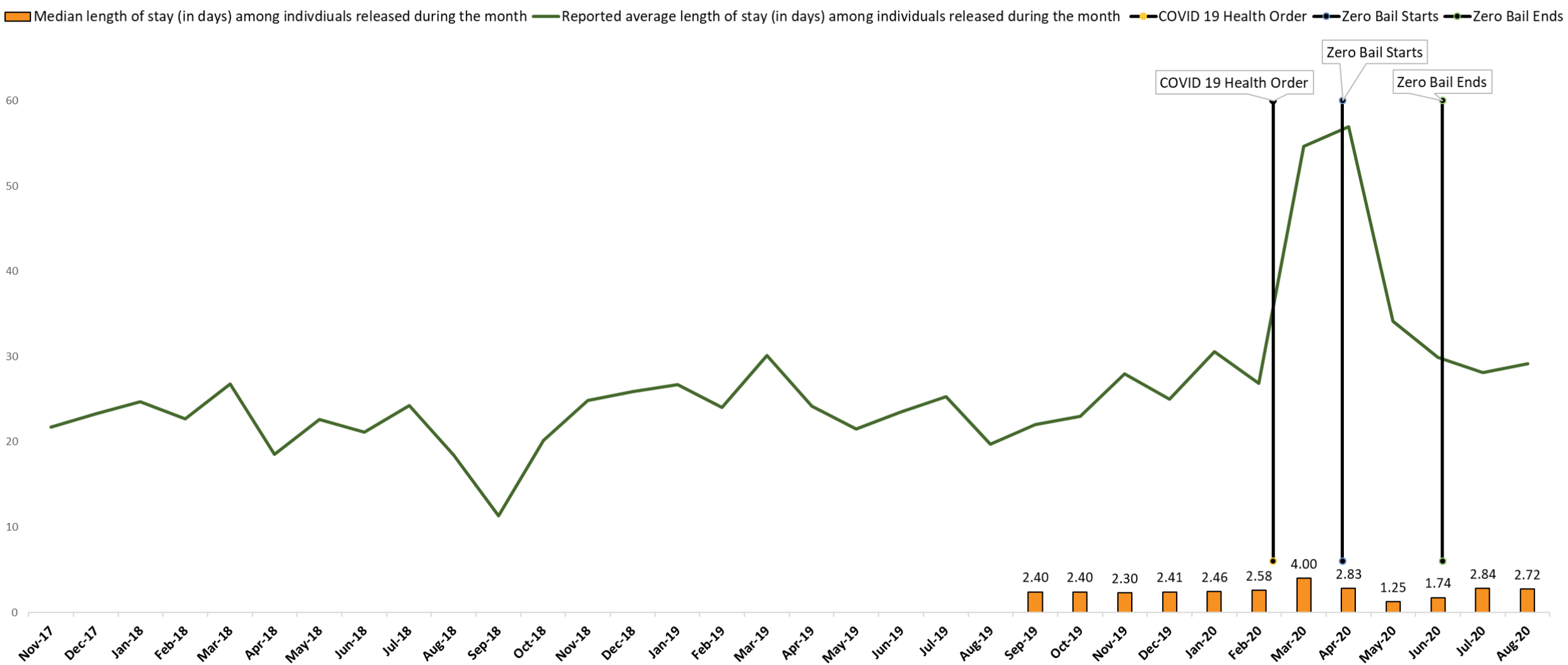


August Safety and Justice MacArthur Report

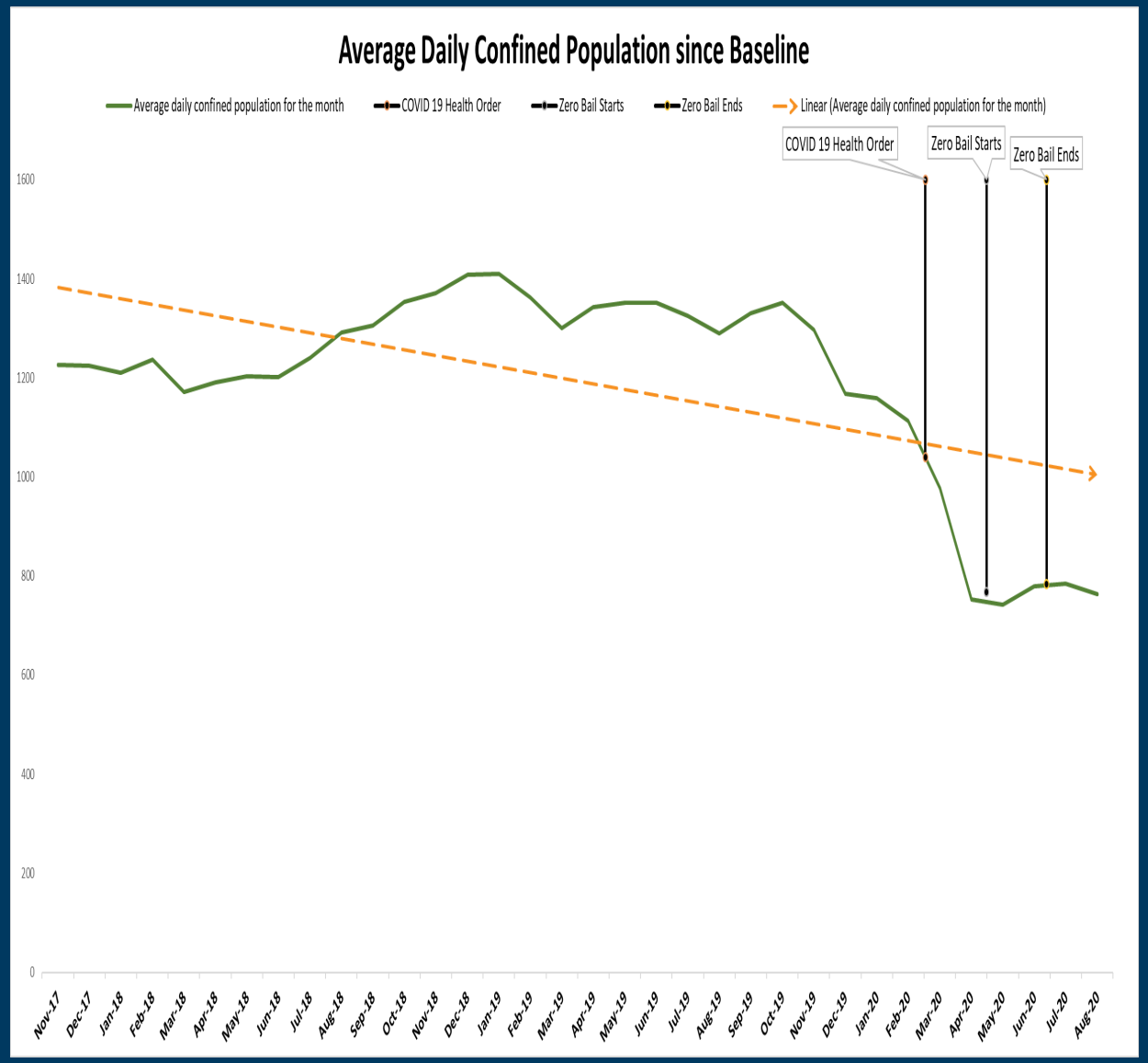


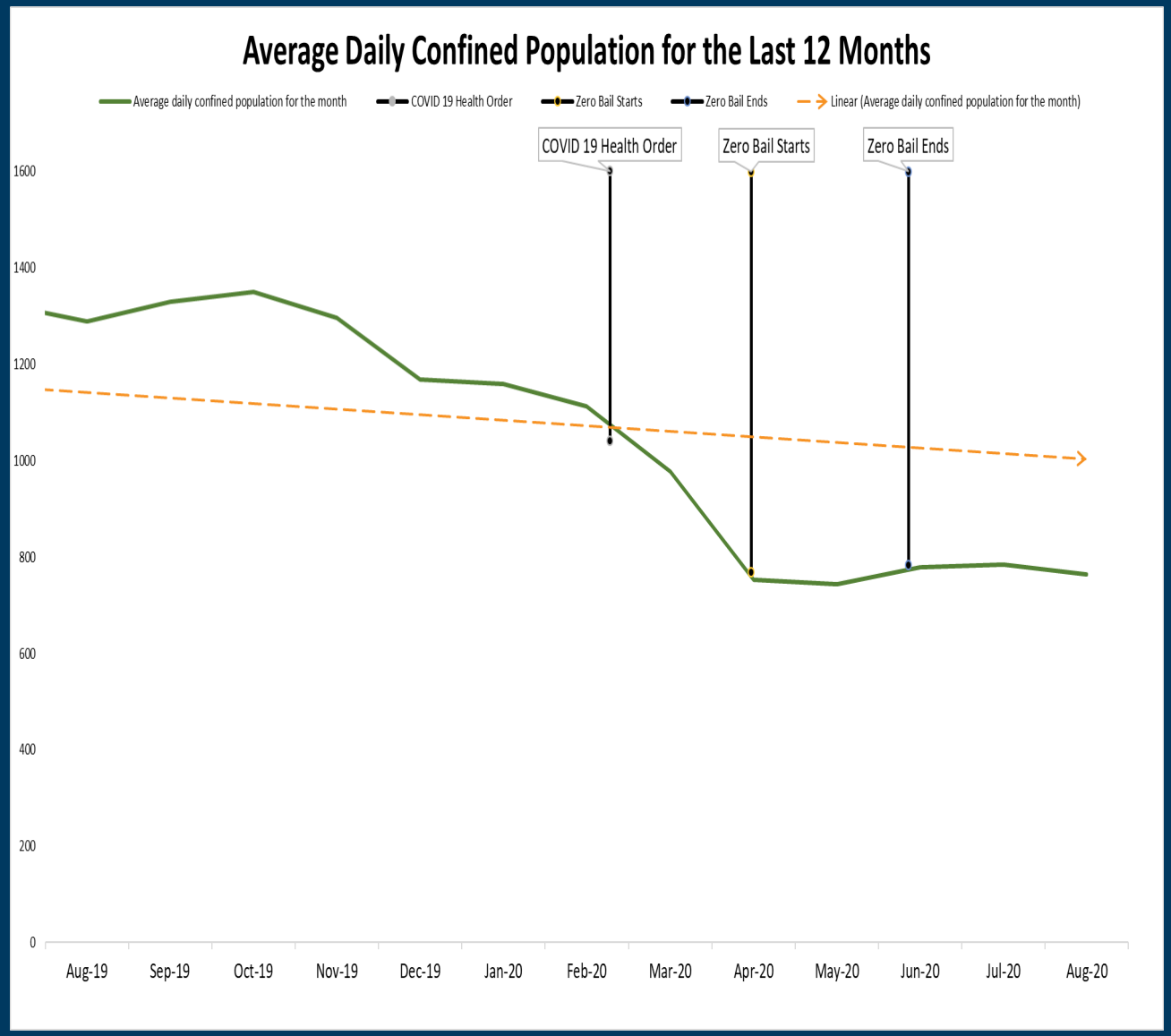
August Safety and Justice MacArthur Report

Released Individuals: Average Length of Stay vs Median Length of Stay



August Safety and Justice MacArthur Report





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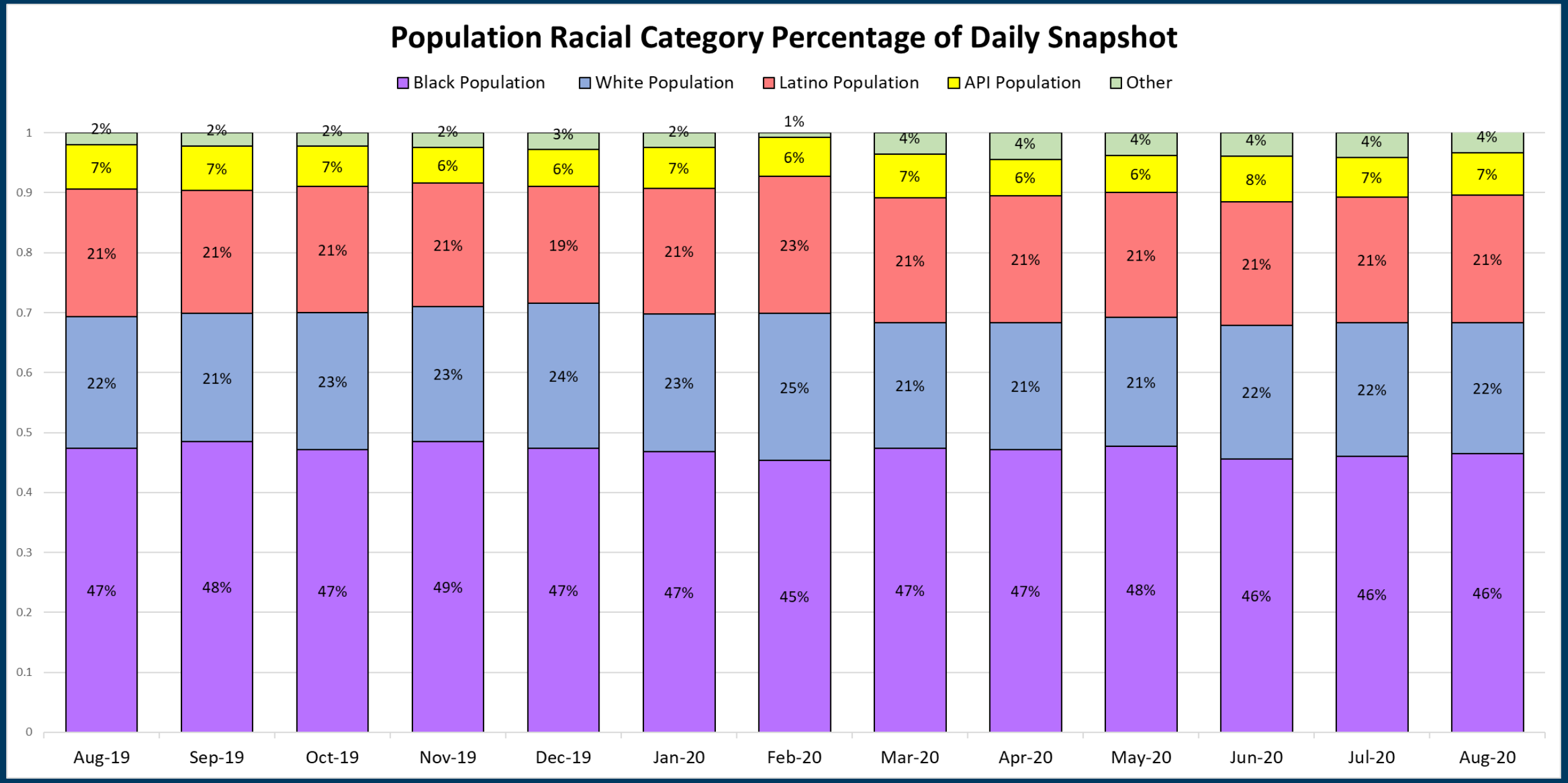

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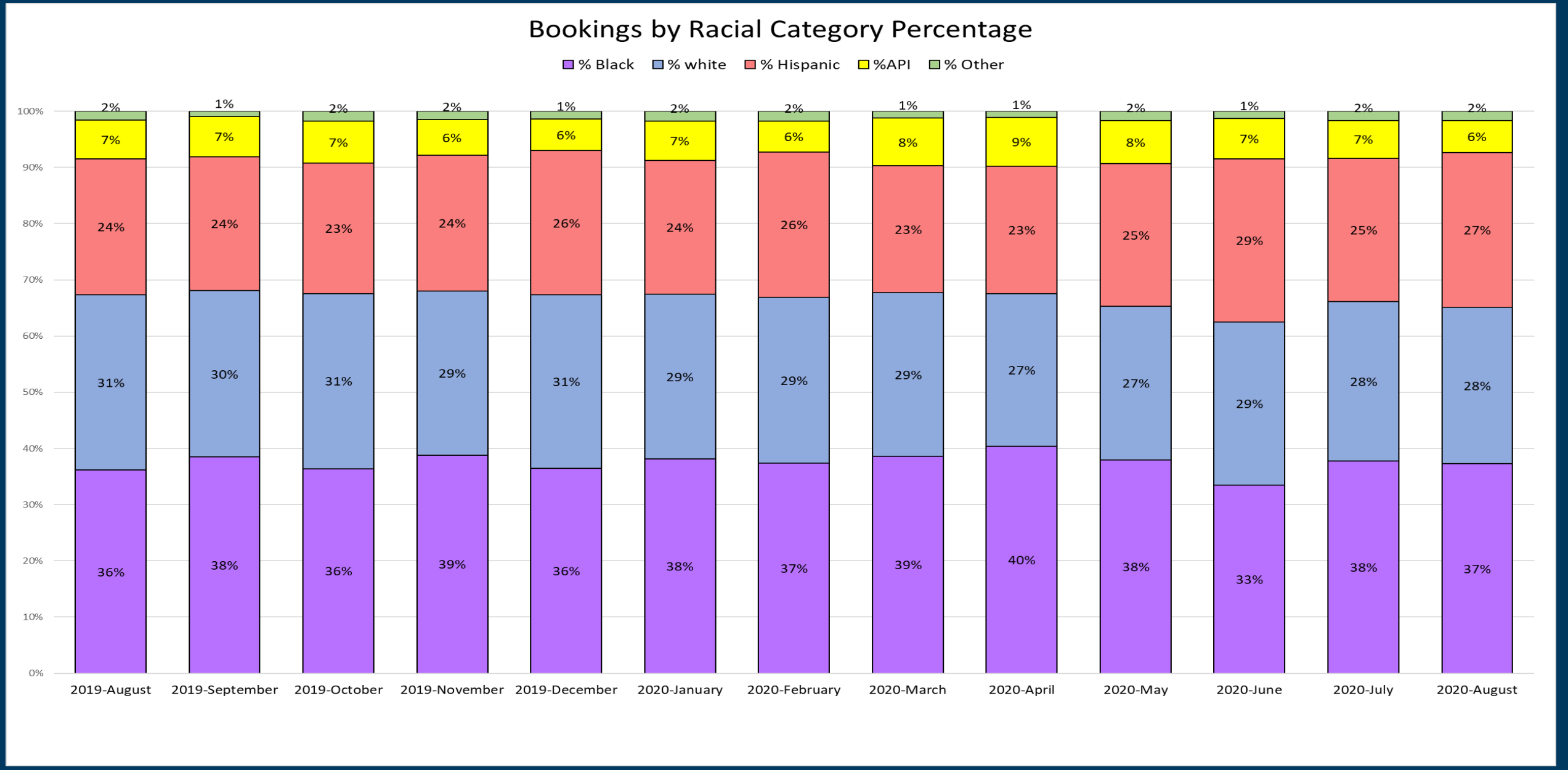

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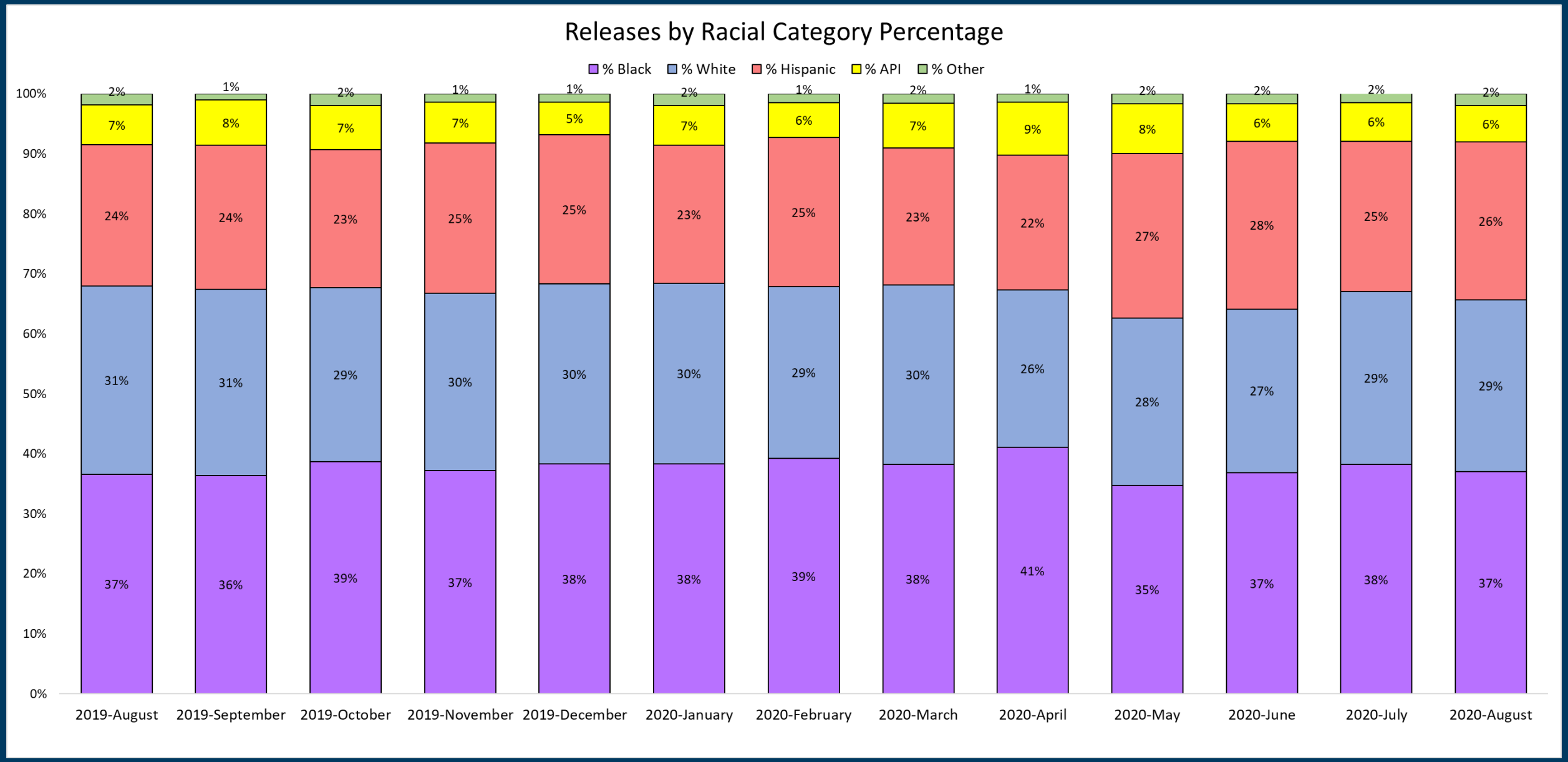
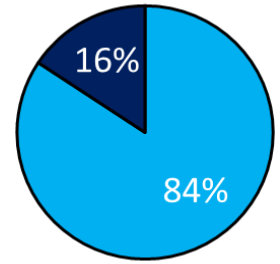


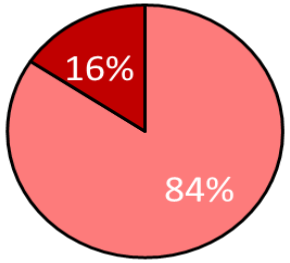
August Safety and Justice MacArthur Report

Bookings



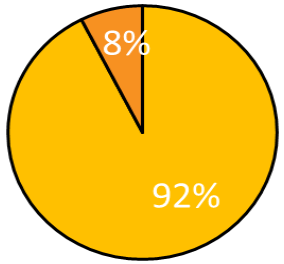
Male Female

Releases



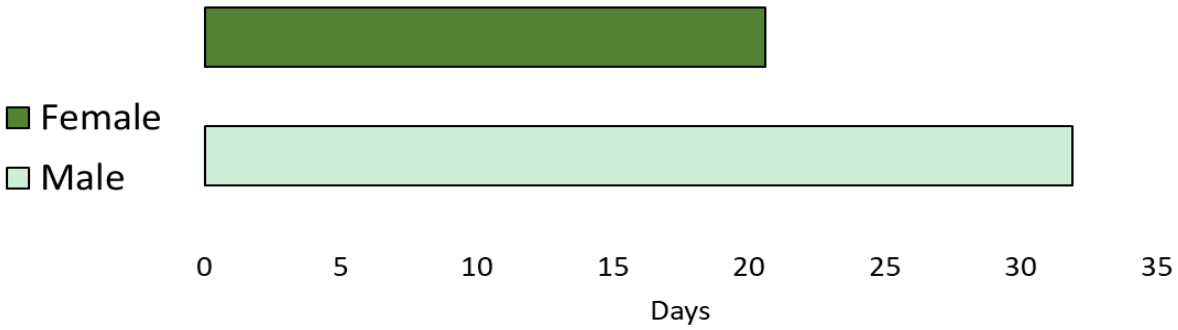
Male Female

Population Snapshot

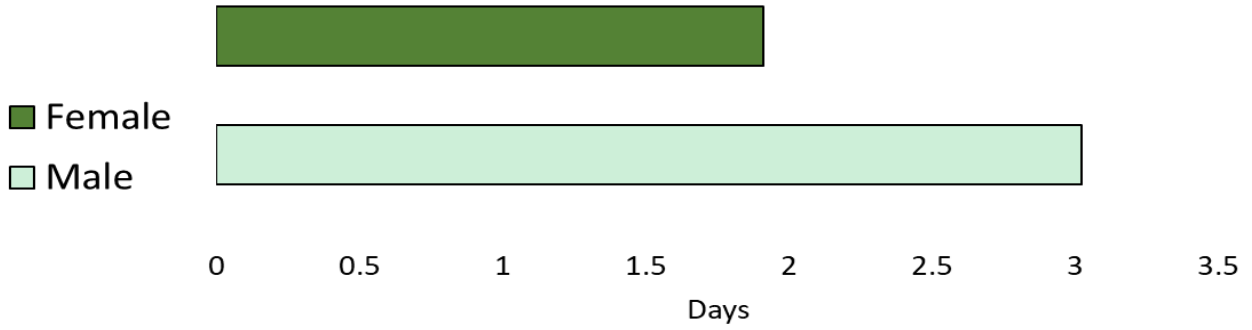


Male Female

Reported Average Length of Stay Among Individuals Released During The Month



Reported Median Length of Stay Among Individuals Released During The Month



Supported by the John D. and Catherine T. MacArthur Foundation

END OF SLIDESHOW

SAFETY+JUSTICE CHALLENGE

Supported by the John D. and Catherine T. MacArthur Foundation

Submitted Public Comment

9/23/20 SJC Subcommittee

Special Meeting

NO NEW SF JAIL COALITION

SF Sentencing Commission Safety and Justice Challenge (SJC) Subcommittee
% San Francisco District Attorney
350 Rhode Island St., North Bldg., Ste. 400N
San Francisco, CA 94103
Via email to: josie.halpern-finnerty@sfgov.org

September 18, 2020

SJC Subcommittee members:

The No New SF Jail Coalition proudly celebrates the historic closure of County Jail 4 (CJ4) after decades of inaction from our city. We are especially proud to celebrate given the Sheriff is abandoning his initial plans to keep using CJ4 for housing and holding people, which was blatantly against the law (SF Admin Code § 122.1(a)). This moment is a long time coming for anyone who has ever been caged at this seismically unsafe and dilapidated jail, anyone whose loved ones have been caged there, and all of the community members who showed up to this fight over the past 5 years. This is a true people's victory.

However, this historic victory will be incomplete as long as a single person is forced to spend time at what was formerly CJ4. To that end, our Coalition continues urging you to do better for the incarcerated workers who are being forced to enter the former CJ4 kitchen and work there for hours every single day. This subcommittee was tasked by the Board of Supervisors to report on the closure of CJ4. You would be remiss if you failed to grapple with the reality of what it means to accept the Sheriff's current operations: Forcing people into this kitchen for any length of time will put them in danger of serious harm—regardless of whether we call the facility "County Jail 2 Annex" or whether the Sheriff is legally allowed to keep using the facility.

We ask this subcommittee to ensure this is highlighted in the final report: that despite the Mayor and Sheriff's press release celebrating the closure last weekend, "closed" does not truly mean closed for 17 incarcerated people. Incarcerated workers should not have to pay the price for our city's decades of inaction.

Signed,

Melissa Hernandez
mghpublic117@gmail.com
On behalf of the No New SF Jail Coalition