

# **The San Francisco Sentencing Commission**

## **City & County of San Francisco**

(Administrative Code 5.250 through 5.250-3)

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### **San Francisco Sentencing Commission**

#### **AGENDA**

Tuesday June 22, 2021, 10:00 am

#### **REMOTE MEETING VIA VIDEOCONFERENCE**

**Watch via Zoom:** <https://sfdistrictattorney.zoom.us/j/96448487896>

**Meeting ID:** 964 4848 7896

**Call-in:** 877 369 0926 US Toll-free

Consistent with state and local orders addressing the COVID-19 pandemic, this meeting of the Sentencing Commission will be held remotely via videoconference. The Sentencing Commission 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](mailto: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.  
Pursuant to Sentencing Commission By Laws the Chair shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.
2. Public Comment on Any Item Listed Below (discussion only).
3. Review and Adoption of Meeting Minutes from March 23, 2021 (discussion & possible action).
4. Staff Report on Sentencing Commission Activities (discussion & possible action).
5. Staff Report on Criminal Justice Racial Equity Workgroup (discussion & possible action).
6. Safety and Justice Challenge Updates by Josie Halpern-Finnerty, Safety and Justice Challenge Director (discussion & possible action).
7. Presentation on Department of Juvenile Justice Closure from Juvenile Probation Department by Emily Fox (discussion & possible action).
8. Presentation on American Rescue Plan Act of 2021: Guide to Advancing Justice-Related Goals from Council of State Governments Justice Center by Megan Quattlebaum, Director.

# **The San Francisco Sentencing Commission**

## **City & County of San Francisco**

(Administrative Code 5.250 through 5.250-3)

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9. Members' Comments, Questions, Requests for Future Agenda Items (discussion & possible action).
10. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.
11. Adjournment.

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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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](mailto: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](mailto:josie.halpern-finnerty@sfgov.org). The material can be faxed or mailed to you upon request.

### ACCOMMODATIONS

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Josie Halpern-Finnerty at [josie.halpern-finnerty@sfgov.org](mailto:josie.halpern-finnerty@sfgov.org) 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 Josie Halpern-Finnerty at [josie.halpern-finnerty@sfgov.org](mailto:josie.halpern-finnerty@sfgov.org) at least two business days before the meeting.

### CHEMICAL SENSITIVITIES

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

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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### MEETING MINUTES

March 23, 2021

10:00 am – 12:00pm

REMOTE MEETING VIA VIDEOCONFERENCE

#### **Members in Attendance:**

San Francisco District Attorney Chesa Boudin; Public Defender Mano Raju; Chief Adult Probation Fletcher representative Tara Agnese; Juvenile Probation Department Chief Miller representative Bobby Uppal; Sheriff Miyamoto and Assistant Chief Tanzanika Carter, San Francisco Sheriff's Department; Chief Scott representative Deputy David Lazar, San Francisco Police Department; Director Colfax representative Deputy Director Naveena Bobba, Department of Public Health; Reentry Council Appointee: Child Protective Services Director Karen Roye representative from Reentry Council; San Francisco Family Violence Council representative Beverly Upton; Re-Entry Council Appointee William Palmer; Board of Supervisors Appointee Theshia Naidoo; Academic Researcher with data expertise appointed by the mayor Steve Raphael.

#### **1. Call to Order; Roll call.**

San Francisco District Attorney Chesa Boudin welcomes everyone to the 33<sup>rd</sup> Sentencing Commission Meeting and calls the meeting to order.

Tara Anderson, San Francisco District Attorney's Office Director of Policy, calls the roll for attendance and all members were present (see above details).

#### **2. Public Comment on Any Item Listed on the Agenda (discussion only).**

There was no public comment provided.

#### **3. Review and Adoption of Meeting Minutes from December 9<sup>th</sup>, 2020 (discussion & possible action).**

District Attorney Boudin asked Commission members to review minutes from the previous Sentencing Commission meeting. Member Roye motions for correction of her name in the December Meeting Minutes. Reentry Council Appointee: Director Roye moved to accept the minutes; Assistance Chief Tanzanika Carter seconded the motion. Minutes from December 9, 2020 were approved unanimously in a Roll Call vote.

No Public Comments received.

#### **4. Review and Approve proposed amendment to the CCP Bylaws, adding the reading of a Ramaytush (pronounced rah-my-toosh) Ohlone Land Acknowledgement to the beginning of all meetings (discussion and possible action)**

DA Boudin introduced the item and guest speaker on adding the amendment to the by-laws to include the Ramaytush Ohlone Land Acknowledgement. On December 8th, 2020, the board of Supervisors amended their rules to include rule 4.7.1, declaring that the president would read a

# **The San Francisco Sentencing Commission**

## **City & County of San Francisco**

(Administrative Code 5.250 through 5.250-3)

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Ramaytush Ohlone land Acknowledgement to be read at the beginning of every meeting. The amendment draft is included in the meeting pack under agenda item number four.

DA Boudin welcomes Gregg Castro, Principal consultant of the association of the Ramaytush Ohlone.

Gregg Castro expressed his gratitude for the inclusion of the Ramaytush Ohlone Land Acknowledgment throughout the entities of government in San Francisco. In addition, Gregg emphasizes the importance of adding this amendment to government meetings as the beginning of a process to bring awareness of caring for the land and the life that reside within.

Commission member Steve Raphael motioned to approve the Ramaytush Ohlone Land Acknowledgment amendment; Member Tara Agnese seconded the motion. The motion was approved unanimously in a Roll Call vote.

No questions or Public Comments received.

### **5. Staff Report on Sentencing Commission Activities (discussion & possible action).**

Tara Anderson provided an overview of the activities since the December 2020 meeting, including meeting administrative support and setting the agenda for the remaining year. In the 2021, meetings were moved to Tuesday to accommodate members' schedules because Wednesdays regularly conflicted with other meetings that required department head participation. As well as extend appreciation to Jose Halpern Finnerty and Mikaela Rabinowitz, and the team that works behind the scenes.

Director Karen Roye provided an update from the Reentry Council.

The Reentry Council held a meeting on January 28, 2021. During this meeting, a discussion regarding the direct services for legislation policy and practice subcommittees was reviewed due to the extensive recruitment within the reentry committee—membership increase in both subcommittees. The council approved the new rosters for the direct services and legislation policy and practices subcommittee. The counsel acknowledged Jabari Jackson as the new justice's involvement chair of the reentry council. Additionally, the council approved the Ramaytush Ohlone Land amendment to their laws which will be read at the beginning of every reentry council meeting. A special thank you was given to Norma Ruiz, who was a mayoral appointee whose term ended on January 2021. The next meeting will be held on April 22, 2021

Beverly Upton provided an update from the Family Violence Council.

Beverly stated that it was a pleasure working with everyone as she will be stepping down as chair sometime this year, but great prospects are being considered for her position. Such as people of diverse backgrounds and heavily involved in DV and child abuse areas. Her department continues to strive for the safety and wellbeing of families in San Francisco.

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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Bobby Uppal, with the Juvenile Probation Department, provided an update on the implementation of SB 823 and active recruitment.

No new commitments will be accepted after July 1, 2021, and DJJ will completely close by July 2023. This means that each country will be accountable for the development of a comprehensive long-term realignment plan to serve youth at the local level; these may include identifying the facilities, programming service needs, and the allocation of grant funding. The JJC is searching for subcommittee members to help with the long-term realignment program, and the application deadline is March 26.

No questions or Public Comments received.

### **6. Staff Report on Criminal Justice Racial Equity Workgroup (discussion & possible action).**

DA Boudin welcomes Victoria Westbrook and Arcelia Hurtado, who provided an overview of the Social Justice Equity Workgroup activities.

Victoria Westbrook mentioned that the last meeting was held on March 17th, 2021, where the new SJC Fellows were introduced. Participants had a discussion on the California Racial Justice Act, which prohibits the use of race, ethnicity, or national origin in sentencing and convictions and aims to create more significant equity within the justice system. Lastly, the Criminal Justice Racial Equity Group will host a racial justice act training. This training will take place Thursday, April 29th, and Friday, April 30th from 10 am to 12 pm; the goal is to have a representative from all of the criminal justice partners, five to seven people from each agency as well as team members such as line staff, management, and executive staff. If any agencies have any follow up questions, please feel free to reach out

Victoria: [victoria.westbrook@sfgov.org](mailto:victoria.westbrook@sfgov.org)

Arcelia: [Arcelia.Hurtado@sfgov.org](mailto:Arcelia.Hurtado@sfgov.org)

No additional questions or Public Comments were received.

### **7. Safety and Justice Challenge Updates by Josie Halpern-Finnerty, Safety and Justice Challenge Director (discussion & possible action)**

Josie Halpern-Finnerty provided an update on the Safety and Justice Challenge progress/implementation and the work plan for 2021.

Josie announced that San Francisco received additional funding from the MacArthur Foundation under the Safety and Justice Challenge. She expressed gratitude to the SJC partners and coordinators at JSP for their continues support. The foundation projects that with in the next two years San Francisco be able to sustain the jail population reduction we achieve through the collective efforts and address the persistent racial disparity in the jails. The SJC identified five strategies corresponding activities that would help with achieving these goals [details are included in page 18 of the packet]. The Safety and Justice Fellowship will be launching soon, it aims to integrate and strengthen partnerships with people who have been directing impacted by

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

---

the criminal legal system into the SJC work with bringing in this personal experience. In attendance were the inaugural cohort members, Bright Star research team and Holly Joshi who have been working to develop the fellowship. In the following months Amina Elster (campaign and policy coordinator with the California Coalition for women prisoners), Philip Jonas (peer case manager with jail behavioral services), Aaron Lowers (educator with five schools programs), Viet MacNeil (employment plan supervisor with the community youth center) and Earl Sims (regional director for reentry housing and support organization timeless group). For any questions email Josie Halpern-Finnerty.

No additional comments were received from the public or members of the Commission.

### **8. Annual Review of Sentencing Trends (discussion only).**

The Sentencing Commission reviews sentencing trends annually.

Tara Anderson presented the San Francisco Criminal Case Statistics 2020 PowerPoint and responded to questions.

Steven Raphael posed the question regarding the prison commitments Have there been holding on transfers in the CDCR and has that impacted the numbers?

Tara Anderson provided an answer stating that there have been holds on transfers to CDCR. Assistant Chief Tanzanika Carter added that on March 2<sup>nd</sup>, 2021 there was a transfer, The first in nearly a year. She further indicated that no new information has been provided of when the next transfer will occur.

Beverly Upton suggested for future references for there to a breakdown between domestic violence, elder abuse, and child abuse more definitively in the data.

Karen Roye posed the question about expanding more on what the category other entails in the last slide.

Tara Anderson stated that the category “other” has a general description of many different crime types and made a note to provide more detail of top five crime types in the other category for future presentations.

Tara Agnese added a comment saying that the percentage presented in the chart on slide five involves adult supervision. From her experience reviewing the data, typically 33% of state prison commitment also known as “paper commitments” are people who got state prison sentencing but do not get transferred to a state prison.

### **9. Presentation on digging deeper into Racial and Ethnic disparities using data to make change from the W. Haywood Burns Institute (discussion & possible action).**

DA Boudin welcomes Clarence Ford and Anna Wong from the Haywood Burns Institute. Anna Wong and Clarence Ford presented Digging Deeper into Racial and Ethnic Disparities.

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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The W. Haywood Burns Institute is a black-led national and non-profit located in Oakland. The focus of the institute is, as Anna Wong said, "structural wellbeing." Anna started her presentation by emphasizing step two from their three-step reducing racial and ethnic disparities processes. Still, she points out that a data-driven approach alone cannot create a change. The first step is the deification of racial disparities, which Anna says the DA's Office has done a great job on this step. The three important metrics to use in order to analyze data are volume, rate, and disparity gaps since each of these categories can show different things involving the disparity issues. Anne brought a point up when analyzing data; we should be looking at the reoccurring offense commented rather than the number of times a person is booked into jail. She presented an example of a chart that showed the number of criminal offenses commented on based on race. As well as if we look at the rate, Anne points out that people of color are being overrepresented when it comes to bookings and that 12 per 1,000 in the population.

Clarence Ford, a policy research associate from the W. Haywood Burn Institute provided an overview of how to improve focus on identifying priority populations. Clarence emphasizes the importance of being aware of each step of the decision point analysis by looking at who is making that decision, what options are there at the policy point, and if there is a policy in practice. Clarence mentioned that within San Francisco, the disparities were a huge problem before policy and prior to Covid lockdown. Clarence highlighted the need to leverage tools and technologies to monitor trends. For example, numbers decrease and decrease, and disparities increase. He also wanted to emphasize that individuals who commit violent crimes are often victims themselves. To support his statement, Clarence provided a national survey conducted in 2016 by the Alliance for Safety and Justice that asked 800 people if they would invest in more prisons and jails or in community supervision (parole). The results indicated that more than 63% of the people surveyed preferred investing more in community supervision.

Assistant Chief Tanzanika Carter and Member Roye commented about the amazing work and presentation Anna and Clarence showcased at the meeting.

Steve Raphael further appreciated the presentation and posed a question regarding their focus on the length of stay and what can be done to possibly shorten the time of people in jail.

Anna answers by saying that looking at the data and noticing the reasons why people are getting booked can lead to a systematical change. Clarence added that people who are seen as missing their court appearances are not intentionally committing these actions but can potentially have other circumstances that are preventing them from attending, and that is a factor that has to be taken note of.

Carolyn Goossen from the Public Defender's Office asked SC members and the presenters, saying how San Francisco can take the model presented today and implement them into the data that the team is overseeing.

Anne responded with an example of deeper analysis including examination of enforcement and charging practices at the neighborhood level in-depth, and other factors.



# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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The following Public Comment was heard;

Paul Briley publicly commented, saying that focus should be focused on youth and the individual officer's interactions with people.

Earl Simms extended an invitation to Clarences Ford to speak at the Safety and Justice Fellowship.

### **10. Update on Justice Dashboard and “High User” Analysis by California Policy Lab (discussion & possible action).**

DA Boudin introduces the agenda item and indicates that the California Policy Lab is a valuable research partner not only to the commission but as s to the Safety and Justice Challenge partner agencies as well. An update was given on the Justice Dashboard and an overview of the researcher that is currently under way on the way of people who have frequent contact with the criminal legal system.

DA Boudin welcomes Alissa Skog and Elsa Augustine.

Alissa Skog started her presentation by stating that CPL provides support to the Safety and Justice Challenge to improve performance metrics; she further indicated that the information presented is just an overview of the progress to date, and she will come back in June or September with a more comprehensive presentation. The first topic discussed was Adopting a Desistance Framework; this involves shifting from binary measure whether a person failed or succeeded but instead view outcomes on a success scale. Including subfields, such as re-shifting the narrative from a damaging approach of a person convicted to a positive success story. A related important point is to measure subsequent contact at multiple points; this measure would add context to the individual’s situation, as Clarence mentioned in his presentation, which can create a significant change in the outcome. The last subfield is moving beyond binary measure, which looks into a time frame of when a person is released in the community and when they were rearrested for another crime.

Elsa Augustine discussed the topic of expanding success metrics involving descriptive analysis. The “High User” Analysis, with the support of the San Francisco Sheriff’s Office, the District Attorney’s Office, and the Department of Public Health, will be able to define and understand patterns of high system and service utilizers. For the proposes of this initial analysis, a high utilizer is person who is in the top 5% of physical/behavioral health and housing services as well as the top 5% of individuals booked into the SF jails. The final descriptive and causal analysis is still underway and CPL will return to the Sentencing Commission for a follow up presentation later in 2021.

Alison and Elsa provided their emails if any members had any further questions.

Alissa Skog: [alissaskog@berkeley.edu](mailto:alissaskog@berkeley.edu)

Elsa Augustine: [eaugustine@berkeley.edu](mailto:eaugustine@berkeley.edu)

DA Boudin thanks Alissa and Elsa for their amazing presentation and their research.

# **The San Francisco Sentencing Commission**

## **City & County of San Francisco**

(Administrative Code 5.250 through 5.250-3)

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Member Karen Roye expressed her thanks to the team that put the research together and Alison and Elsa for their presentation.

No public comment.

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

Member William Palmer requested to address the topic of PTSD since he points out that the subject of a person's PTSD is not considered before the crime and after incarceration. As well as have a person such as himself who has been in that situation present in meetings and in court hearings. Lastly, he also suggests the importance of having a reentry committee and a reentry department in the Mayor's office or in a location where he can bring his 35 years of experience into the discussion around the table for allocation funds and other topics.

### **12. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda**

No public comment

### **13. Adjournment**

DA Boudin calls for the adjournment Sentencing Commission.

Assistant Chief Tanzanika Carter motions to adjourn the meeting; Member Theshia Naidoo seconds the motion.

Motion passed unanimously in a Roll Call vote.

Next meeting will take place on June 22<sup>nd</sup> , 2021.

Adjourned at 12:00 pm.

# The San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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### 2021 Remaining Meeting Dates – Updated 6/15/2021

Meeting dates and agendas will be posted on the San Francisco District Attorney's website:  
<https://sfdistrictattorney.org/policy/sentencing-commission/agendas-minutes-and-documents/>

#### **Sentencing Commission Full Meeting**

Meetings are held virtually on a quarterly basis from 10:00am-12:00pm unless otherwise specified.

- June 22, 2021
- September 21, 2021
- December: date TBD

#### **Criminal Justice Racial Equity Workgroup**

Meetings are held virtually every other month on the 3<sup>rd</sup> Thursday of the month from 10:00-11:00am unless otherwise specified.

- July 15, 2021
- September 16, 2021
- November 18, 2021

#### **Safety and Justice Challenge Workgroup**

Meetings are held virtually on the 3<sup>rd</sup> Tuesday of the month from 12:00-2:00pm unless otherwise specified.

- July 20, 2021
- August 17, 2021
- October 19, 2021
- November 16, 2021
- December 21, 2021

**SF SJC 2021 Overarching Goals:**

- 1) Reduce racial disparities in the jail
- 2) Maintain overall jail population reductions or make further reductions if needed amidst the ongoing pandemic
- 3) Develop mechanisms to sustain efforts and changes

Area	Goal(s)	Jan-March	April-June	July-Sept	Oct-Dec
<b>Lead with Race</b>	Center all strategies around racial disparities reduction. Engage community members with lived experience in to inform strategies and activities. Develop new programs/activities focused on disparities reduction.	<ul style="list-style-type: none"> <li>Launch inaugural SJC Fellowship</li> <li>Refine activities and metrics to ensure racial disparities reduction focus across strategies</li> <li>Plan community engagement activities with SJC Fellows focused on expanding diversion options</li> <li>Criminal Justice Racial Equity Work Group (CJREWG) and SJC Fellows develop goals for Racial Justice Act training series</li> <li>Finalize and implement Office of Racial Equity Phase I Action Plans<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>SJC Fellows begin participatory action research on expanding diversion options</li> <li>Hold Racial Justice Act training series in partnership with CJREWG, SJC Fellows, Bright Research Group</li> <li>Fellows develop recommendations to expand community engagement and diversion options</li> <li>Participate in Office of Racial Equity Phase II planning</li> </ul>	<ul style="list-style-type: none"> <li>Launch second cohort of Fellows</li> <li>Implement new community engagement strategies</li> <li>Develop new training series with CJREWG and Fellows</li> <li>Present recommendations for increasing diversion options to Sentencing Commission</li> </ul>	<ul style="list-style-type: none"> <li>Second Fellow-led participatory action research project</li> <li>Launch new racial disparities reduction training series</li> <li>Implement new diversion options/programming</li> </ul>
<b>Sustain Shared Focus</b>	Sustain and enhance a vigorous jail population review (JPR) process. Use the lessons from case review to drive policy change.	<ul style="list-style-type: none"> <li>Hold bimonthly JPR meetings with focus on charges where black people are overrepresented</li> <li>Develop plan to track impact and share lessons learned from JPR</li> <li>Host more intensive case review as needed during COVID</li> </ul>	<ul style="list-style-type: none"> <li>Continue JPR meetings, revisiting case criteria quarterly to ensure focus on racial equity</li> <li>Bring policy recommendations to SJC Workgroup quarterly</li> <li>Host more intensive case review as needed during COVID</li> </ul>	<ul style="list-style-type: none"> <li>Continue JPR meetings, revisiting case criteria quarterly to ensure focus on racial equity</li> <li>Bring policy recommendations to SJC Workgroup quarterly</li> <li>Host more intensive case review as needed during COVID</li> </ul>	<ul style="list-style-type: none"> <li>Continue JPR meetings, revisiting case criteria quarterly to ensure focus on racial equity</li> <li>Bring policy recommendations to SJC Workgroup quarterly</li> <li>Host more intensive case review as needed during COVID</li> </ul>
<b>Improve Case Processing</b>	Improve case processing and address lengthy stays in jail. Work with the Superior Court, District Attorney and Defense to adopt systems and structures to reduce delay and coordinate criminal case priorities.	<ul style="list-style-type: none"> <li>Court signs contract with Justice Management Institute (JMI)</li> <li>Kick-off meeting with JMI and justice system partners</li> <li>Court develop dashboards for judges to monitor caseloads, track case management progress, and monitor metrics related to racial disparities</li> </ul>	<ul style="list-style-type: none"> <li>JMI host training on case processing and sentencing best practices</li> <li>JMI conducts site visit and partner interviews, shares interim report, provides TA to Court on dashboards</li> <li>Identify case processing metrics relevant to racial disparities</li> <li>Explore processes/practices related to different types of “holds” in jail</li> </ul>	<ul style="list-style-type: none"> <li>Draft case management plan reviewed by workgroup and leadership</li> <li>Finalize case plan and associated tools for case coordination</li> <li>Finalize Court dashboards</li> </ul>	<ul style="list-style-type: none"> <li>Implement case management plan and associated tools</li> <li>Implement and refine Court dashboards post-C-Track launch</li> <li>Track impact of any changes on racial disparities in jail and at key decision points</li> </ul>

<sup>1</sup> See Office of Racial Equity website for more details: <https://www.racialequitysf.org/mandate>

## GOALS & ACTIVITIES FOR 2021

Area	Goal(s)	Jan-March	April-June	July-Sept	Oct-Dec
<b>Increase &amp; Maintain Healthy Connections</b>	Increase connections to community-based support for people with behavioral health and/or housing needs in jail. Improve coordination across local criminal justice, public health, and housing systems.	<ul style="list-style-type: none"> <li>Corporation for Supportive Housing (CSH) launches racial disparities analysis and system mapping project with Reentry Council</li> <li>Homebase provide TA series to help partner agencies navigate the housing system</li> <li>SJC and Reentry Council host joint meeting with Prop C Committee to inform funding allocations</li> <li>DPH clinician works with people in jail who have BH needs, referring to JPR and community-based supports, with focus on individuals from overrepresented groups</li> <li>DA Sentencing Planner develops individualized plans for community-based care to support dispositions</li> </ul>	<ul style="list-style-type: none"> <li>Continue work of DPH clinician and DA Sentencing Planner, with focus on overrepresented groups</li> <li>Training for Judges/DAs on serving people with BH needs</li> <li>CA Policy Lab completes system high utilizer descriptive analysis and presents to the SJC Workgroup</li> <li>CSH shares interim findings from analysis with SJC Workgroup</li> <li>Share lessons learned from Tipping Point pilot bridge housing project with SJC Workgroup</li> </ul>	<ul style="list-style-type: none"> <li>Continue work of DPH clinician and DA Sentencing Planner, with focus on overrepresented groups</li> <li>CSH finalizes analysis, system map, and recommendations</li> <li>Develop recommendations based on CPL and CSH reports and share with Sentencing Commission, Reentry Council, Prop C Committee</li> <li>Monitor progress of new citywide crisis response efforts and participate as needed</li> </ul>	<ul style="list-style-type: none"> <li>Continue work of DPH clinician and DA Sentencing Planner, with focus on overrepresented groups</li> <li>Determine if and how pilot bridge housing investments need to be sustained or expanded to best serve justice-involved people, and identify ongoing funding streams</li> <li>Develop new workflows and protocols to serve people who touch multiple systems, with focus on reducing racial disparities</li> </ul>
<b>Drive with Data</b>	Build a more transparent, data-driven justice system in San Francisco. Develop tools and data-sharing agreements that enhance partners' ability to sustain jail reductions.	<ul style="list-style-type: none"> <li>Continue sharing monthly Jail population presentation with SJC Workgroup, refining based on input</li> <li>Data team meets monthly, develops indicators to track decision-points critical to reducing disparities</li> <li>Continue development of internal and external facing data dashboards</li> <li>Finalize a cross-agency agreement to guide data-sharing through the JUSTIS hub</li> </ul>	<ul style="list-style-type: none"> <li>Data team meets monthly to at data trends and data sharing needs</li> <li>Present racial disparities indicators at SJC Workgroup; refine disparities reduction activities across strategies as needed</li> <li>Finalize key performance indicators for the criminal justice system developed by the JUSTIS partners; develop a plan to regularly share with City leadership and the public</li> </ul>	<ul style="list-style-type: none"> <li>Data team meets monthly to at data trends and data sharing needs, with focus on racial disparities indicators</li> <li>Justice Dashboard transitions from CA Policy Lab to CCSF hosted platform</li> </ul>	<ul style="list-style-type: none"> <li>Data team meets monthly to at data trends and data sharing needs, with focus on racial disparities indicators</li> <li>Refine disparities reduction activities across strategies as needed based on indicators</li> </ul>

# SENTENCING COMMISSION



Tuesday June 22<sup>nd</sup>,  
2021



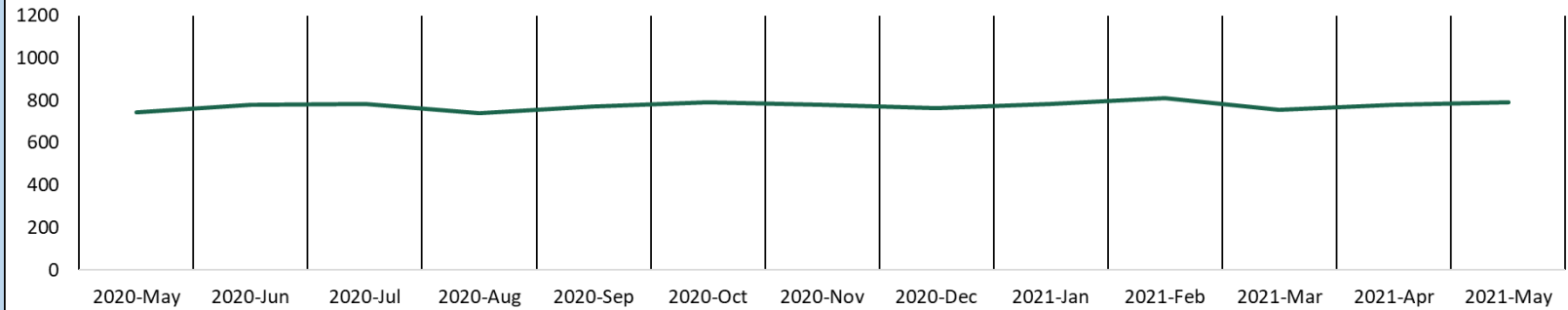
Supported by the John D. and Catherine T. MacArthur Foundation

# Safety and Justice Challenge May 2021 Report



## Average Daily Population

This Month	Change from last month	Change from last year
790	1% 	6% 

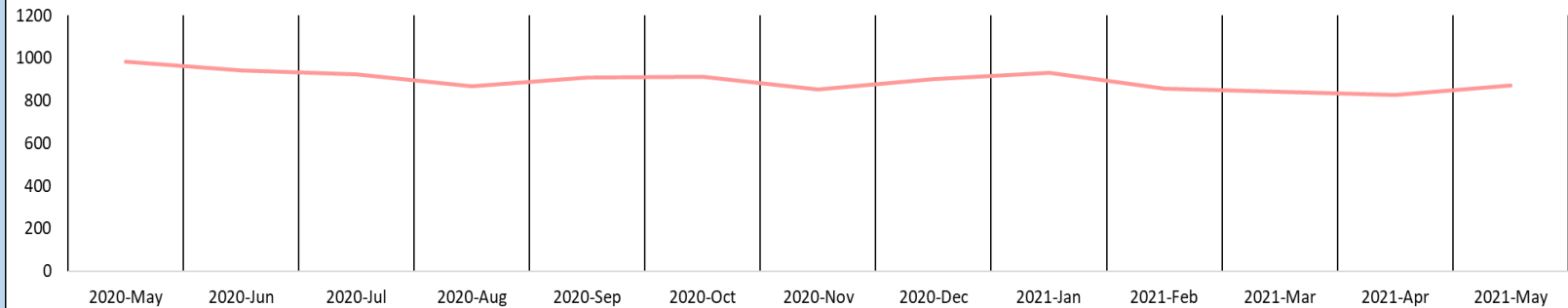
## Average Daily Population Last 12 Months





## Bookings

This Month	Change from last month	Change from last year
871	5% 	12% 

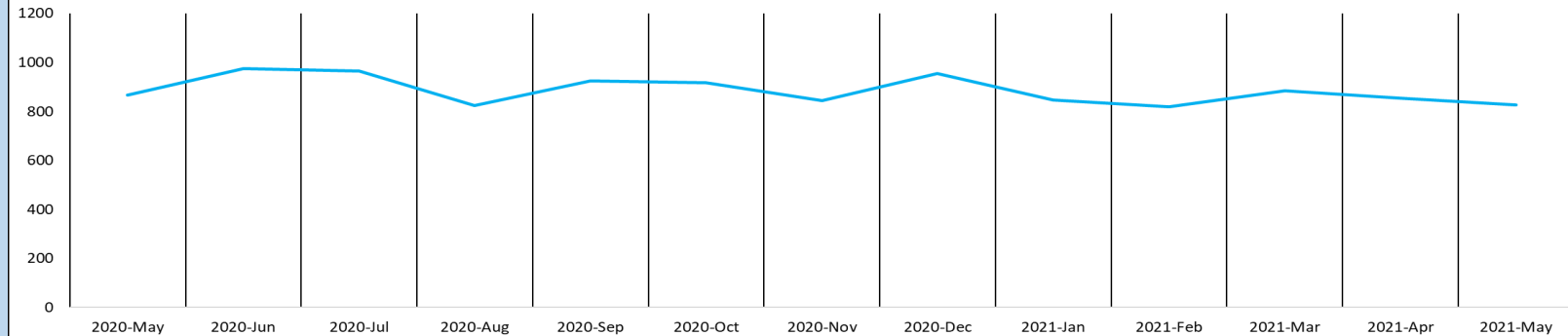
## Bookings Last 12 Months



## Releases

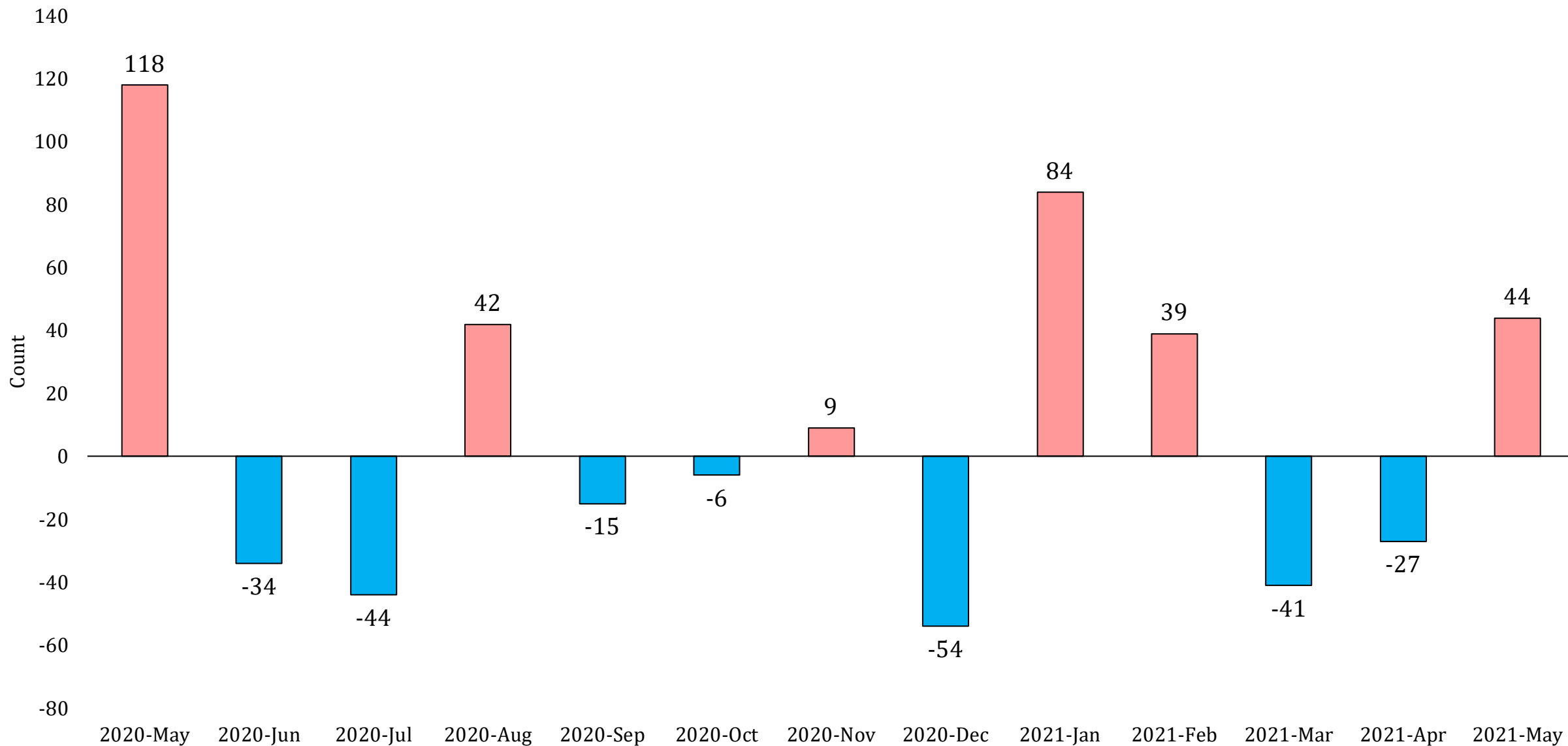
This Month	Change from last month	Change from last year
827	3% 	5% 

## Releases Last 12 Months



# Safety and Justice Challenge May 2021 Report

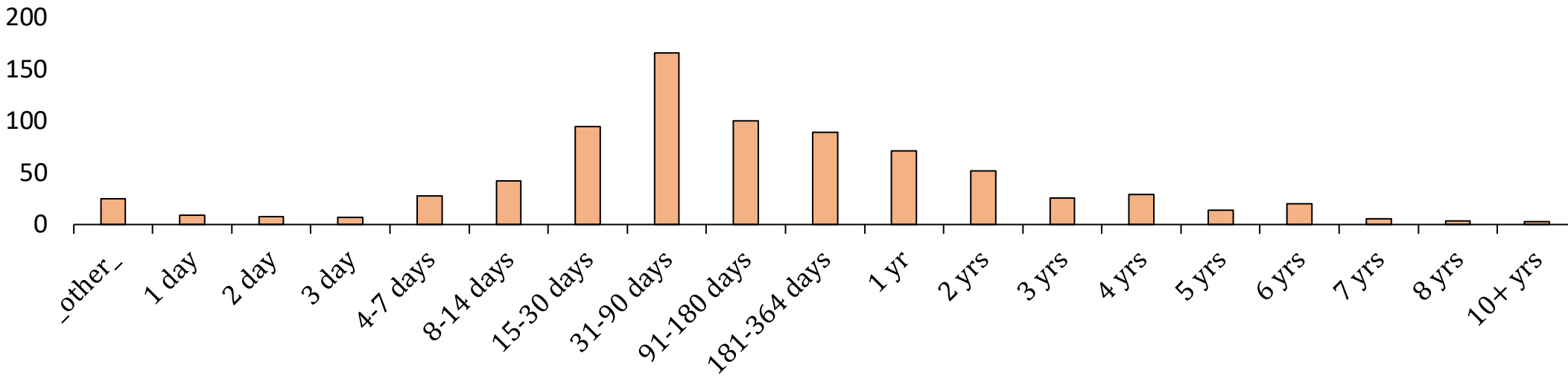
## Monthly difference in bookings vs. releases





# Snapshot Population May 2021 Report

## Time in custody for snapshot population on May 18, 2021



Average time in custody 417

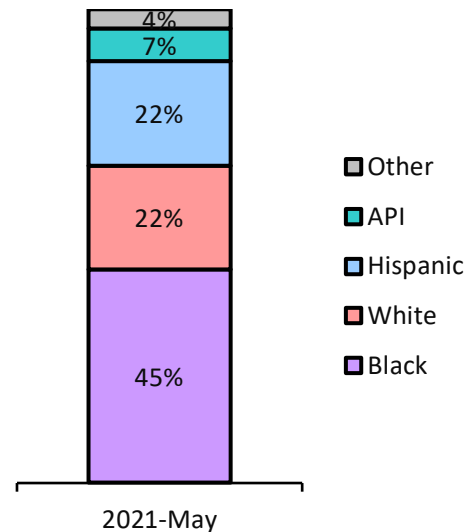
Median time in custody 104

Average age at booking 34

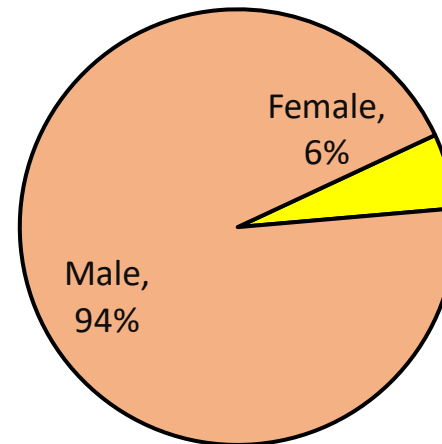
Median age at booking 32

	April	Last 12 Months
Black	45%	Low 45 High 49
White	22%	Low 19 High 22
Hispanic	22%	Low 21 High 22
API	7%	Low 6 High 8
Other	5%	Low 1 High 5

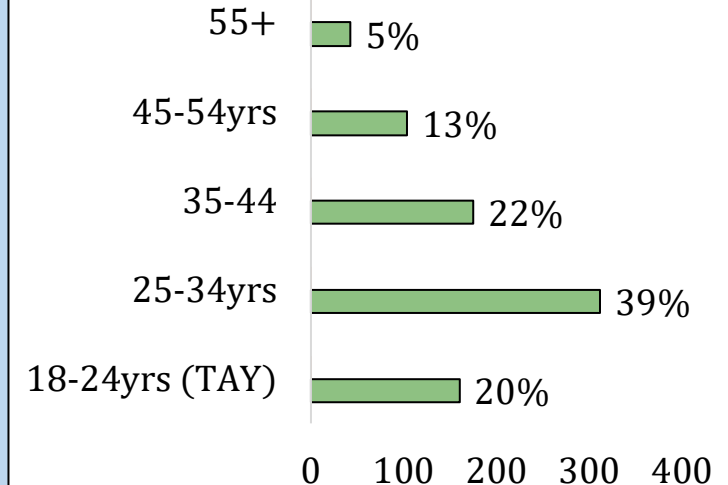
### Ethnic and Race Percent



### Gender

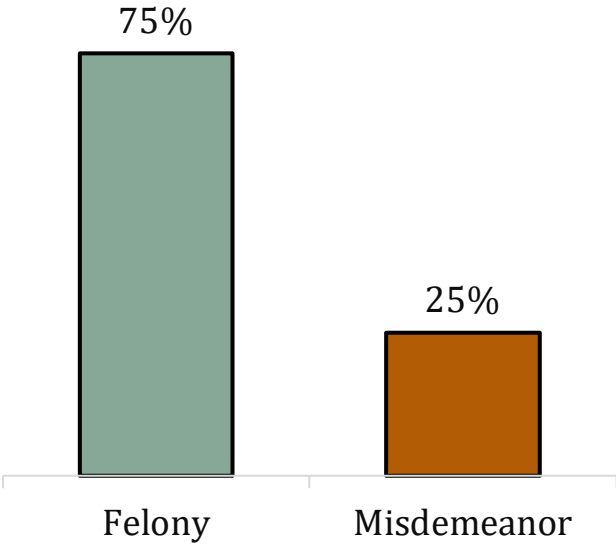


### Age at Booking

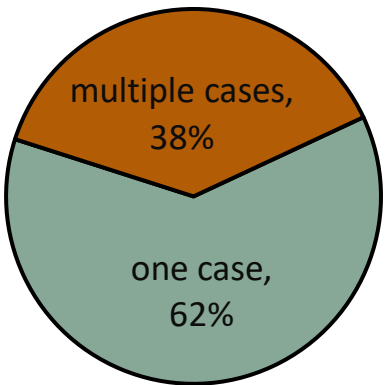


# Monthly Bookings May 2021

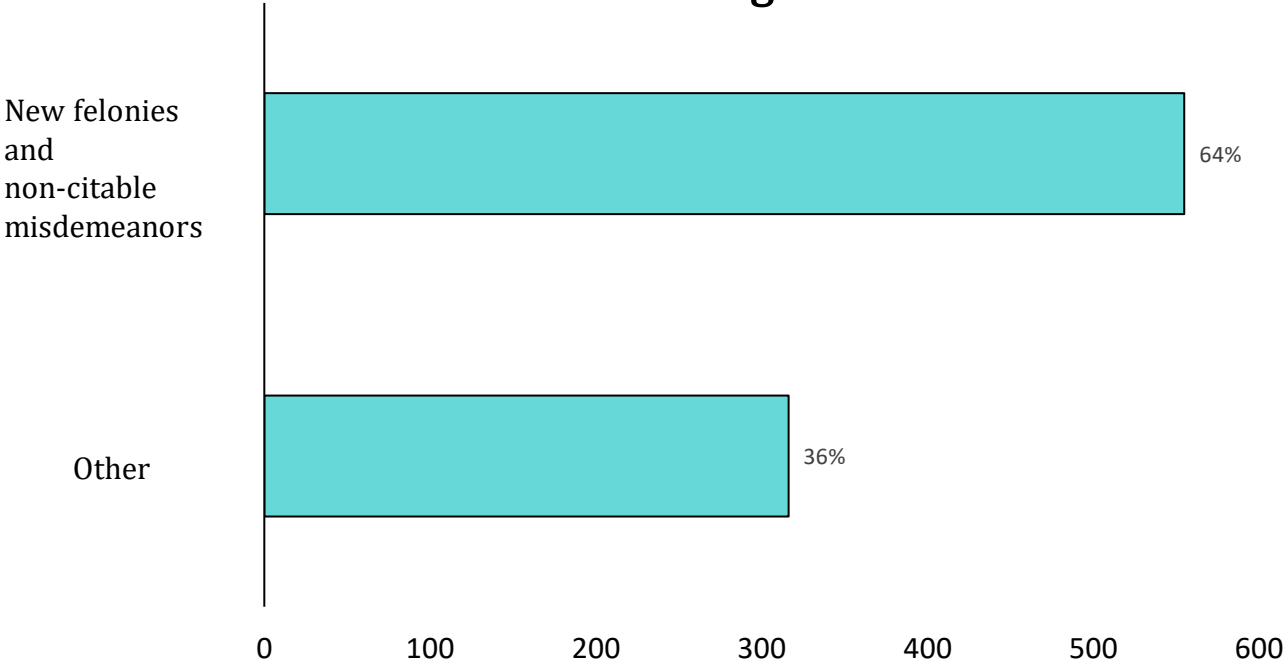
Crime Class at Booking



Case Load per BookingNumber

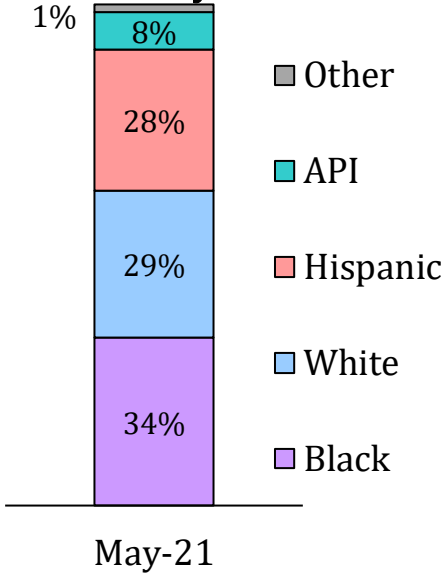


On View Charges

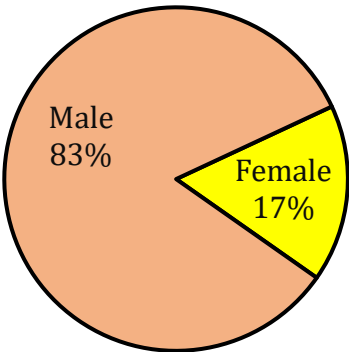


	April	Last 12 Months
Black	34%	Low 33 High 41
White	28%	Low 24 High 29
Hispanic	29%	Low 22 High 32
API	8%	Low 5 High 9
Other	1%	Low 1 High 3

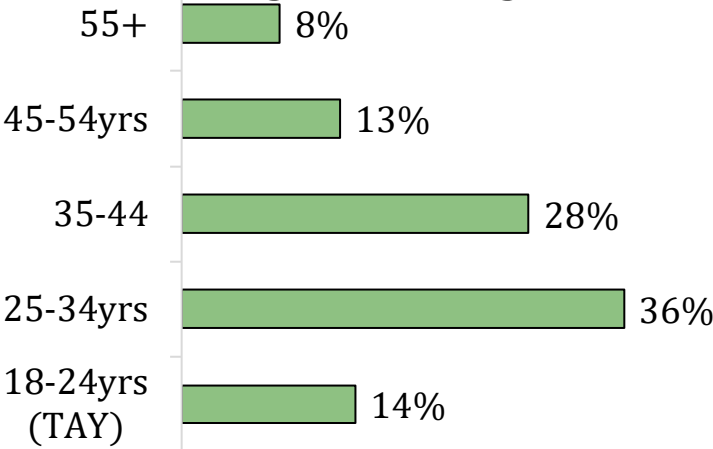
Ethnicity and Race



Gender

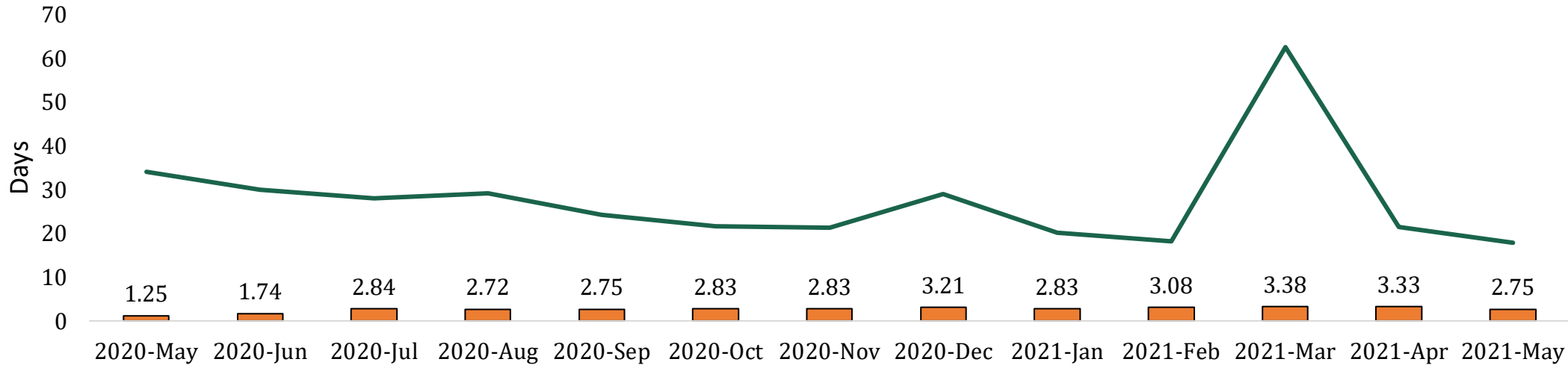


Age at Booking



# Monthly Releases May 2021

## Average and median length of stay for released individuals



Average length of stay for month  
days 18

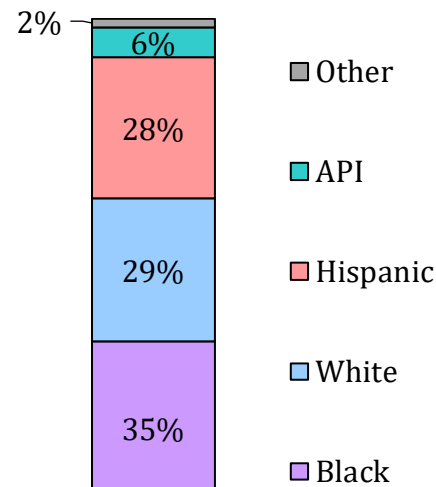
Median length of stay for month  
2.75 days

Average age at booking 36

Median age at booking 34

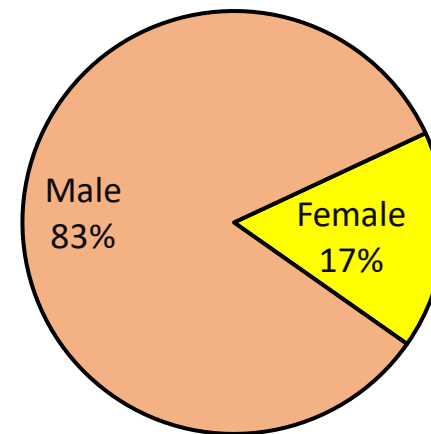
	April	Last 12 Months
Black	35%	Low 35 High 42
White	29%	Low 24 High 30
Hispanic	28%	Low 22 High 32
API	6%	Low 5 High 9
Other	2%	Low 1 High 3

### Ethnic and Race Percent

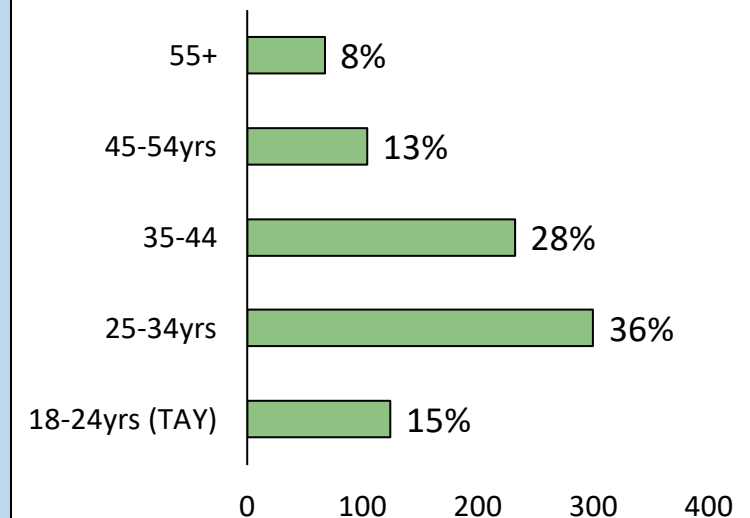


May-21

### Gender

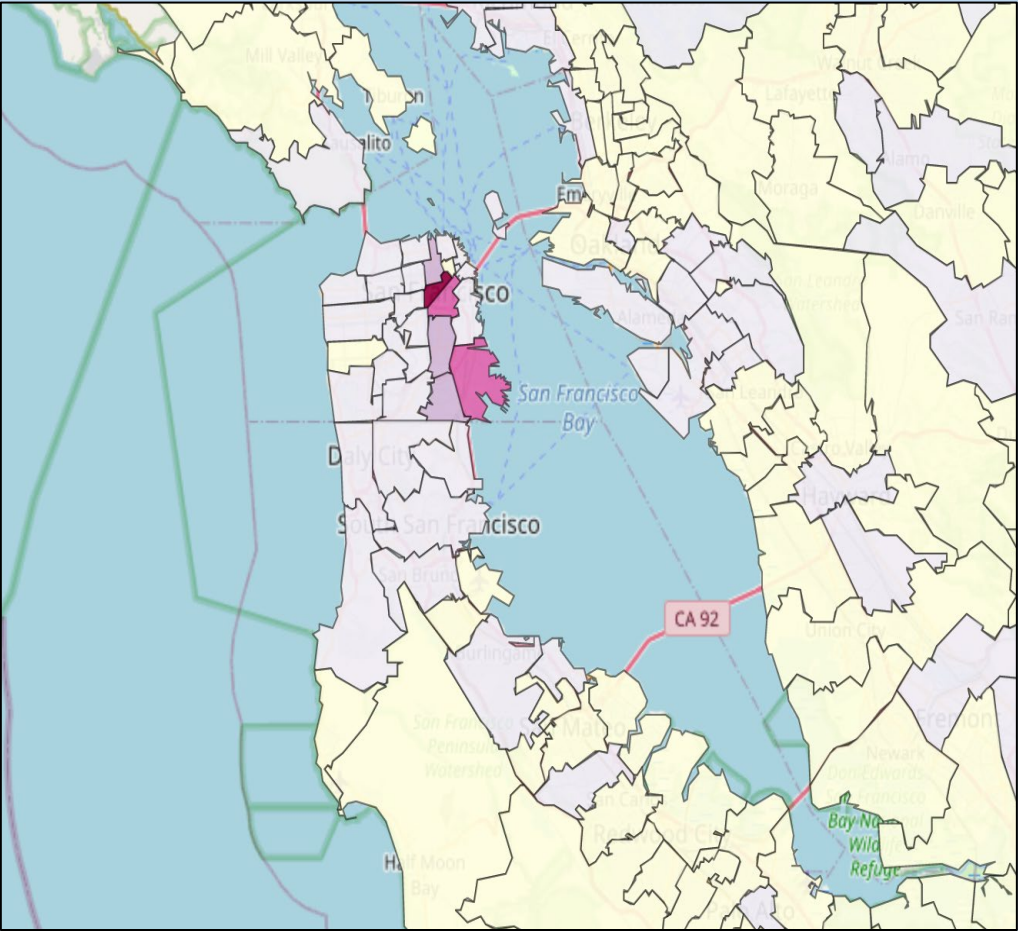
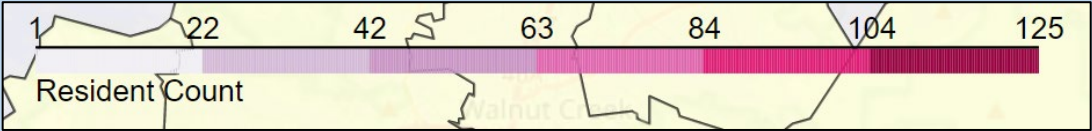
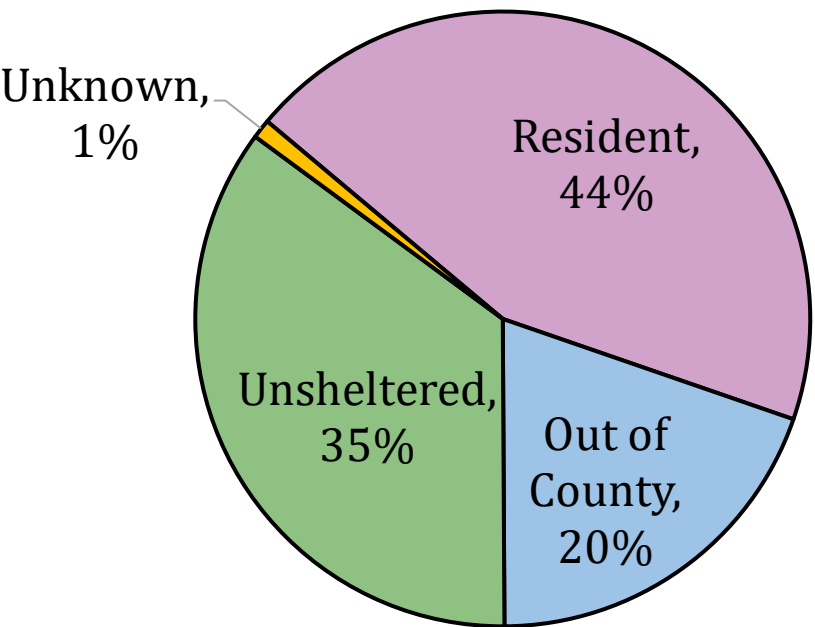


### Age at Booking



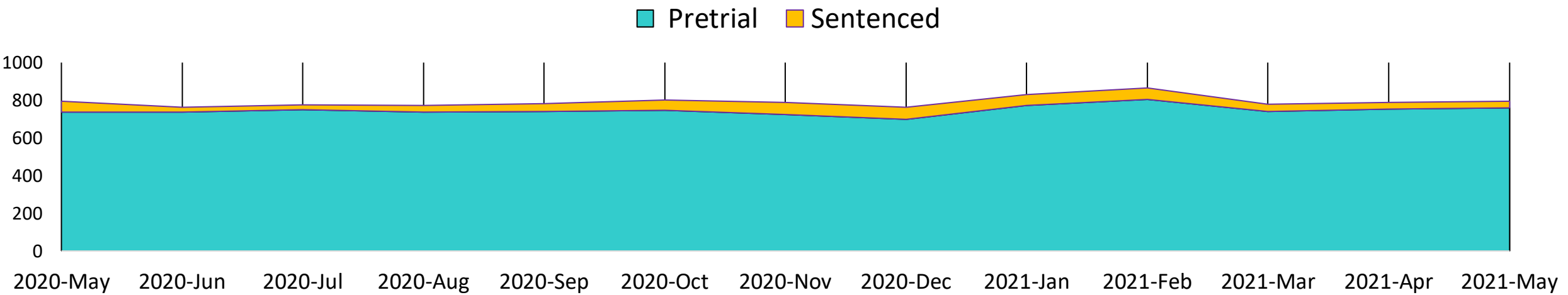
# Snapshot Residency May 2021

## Snapshot Population by Residency



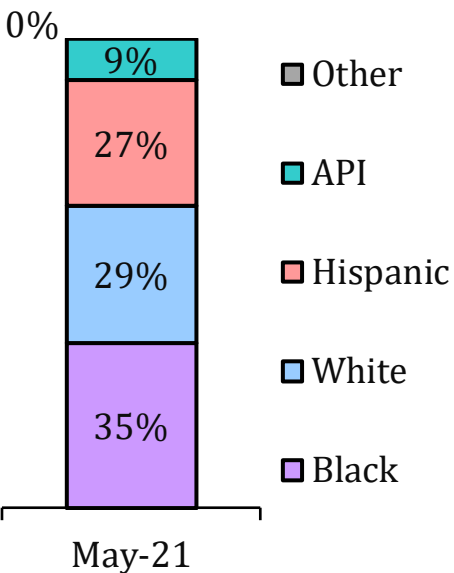
# Sentenced of the Snapshot Population May 2021

## Legal Status of Confined Individuals

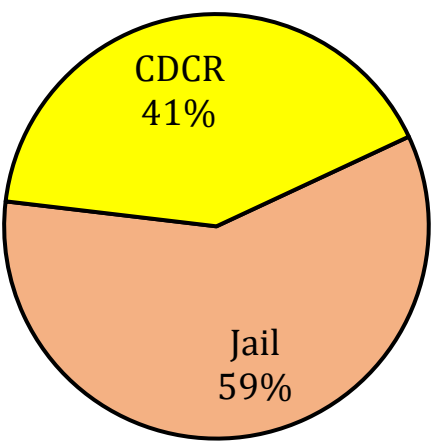


	April	Last 12 Months
Black	35%	Low 32 High 61
White	29%	Low 11 High 29
Hispanic	27%	Low 8 High 27
API	9%	Low 3 High 13
Other	0%	Low 0 High 7

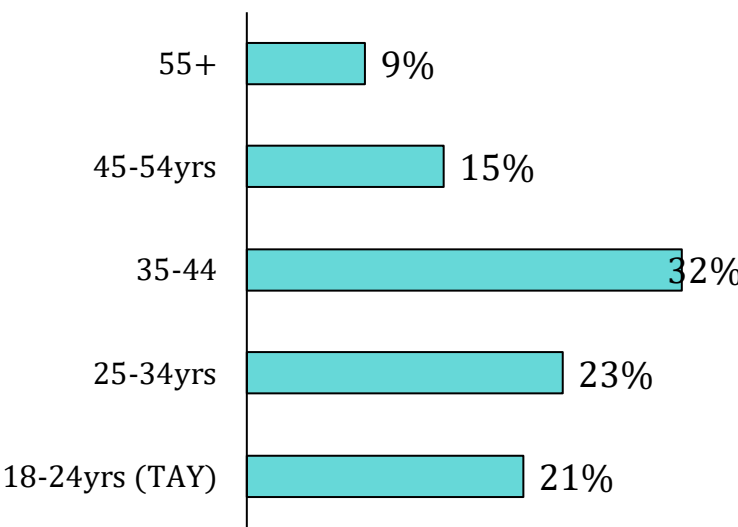
### Ethnic and Race Percent



### Sentenced Type



### Age at Booking



# END OF SLIDESHOW



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



# Division of Juvenile Justice Realignment

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San Francisco Sentencing Commission

6.22.21, Agenda Item 7

Emily Fox, Community Partnership & Strategy Coordinator, Juvenile Probation Department

# Division of Juvenile Justice Realignment

- **SB 823 shifts responsibility to the counties** for the custody, care, and supervision of youth who would have otherwise been eligible for DJJ.
  - SB 92 allows counties to establish local **Secure Youth Treatment Facilities** for youth who would have been otherwise eligible for DJJ commitment.
- **Adjusts the Age of Jurisdiction:** Extended to 21, 23, or 25, depending on offense
- **Intake at DJJ stops July 1, 2021**
  - Youth transferred to adult system may still be committed until DJJ is closed
  - Facility will **close by June 30, 2023**; any remaining youth will be transferred according to plan to be released 1/1/22
  - The court must consider placement in local programs (as identified by counties during realignment) as an **alternative to continued stay** in DJJ.



# Division of Juvenile Justice Realignment

- New state Office of Youth & Community Restoration (OYCR) within Health & Human Services Agency
  - Local plans must be reviewed and filed with OYCR
  - Provides policy recommendations, technical assistance, report on youth outcomes
  - Establishes ombudsman to investigate complaints
  - Evaluates local programs
- DOJ plan to replace Juvenile Court & Probation Statistical System (JCPSS)

# Secure Commitment Track: Eligibility

SB 92 outlines the conditions under which a Juvenile Court may commit a youth to a Secure Youth Treatment Facility:

- The young person been adjudicated as a ward of the court for **a 707(b) offense.**
- That adjudication is **the most recent offense** for which the young person has been adjudicated.
- **A less restrictive, alternative disposition for the young person is unsuitable.** In determining this, the court considers recommendations of counsel, JPD, and any other agency or individual designated by the court

# Secure Track Commitment: Other Elements

- Within 30 days of commitment, the court must approve an individual rehabilitation plan for the youth:
  - Identifies youth needs
  - Describes programming, treatment, & education
  - Developed in consultation with a multidisciplinary team (youth service, mental and behavioral health, education, other providers) who advises the court
- Progress review hearings no less frequently than every 6 months:
  - Young person may be stepped down to less restrictive program
  - Base sentence may be reduced

# Secure Youth Treatment Facility

- Shall be a secure facility that is operated, utilized, or accessed by the county of commitment to provide appropriate programming, treatment, and education for eligible young people:
  - May be a stand-alone facility or a unit or portion of an existing county juvenile facility, including a juvenile hall or probation camp.
  - A county may contract with another county having a secure youth treatment facility in lieu of operating its own program.
- A county may establish a secure youth treatment facility to serve as a regional center for commitment of young people from one or more counties on a contract basis
- Facilities must comply with Title 15 & 24, CA Code of Regulations

# DJJ Realignment Subcommittee & Local Plan

- To be eligible for state realignment funding: each county shall create a **JJCC subcommittee** to develop a **plan** to provide appropriate rehabilitation and supervision services to youth who were eligible for DJJ commitment prior to its closure
  - SF's JJCC SB 823 Subcommittee is made up 15 members, 7 of whom are community members or youth advocates
- Plan due to OYCR by **January 1, 2022**. Board of Supervisors must approve prior to submission.
- **San Francisco's current projected funding:**

<u>FY 21/22:</u>	<u>FY 22/23:</u>	<u>FY 23-24:</u>
\$794,598	\$2,353,800	\$3,899,536

# San Francisco Juvenile Justice Coordinating Council's SB 823 Subcommittee Membership

1. Katy Miller, Probation Chief (Chair)
2. Kasie Lee, District Attorney's Office
3. Patricia Lee, Public Defender's Office
4. Joan Miller, Department of Social Services (HSA)
5. Mona Tahsini, Department of Mental Health (DPH)
6. Chris Lanier, County Office of Education/School District (SFUSD)
7. Judge Monica Wiley, Superior Court
8. Angel Ceja Jr., Juvenile Advisory Council
9. Denise Coleman, Huckleberry Youth Programs/ CARC
10. Ron Stueckle, JJPA/ Sunset Youth Services

No fewer than three community members defined as individuals who (1) have experience providing community-based youth services, (2) youth justice advocates with expertise and knowledge of the juvenile justice system, or (3) have been directly involved in the juvenile justice system

## **Additional Community Member/Youth Advocate Seats:**

11. Liz Jackson-Simpson, Community-based provider with expertise in workforce and housing for transitional age youth
12. Will Roy, Individual Directly Impacted by Secure Facility
13. Tiffany Sutton, Family Member of Youth Impacted by Secure Facility
14. Chaniel Williams, Victim/Survivor of Community Violence
15. Lana Kreidie, SF Bar Association

# OYCR Local Plan Requirements

- Plan submitted to OYCR by January 1, 2022 must include:
  - Description of **realignment population** to be served by block grant.
  - Description of **facilities, programs, placements, services and service providers, supervision, and other responses.**
  - Description of how **grant funds** will address range of programming needs outlined in WIC 1995.
  - Detailed facility plan.
  - Plan to incentivize **retaining youth in juvenile system** (vs. adult system).
  - Description of **regional arrangements.**
  - Description of how data will be collected on youth served and outcomes.

# DJJ Data

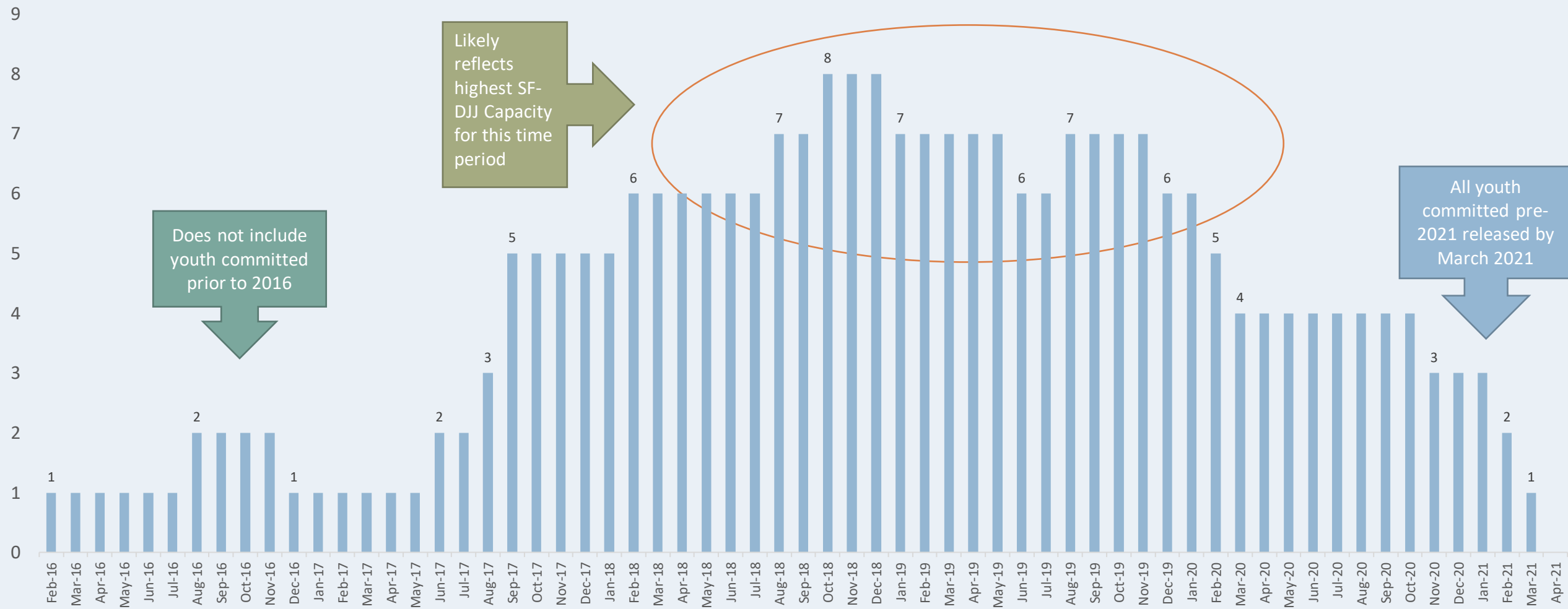
Bay Area DJJ Commitments  
2016-2019

COUNTY	Population	2016	2017	2018	2019	Total
Alameda	1.5M	4	5	8	-	17
Contra Costa	1.0M	17	13	12	14	56
Marin	252K	1	1	-	-	2
Monterey	415K	10	5	17	12	44
Napa	136K	-	-	1	-	1
<b>San Francisco</b>	<b>881K</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>11</b>
San Mateo	218K	3	2	4	3	12
Santa Clara	1.8M	3	15	8	20	46
Santa Cruz	262K	1	5	2	1	9
Solano	413K	3	5	4	9	21
Sonoma	484K	4	7	3	6	20



# Number of Youth in DJJ Custody by Month

For Youth Committed to DJJ from San Francisco, 2016-2020 (N=11)



# DJJ Maximum Confinement & Length of Stay

For Youth Committed to DJJ from San Francisco, 2016-2020 (N=11)

SF DJJ Commitments	Mean	Median	Minimum	Maximum
Maximum Confinement Term	16.4 years	9 years	9 months	50.7 years to life
Length of Stay (Actual)*	1.9 years	1.7 years	9 months	3.4 years

\*Does not include prior confinement in Juvenile Hall

# DJJ Commitment Offenses

For Youth Committed to DJJ from San Francisco, 2016-2020 (N=11)

## *Referral Charges/Incident Description\**

- Violent Offense: 82%
- Attempted Homicide/Homicide: 54%
- Gun Offense: 73%
- Sex Offense: 0%
- Probation Violation: 18%

## *Prior System Involvement*

- Prior Referrals/Arrests: 100%
- Prior Referral for Violent Offense: 91%
- Prior Referral for Sex Offense: 18%
- Prior Out of Home Placement: 64%

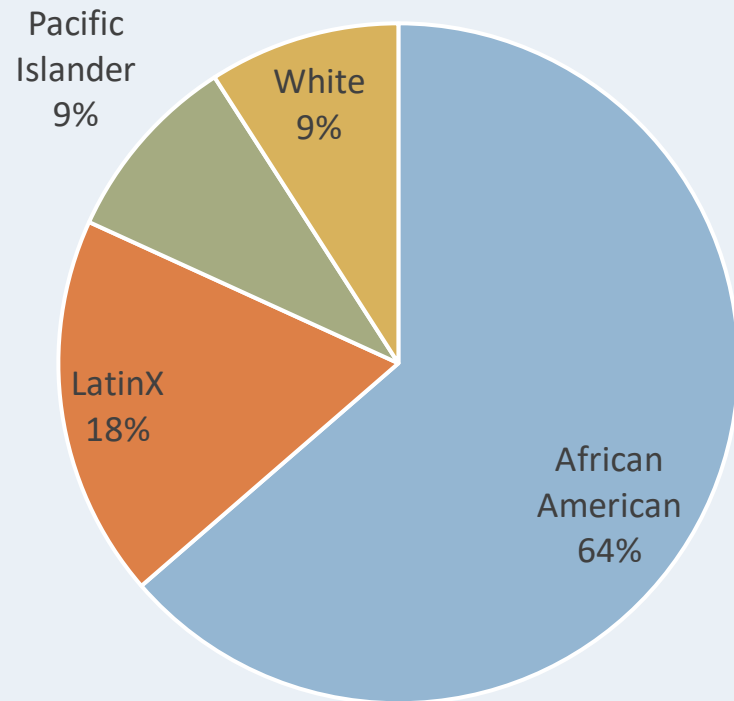
## *Sustained Charges\**

- Violent Offense: 82%
- Attempted Homicide/Homicide: 27%
- Gun Offense: 18%
- Sex Offense: 0%
- Probation Violation: 18%

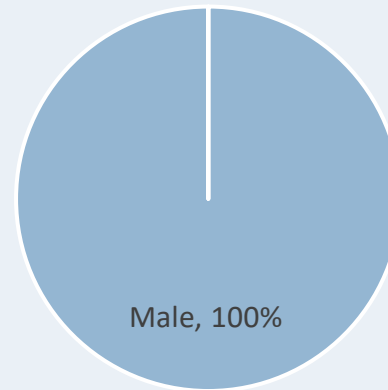
\*Categories are not mutually exclusive

# Race/Ethnicity, Sex, & Age of Youth Committed to DJJ from San Francisco, 2016-2020 (N=11)

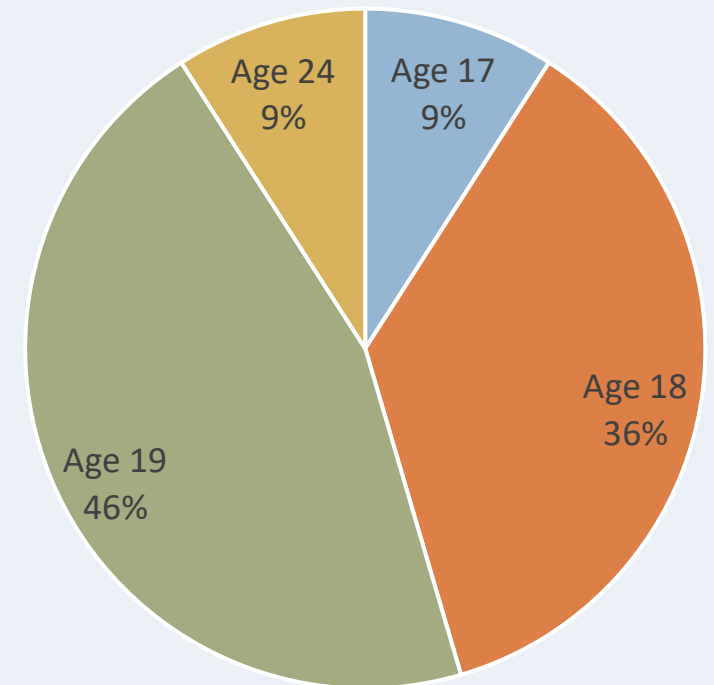
Race/Ethnicity of Youth



Male



Age of Youth at Disposition



# Current Status

- Interim Plan for July 1, 2021 when DJJ admissions cease
- Finalized, long-term plan for January 1, 2022 submission to OYCR
- Awarded one-time Youth Programs & Facilities grant, use TBD by subcommittee members and approved by BOS

## **Next SB 823 Subcommittee Meeting:**

**Tuesday, 6/29/21, @ 4pm**

<https://sfgov.org/juvprobation/juvenile-justice-coordinating-council>

Emily Fox

Community Partnership & Strategy Coordinator

Juvenile Probation Department

[emily.fox@sfgov.org](mailto:emily.fox@sfgov.org)



**Justice Center**

THE COUNCIL OF STATE GOVERNMENTS

# The American Rescue Plan

Presentation for the San Francisco  
Sentencing Commission

June 22, 2021 | Megan Quattlebaum,  
Director, The CSG Justice Center

# Presentation Outline

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- I. The CSG Justice Center Overview
- II. ARP Overview
- III. Housing Report
- IV. Funding Resources
- V. Questions



# The Council of State Governments Justice Center

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We are a national, nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of governments, with policy and research expertise to develop strategies that increase public safety and strengthen communities.



# Our Areas of Focus

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Corrections



Courts



Law Enforcement



Substance Addiction



Youth



Mental Health





# How We Work

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- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance

# Our Goals

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## **Break the cycle of incarceration**

High rates of recidivism increase taxpayer costs, diminish public safety, and tear apart families and communities. We work with partners inside and outside of government to reduce crime and incarceration among youth and adults in contact with the justice system.

## **Advance health, opportunity, and equity**

Efforts to make communities safer and healthier are hampered by insufficient behavioral health services, barriers to economic mobility, homelessness, lack of support for victims, and racial and gender inequity. We bring people from diverse systems and perspectives together to improve policy and practice related to these challenges.

## **Use data to improve safety and justice**

Data holds the power to help us understand and change justice systems for the better. And yet, states and counties still know far too little about how their systems perform. Our work transforms information into meaningful insights for policymakers.



A photograph of Joe Biden sitting at the Resolute Desk in the Oval Office, signing a document. He is wearing a dark blue suit and a striped tie. The desk is made of dark wood and has a large blue folder, a pen, and a telephone on it. Behind him are several framed photographs, an American flag, and a blue flag with white stars. The room has yellow curtains and two lamps with white shades.

# The American Rescue Plan

Signed into law on March 11th

**\$1.9 Trillion**

# State and Local Fiscal Recovery Fund

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- \$350 billion
  - \$219.8 billion to states, D.C., Tribal govs & territories
  - \$130.2 billion to counties, cities & localities
    - PLUS \$10 billion for the Coronavirus Capital Projects Fund
- Uses:
  - Respond to public health emergency & negative economic consequences
  - Premium pay to workers doing essential tasks
  - Cover government revenue losses due to the pandemic
  - Necessary infrastructures investments



\$630 million in federal stimulus will help City prevent layoffs and cuts to basic services, but longer-term structural deficit remains

– San Francisco Office of the Mayor (March 31<sup>st</sup>)

*A new report issued today shows that the projected deficit for the upcoming two-year budget is now \$22.9 million, compared to the \$653.2 million deficit that was projected before the American Rescue Plan was signed into law. This will allow San Francisco to avoid projected layoffs and cuts to basic city services that were projected due to the economic hardship caused by the pandemic.*

# Crisis Response

---

- More than **\$2 billion**
- Includes funding to implement & expand **mobile crisis intervention**
  - 85% federal matching funds for first 3 years under federal medical assistance percentage (FMAP)
    - Administered by HHS; Flows through state Medicaid agencies.
    - Federal match. States will need to submit proposals that will be subject to approval.
    - Ends in 2027
  - \$15 million in planning grants (awarded by HHS)
    - State will need to submit proposals.
    - Available until expended.



# DV & Sexual Assault

---

- Nearly **\$11 billion**
- **Family Violence Prevention Services Act** - \$427.5m
  - \$180 million for emergency shelter, housing or other supports
  - \$198 million for survivors of sexual assault
  - \$49.5 million to culturally specific community-based organizations to provide culturally-specific supports
- Administered by HHS

# Housing

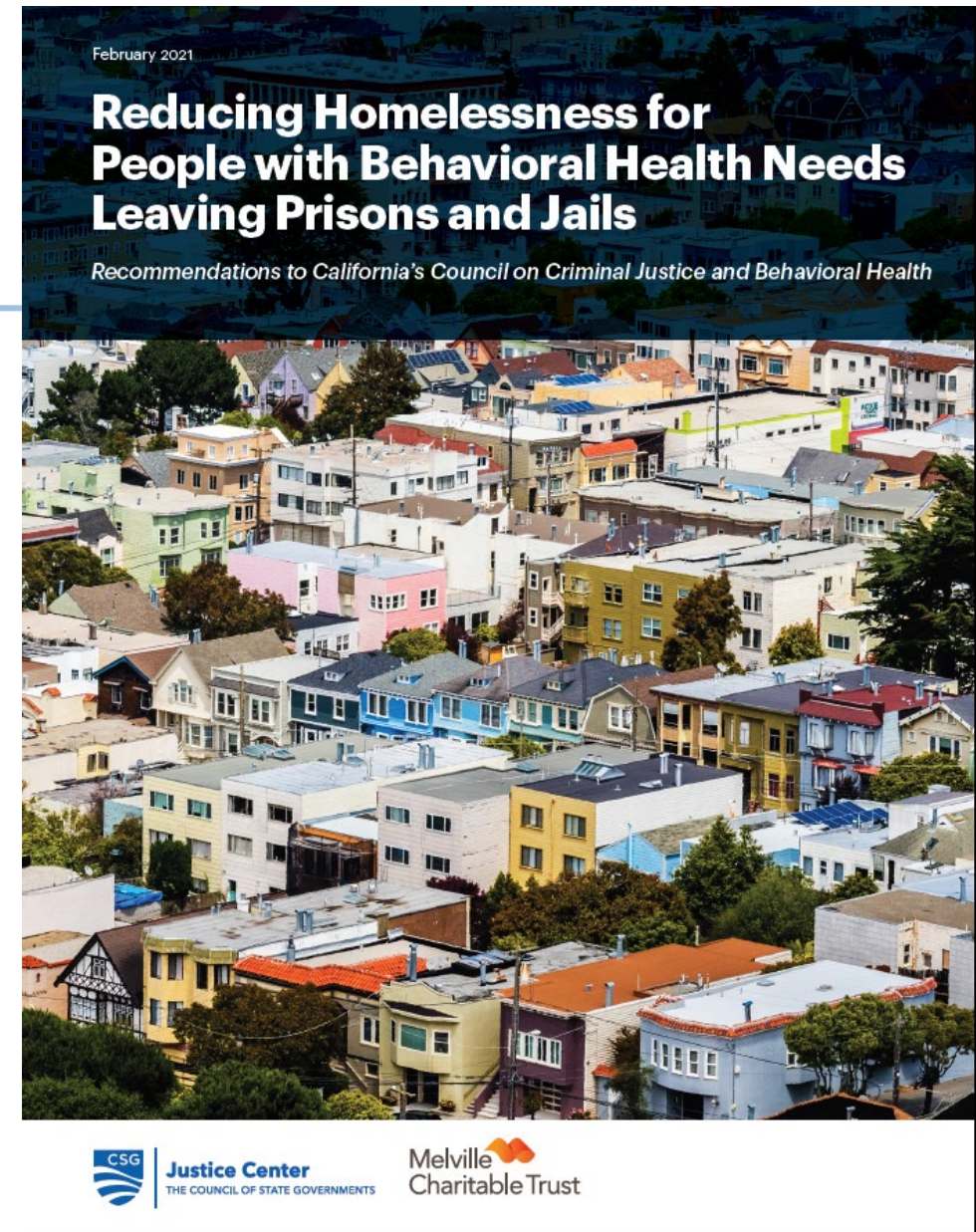
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- More than **\$12 billion**
- **Homelessness Assistance & Supportive Services - \$5 billion**
  - Develop affordable housing; tenant-based rental assistance; supportive services; non-congregate shelter spaces.
- Administered by HUD
- Targeted towards people experiencing homelessness or at-risk of homelessness or DV + veterans

# Report Launch Event

**July 14, 2021**  
**12:00pm-1:30pm**

**Registration through the California  
Council on Criminal Justice and  
Behavioral Health**





# Economic Mobility

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- **\$7.6 billion** to carry out activities related to establishing, expanding, and sustaining a **public health workforce**
- **\$386 million** to establish a **Veterans Rapid Retraining** Assistance Program
  - 12 months of non-college training, housing support, and employment assistance for unemployed veterans between the ages of 22 and 66



# CSG Justice Center ARP Guide

<https://csgjusticecenter.org/publications/american-rescue-plan/>

*Outlines need-to-know information about how state and local leaders can leverage American Rescue Plan funding to advance eight key criminal justice priorities.*

A person is working at a desk with a computer. The person's hands are on a keyboard and a mouse. The background is slightly blurred, showing a computer monitor and some papers. The overall tone is professional and focused.

# Financing the Future of Local Initiatives

Maximize federal funding and sustain criminal justice-behavioral health efforts

**Find a Federal Funding Opportunity**

opportunities.

- While funders vary in proposal requirements, the information they typically ask for is outlined below to provide a template for initial communication about funding needs for this initiative.
- If helpful, create a new document with this executive summary and include the completed funding matrix from question 24 and the worksheet from question 12 to demonstrate effective use of funding.

25) Use the template below to prepare a summary document that you can share with funders, stakeholders, and others.

FUNDING SOURCE				A	B	C	D	E	F
FISCAL YEAR 1 SUBTOTAL	\$0		FY1 BUDGET REMAINING	\$0	\$0	\$0	\$0	\$0	\$0
FISCAL YEAR 2 SUBTOTAL		\$0	FY2 BUDGET REMAINING	\$0	\$0	\$0	\$0	\$0	\$0
FISCAL YEAR 3 SUBTOTAL			FY3 BUDGET REMAINING	\$0	\$0	\$0	\$0	\$0	\$0
3-YEAR SUBTOTAL	\$0		BUDGET REMAINING	\$0	\$0	\$0	\$0	\$0	\$0

Program/Policy Component	Operating Cost Category	Estimated Cost Fiscal Year 1	Estimated Cost Fiscal Year 2	Estimated Cost Fiscal Year 3	Fiscal Year	A	B	C	D	E	F
	Staff	\$0	\$0	\$0	FY1						
					FY2						
					FY3						
	Insurance	\$0	\$0	\$0	FY1						
					FY2						
					FY3						
	Rent	\$0	\$0	\$0	FY1						
					FY2						
					FY3						
	Utilities	\$0	\$0	\$0	FY1						
					FY2						
					FY3						
Internet/Phones	\$0	\$0	\$0	FY1							
				FY2							
				FY3							

# Questions

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# Thank You!

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