

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

San Francisco Sentencing Commission

AGENDA

Tuesday December 14, 2021, 10:00 am

REMOTE MEETING VIA VIDEOCONFERENCE

Watch via Zoom: <https://sfdistrictattorney.zoom.us/j/82706233378>

Meeting ID: 827 0623 3378

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. 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. Findings to Allow Teleconferenced Meetings Under California Government Code Section 54953(e) (Discussion and Action).

The Sentencing Commission will consider adoption of a resolution making findings that newly-enacted Government Code Section 54953(e) requires in order to allow the Sentencing Commission to hold meetings remotely, as currently required under local law, without complying with infeasible Brown Act requirements.

4. Review and Adoption of Meeting Minutes from September 21, 2021 (discussion & possible action).
5. Staff Report on Sentencing Commission Activities and Reports from the Reentry Council and the Family Violence Council (discussion & possible action).
6. Staff Report on Criminal Justice Racial Equity Workgroup (discussion & possible action).

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

7. Safety and Justice Challenge Updates by Josie Halpern-Finnerty, Safety and Justice Challenge Director (discussion & possible action).
 - a. Jail Population Report
 - b. Strategy Updates
8. Presentation by Corporation for Supportive Housing on Expanding Access to Housing for People in the Justice System (discussion & possible action).
9. Presentation on Sentencing Commission Annual Report by Tara Anderson, Director of Policy, San Francisco District Attorney's Office (discussion & possible action).
10. Members' Comments, Questions, Requests for Future Agenda Items (discussion & possible action).
11. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.
12. Adjournment.

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

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.

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 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 at least two business days before the meeting.

CHEMICAL SENSITIVITIES

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

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

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the 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.

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

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

CELL PHONES

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

LOBBYIST ORDINANCE

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

Resolution NO. 21-001

San Francisco Sentencing Commission

RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e)

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Resolution NO. 21-001

in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City's Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health ("Cal/OSHA") has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Resolution NO. 21-001

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, The San Francisco Sentencing Commission has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That The San Francisco Sentencing Commission finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, the San Francisco Sentencing Commission has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.
3. As described above, because of the COVID-19 pandemic, conducting meetings of this body and its workgroups in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of the San Francisco Sentencing Commission and its workgroups will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Resolution NO. 21-001

any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of The San Francisco Sentencing Commission and its workgroups that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and its workgroups and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the director of the San Francisco Sentencing Commission and its workgroups is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of The San Francisco Sentencing Commission within the next 30 days. If the San Francisco Sentencing Commission and its workgroups does not meet within the next 30 days, the director is directed to place a such resolution on the agenda of the next meeting of the San Francisco Sentencing Commission.

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)
Resolution NO. 21-001

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

MEETING MINUTES

September 21, 2021

10:00 am – 12:00pm

REMOTE MEETING VIA VIDEOCONFERENCE

Members in Attendance:

San Francisco District Attorney's Office representatives Kate Chatfield and Tara Anderson; Public Defender's Office representative Caroline Goosen; Adult Probation interim Chief Sharon Jackson and representative Tara Agnese; Juvenile Probation Department Chief Miller; Assistant Sheriff Tanzanika Carter and San Francisco Sheriff's Office representative Ali Riker; Department of Public Health Deputy Director Naveena Bobba; Reentry Council Appointee: Child Protective Services Director Roy; Family Violence Council representative Andrew Tan; Re-Entry Council's Non-Profit Organization Appointee William Palmer; Board of Supervisors Appointee Theshia Naidoo; academic researcher Steve Raphael from the University of California, Berkeley.

1. Call to Order; Roll call.

San Francisco District Attorney's Office representative Tara Anderson welcomes everyone and calls the meeting to order.

Josie Halpern-Finnerty, San Francisco District Attorney's Office Project Director of the Safety and Justice Challenge calls the roll for attendance.

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

No public comment received.

3. Review and Adoption of Meeting Minutes from June 21, 2021 (discussion & possible action).

Commission members to review minutes from the previous Sentencing Commission meeting. Reentry Council Appointee: Child Protective Services Director Roy moved to accept the minutes; Professor Steve Raphael seconded the motion. Minutes from June 21, 2021 were approved unanimously in a Roll Call vote.

No Public Comments received.

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

Tara Anderson stated the major focus of staff time was on following up on tasks related to prior commission meeting, and the annual report.

Tara Anderson invited the Reentry Council Appointee, Child Protective Services Director Roy, appointee to provide an update.

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Director Roye provided an update related to the Reentry Council, which met July 22nd, 2021. Three major items were discussed at the meeting: 1) Her House, an alternative sentencing program for women has launched. A mental health transitional housing program was also launched and is doing well and is fully occupied, 2) there were three separate events sponsored by adult probation over the summer which were discussed at the event, and 3) Michael Brown reported on the ongoing effort with the human rights commission to strengthen the fair chance ordinance. The next meeting of the Reentry Council will take place virtually on October 28.

Family Violence Council representative, Andrew Tan, provided an update relating to the most recent Family Violence Council meeting which took place on August 18, 2021. Two presentations were provided to the council on sexual exploitation and the impact of COVID on domestic violence. Council co-chairs also expressed concern over the impact of community violence on youth violence, gun violence, and the impact of the pandemic on vulnerable communities. The next meeting of the Family Violence Council will take place on November 17, 2021.

No questions or Public Comments received.

5. Staff Report on Criminal Justice Racial Equity Workgroup (discussion & possible action).

District Attorney representative Tara Anderson called on Victoria Westbrook and Arcelia Hurtado to provide an overview of the Justice and Equity workgroup activities.

Victoria Westbrook stated that the most recent workgroup meeting took place on September 16. Upcoming strategy meetings and the shared safety framework tool were discussed at this meeting. The next meeting is scheduled for November 18th and will represent the first strategic meeting for the workgroup.

Tara Anderson highlighted the importance of the workgroup's mission and asked Victoria Westbrook about the desire to have more representation from other agencies in the workgroup. Victoria Westbrook confirmed this and asked any agency with interest in joining the workgroup to reach out to her.

No questions or Public Comments received.

6. 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 (SJC). She shared a summary of the monthly jail report which the Sheriff provides to SJC monthly. She noted that the average daily jail population in August was slightly higher than the prior month and the previous year. Additionally, in August the average number of days in custody for those in custody was 395 days and the median number of days was 90 days. Of those jailed in August, at least 35% were unsheltered.

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Josie Halpern-Finnerty invited anyone with additional question to reach out to her or to Lucas Jennings. She also informed members that SJC fellows will be sharing the results of their participatory action research project at the October 19 SJC meeting and encouraged interested members to attend.

Tara Anderson invited questions or actions from members; then invited public comment.

No additional questions or Public Comments were received.

7. Presentation on Characteristics of People with Multiple Systems Contact in San Francisco from California Policy Lab, UC Berkeley and UC San Francisco by Stephen Paolillo and Caroline Cawley (discussion & possible action).

Stephen Paolillo provided an overview of the methodology behind this research project and provided a summary on interim findings while members reviewed the materials provided.

Interim Chief Sharon Jackson asked whether the order of utilization was known. Stephen responded that CPL is considering this factor, but the presentation didn't include this information. Chief Jackson responded by highlighting the importance of knowing the order of contact because that information can help illuminate strategic points of intervention.

Dr. Maria Raven, a Principal Investigator for the research, agreed with this sentiment and stated that exiting from the criminal justice system may be the more influential juncture as there are actions that can be taken at that point that can impact utilization of public health resources, whereas there may not be as many public health related decisions that will directly affect criminal legal system contact. She added that this dynamic is unknown, but she hopes that interventions can occur in both areas.

Director Roye added that seeking support for mental health care in communities of color can be difficult, which could lead to higher utilization of criminal legal system. She would like to understand whether individuals that are neurodiverse might be entering the criminal legal system due to a lack of treatment. For this reason, understanding the order of contact and the trigger in contact can be helpful.

Stephen continued the presentation by providing more detailed analysis of the variety of needs and challenges faced by individuals engaged in high utilization of either or both systems. He concludes by informing the members that the final deliverable for this project will be a policy brief.

Ali Riker asked if there was data on whether those individuals that were high utilizers of both systems were ultimately housed at the end of the study period of 2019. Stephen responded that very few people from that group had been housed. Ali Riker asked if people in this group might be on the interagency shared priority list for services.

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Department of Public Health Deputy Director Dr. Naveena Bobba responded by informing the group that there had been an interagency effort to identify and focus support efforts on 237 individuals that were high utilizers facing psychiatric, housing, and substance abuse issues. Over 100 of those individuals were housed, over 100 were stabilized in treatment, and almost all of them received intensive case management services.

Dr. Maria Raven commented that many of the individuals from the shared priority list had much higher utilization of acute services because they weren't spending so much time in jail, where they wouldn't have as much access to the hospital system. She also added that it can be difficult to house individuals with high utilization of both systems because of the likely instability that exists in the lives of those individuals.

Director Roye asked whether there was an equity lens that would be part of the analysis of this population. She also asked whether there were service delivery improvement considerations in in-custody mental health services that might assist in preventing recidivism in both systems. She added a final point about how often these individuals enter these systems at a time of emergency where triage is the priority and not life change and posed the question of how to balance the two.

Stephen agreed with Director Roye about the importance of service provision during incarceration and while contact is made with the individual. Deputy Director Bobba emphasized the importance of stabilizing care during transition periods such as release.

Tara Anderson shared with the members that DA Boudin started an initiative to inform jail health of all charging and release decisions with these considerations in mind.

Andrew Tan asked about whether there was more detailed information about the environment from which the diagnostic information was obtained. Caroline responded that this information was coming from the whole universe of CCMS services and not just urgent/emergent situations, which should provide for more accurate diagnostic data.

Allyson West commented that one challenge observed in the collaborative courts is that people enter the courts and those involved with their case may not know that they are a high utilizer. She asked whether there is an information sharing process that exists or can be developed.

Stephen responded that he understands that some of this information is often siloed but doesn't have extensive knowledge on interagency information sharing regarding service utilization.

Tara Anderson responded that this challenge is precisely the sort of work that the members should be considering and working toward resolving.

Chief Jackson commented that if it is found that reentry is the most strategic intervention point, there are several improvements that can occur at that juncture, such as providing access to pharmacies at release.

Ali Riker responded that the Sheriff's Office does provide individuals with a two-week supply of their psychiatric medication as well as prescriptions for their primary care pharmaceuticals. She

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

added that moving forward she would like to see the individuals identified by this study become a part of a new shared priority list. She suggested that perhaps these individuals can be met upon release and provided with the resources they need. She also added that this information could be included in the coming BSCC report.

Tara Agnese added that she wondered what additional years of data would show about the continuity of high utilization over time. She agreed that this information could be useful in the BSCC report and asked Tara Anderson about what information could be included given that these are interim findings.

Tara Anderson responded by committing to working with research partners to identify the information that could be included in the report.

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

8. Presentation on ‘Frequent Users Systems Engagement (FUSE)’ Analysis and Current Work in San Francisco from Corporation for Supportive Housing (CSH) by Heather Lyons, Jenna Murakami, and Gabe Schuster.

CSH provided an overview of their work and highlighted specific findings regarding the relationship between supportive housing and criminal legal system involvement while members reviewed materials provided.

Tara Anderson invited questions or actions from members.

Carolyn Goosen asked what CSH’s recommendation might be regarding San Francisco housing policy and its impact on system involved individuals. Jenna Murakami responded that recommendations would come in the coming months as they gather more data and information and invited suggestion from the members. Carolyn suggested that one barrier to permanent supportive housing is federal law that limits access to subsidized housing based on criminal background. Heather Lyons responded that CSH employs a housing first model, which doesn’t exclude based on criminal background.

Tara Anderson added that this housing first approach requires a diverse funding system. She also added that the presentation demonstrated the over-representation of people of color among those facing housing instability and criminal legal system contact and highlighted the relationship between housing first programs and recidivism reduction. She suggests that this speaks to the importance of housing and income in reducing push factors to the criminal legal system.

Member Theshia Naidoo asked what barriers to providing housing first exist for individuals that are actively engaged in substance use. Heather Lyons responded that in cases where individuals

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

are engaged in substance use and are on a path to sobriety but relapse, the housing first model ensures that they do not lose their housing.

No public comment was received.

9. Introduction of CNA Center for Justice Research and Innovation, Technical Assistance Provider for the Justice Reinvestment Initiative Young Adult Justice Initiative by Hildy Saizow and Shelby Hickman.

Tara Anderson summarized the origins of this initiative and introduced Hildy Saizow and Shelby Hickman to the members.

Hildy Saizow discussed CNA's mission and the specifics of San Francisco's Justice Reinvestment Initiative. She informed the members that the first step in the process involves the creation a detailed action plan. Shelby Hickman introduced herself to the group.

Chief Miller noted that over half of juvenile hall is young people over the age of 18 and this population makes up well over a third of the juvenile probation caseload. For these reasons, she welcomes this initiative.

Member William Palmer made the point that there are still issues with youthful offender hearings and discussed his organization's work in this area. He asked if there were funding opportunities which he should be inquiring about to boost his organization's capacity.

Tara Anderson responded that there are some limited funds that will be made available through grant processes later in this initiative and pointed out the existence of federal efforts and funds in this area.

Director Roye noted that there is considerable entrepreneurial interest and spirit among youth in this space and that this may be something to consider and tap into when devising programs.

Hildy Saizow encourage Member William Palmer to look at the Bureau of Justice Assistance website because that agency does provide funding for reentry assistance.

No public comment was received.

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

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Director Roye informed the members that there was a recruitment initiative underway at the Re-Entry Council.

Assistant Sheriff Carter informed members of a Faith in Blue event on October 8-11.

Tara Anderson invited members to attend Centering Survivors: Creating Interventions that Heal not Harm on September 30, 2021.

No public comment was received.

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

A member of the public made the comment that non-profit eviction is a problem that CSH should investigate. In focus groups conducted by higroup, he has seen several instances where people were placed in housing first supportive housing but were not having the needs driving their housing instability met.

Tara Anderson responded by indicating that she would work with CSH to have this issue addressed by CSH at the December Sentencing Commission meeting.

No Public Comments received.

12. Adjournment.

Director Roye made a motion to adjourn the meeting. Member William Palmer seconded the motion. Motion passed unanimously in a Roll Call vote.

Next meeting will take place in December 2021.

Adjourned at 12:05 pm.

SENTENCING COMMISSION



Tuesday Dec 14th,
2021



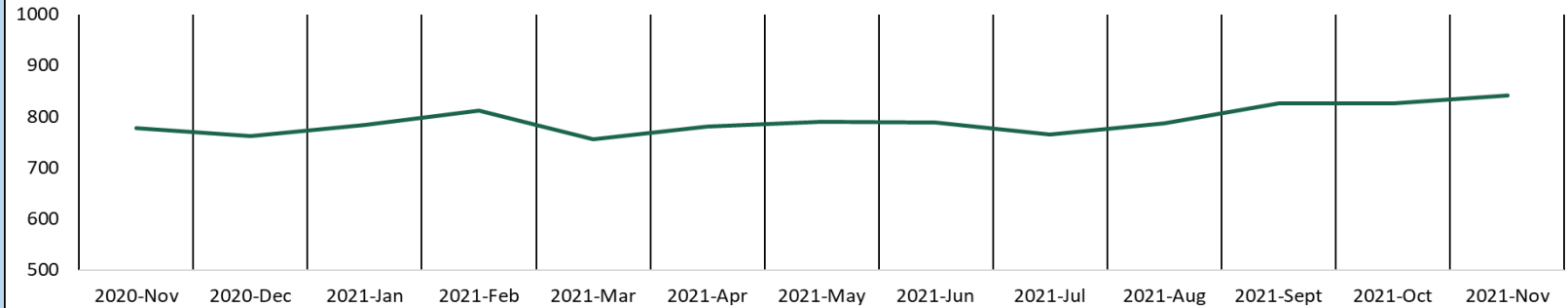
Supported by the John D. and Catherine T. MacArthur Foundation

Safety and Justice Challenge November 2021 Report



Average Daily Population

This Month	Change from last month	Change from last year
842	2% 	8% 

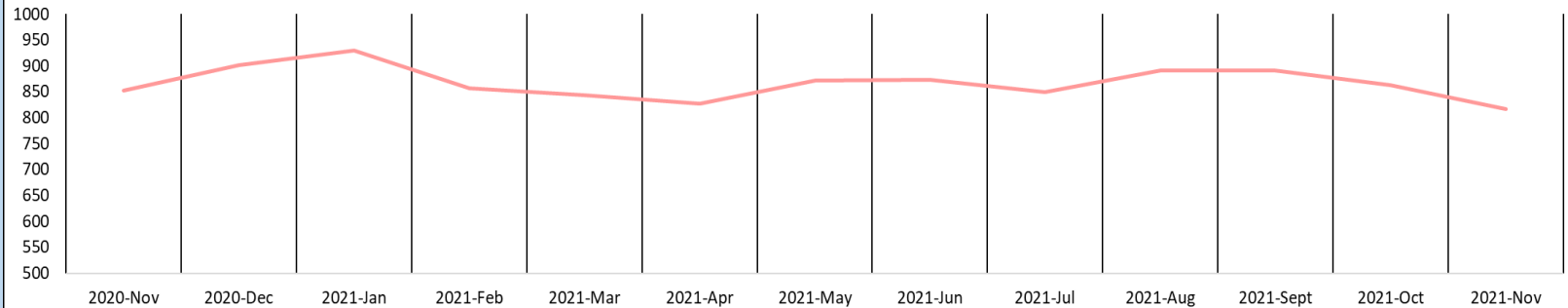
Average Daily Population Last 12 Months





Bookings

This Month	Change from last month	Change from last year
817	6% 	4% 

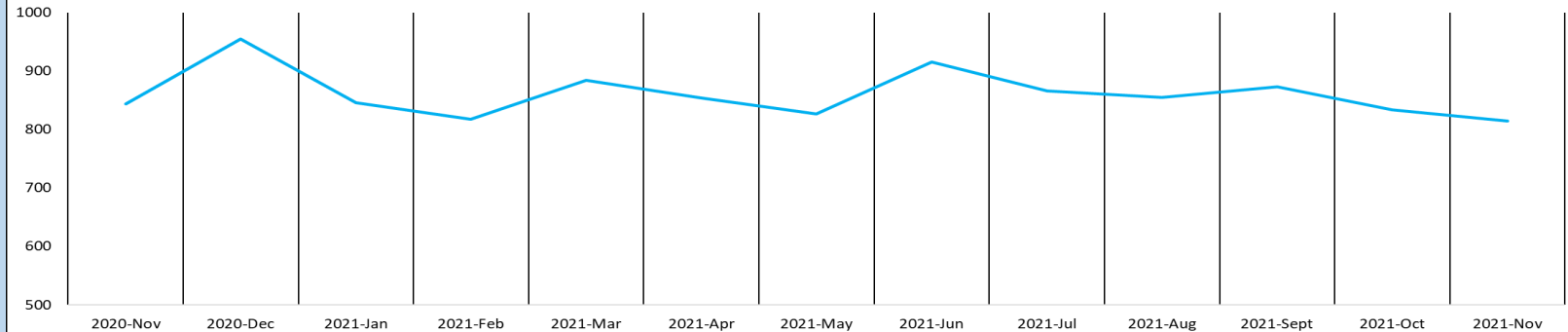
Bookings Last 12 Months



Releases

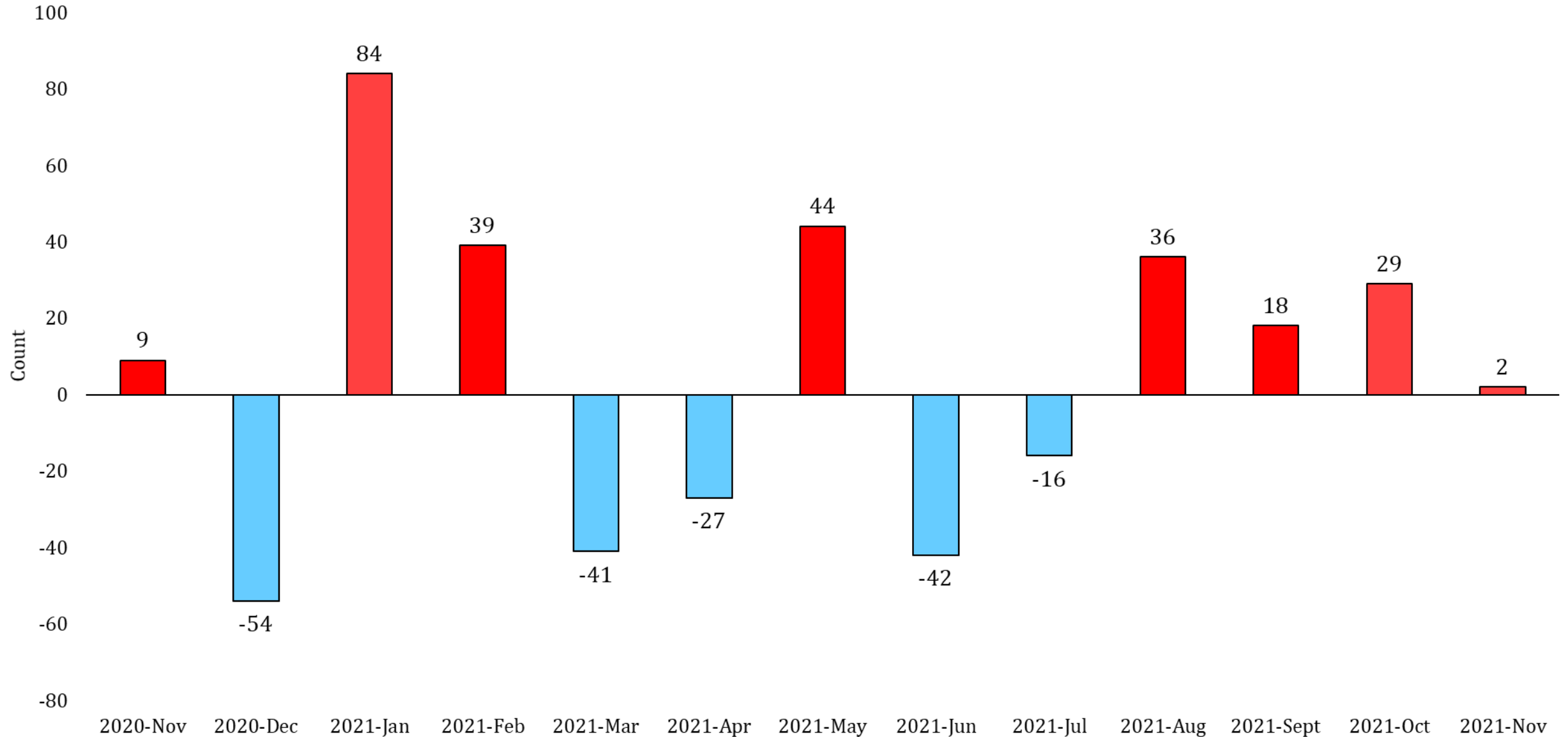
This Month	Change from last month	Change from last year
815	2% 	3% 

Releases Last 12 Months



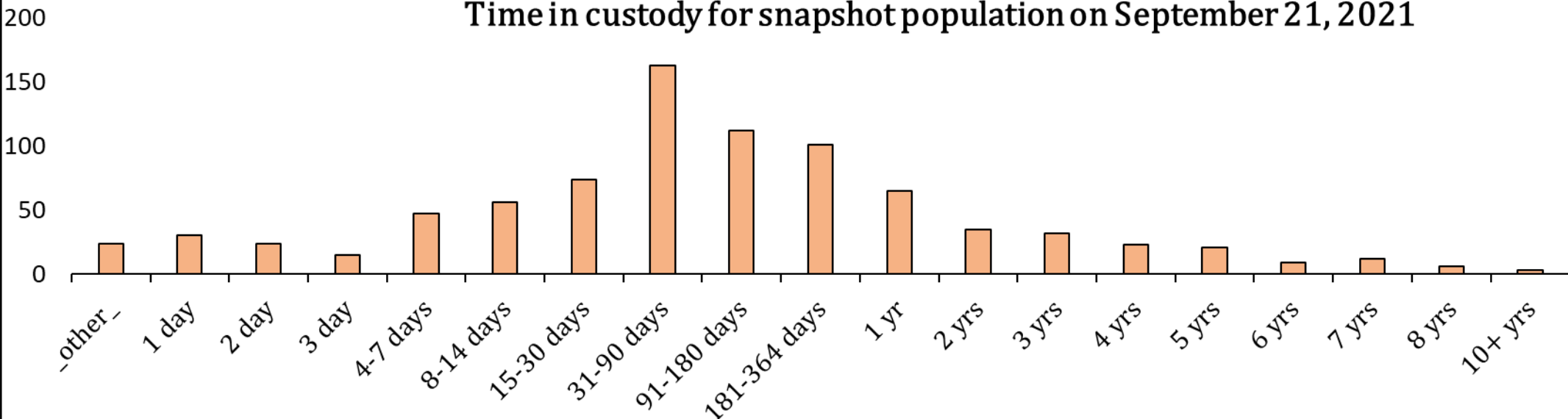
Safety and Justice Challenge November 2021 Report

Monthly difference in bookings vs. releases



Snapshot Population November 2021 Report

Time in custody for snapshot population on September 21, 2021



Snapshot
Population 852

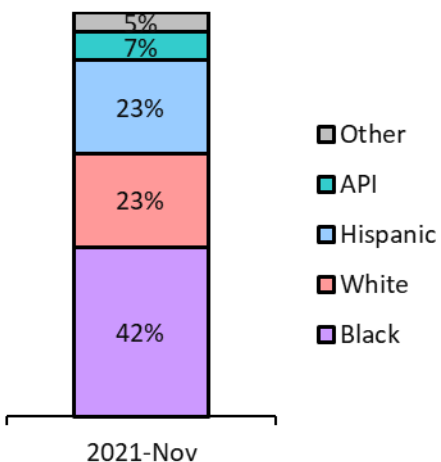
Average time in
custody 386

Median time in
custody 95

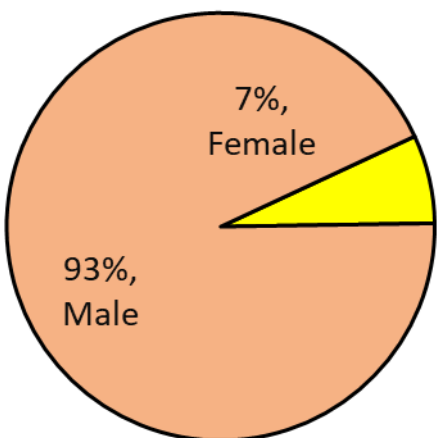
Average age at
booking 35

	Nov	Last 12 Months	
Black	42%	Low 42 High 49	
White	23%	Low 19 High 24	
Hispanic	23%	Low 21 High 23	
API	7%	Low 6 High 7	
Other	5%	Low 4 High 5	

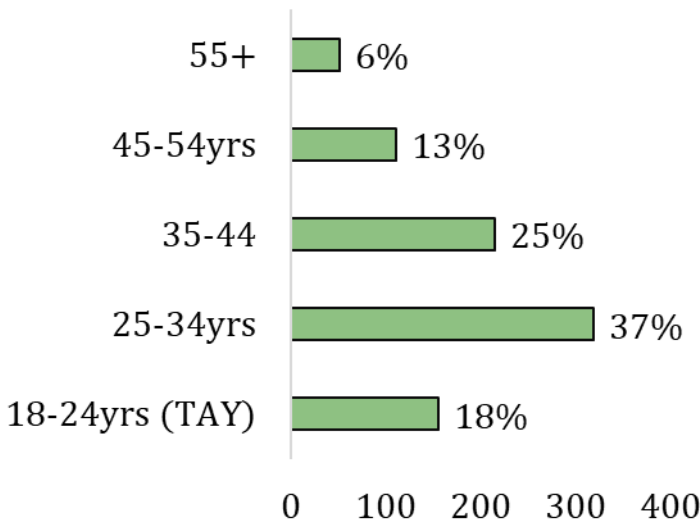
Ethnic and Race
Percent



Gender

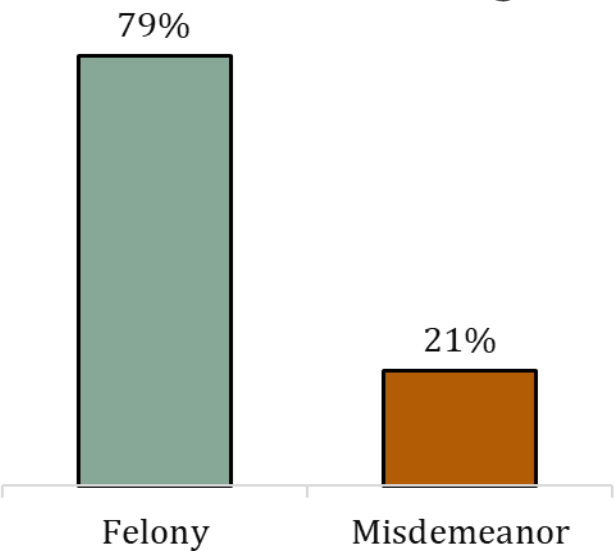


Age at Booking

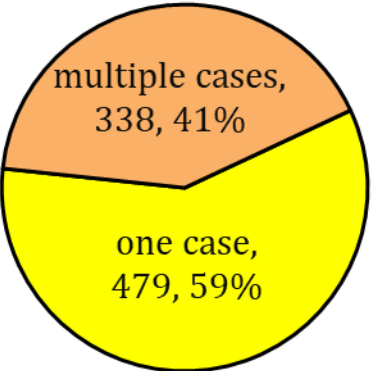


Monthly Bookings November 2021

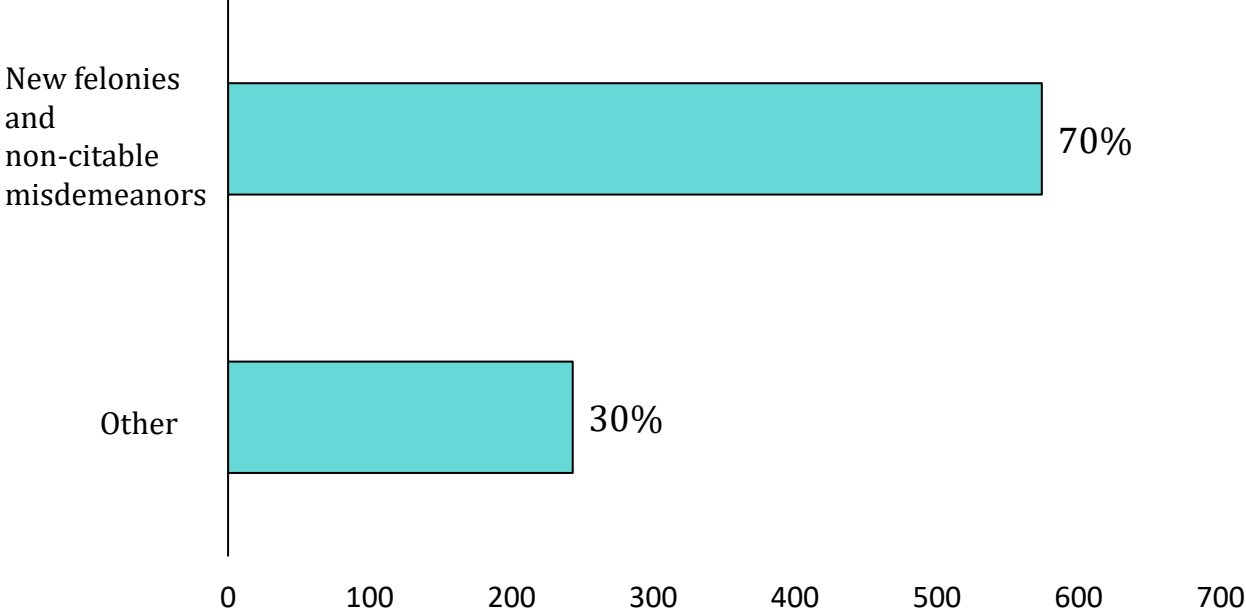
Crime Class at Booking



Case Load per BookingNumber

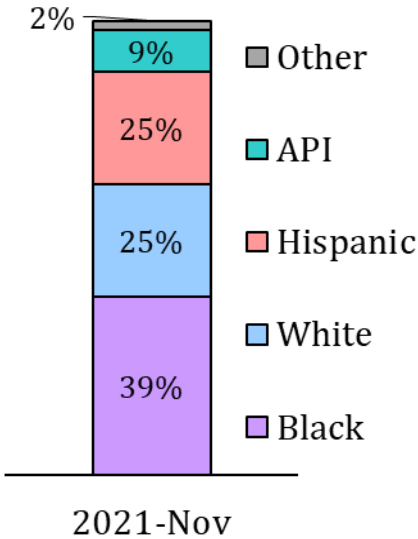


On View Charges

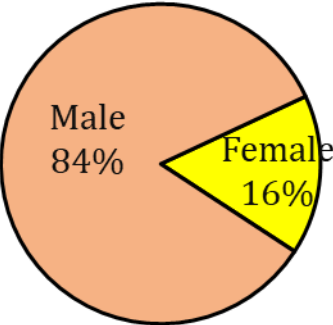


	Nov	Last 12 Months
Black	39%	Low 32 High 40
White	25%	Low 24 High 30
Hispanic	25%	Low 26 High 32
API	9%	Low 5 High 8
Other	2%	Low 1 High 3

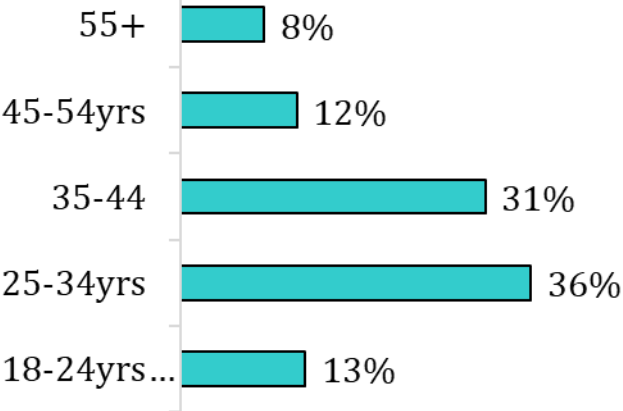
Ethnicity and Race



Gender

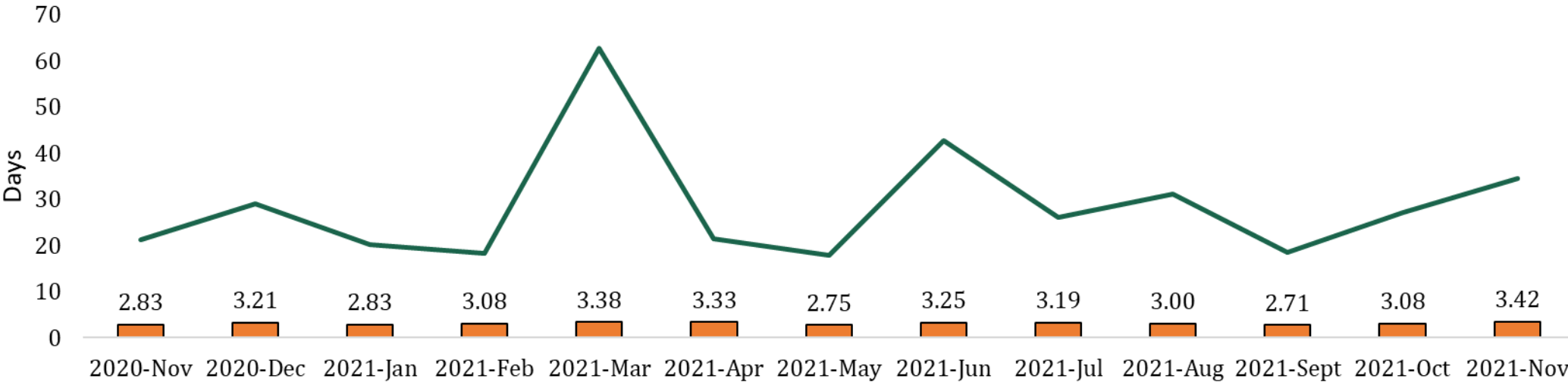


Age at Booking



Monthly Releases November 2021

Average and median length of stay for released individuals

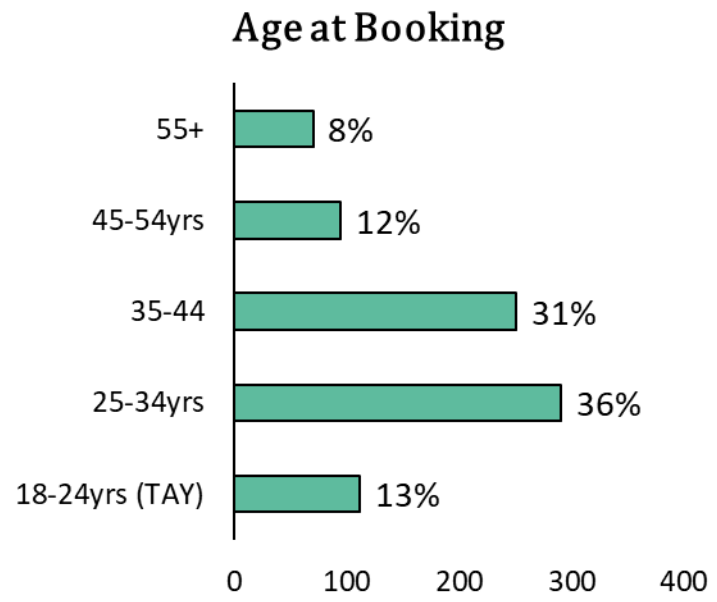
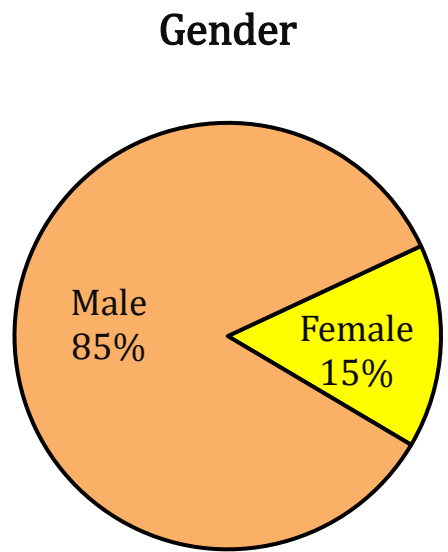
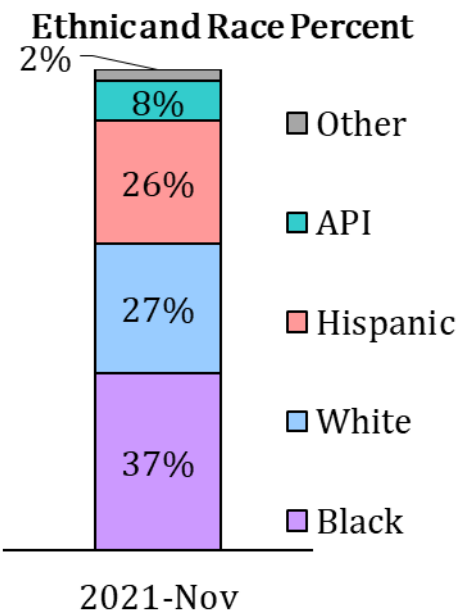


Released for
month 817

Average length of
stay for month
days 35

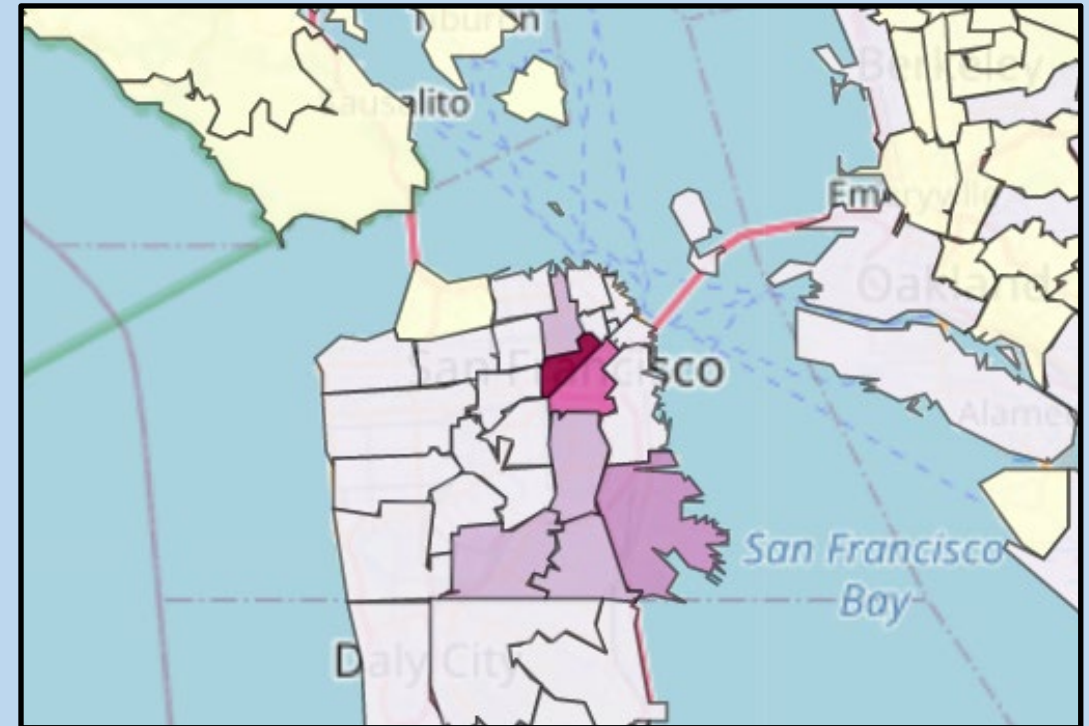
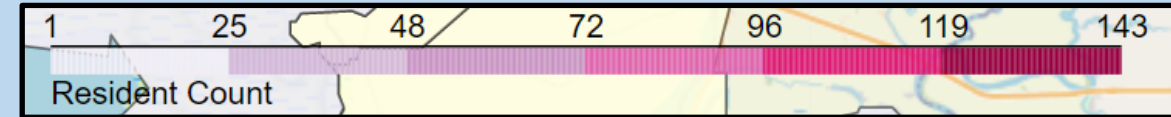
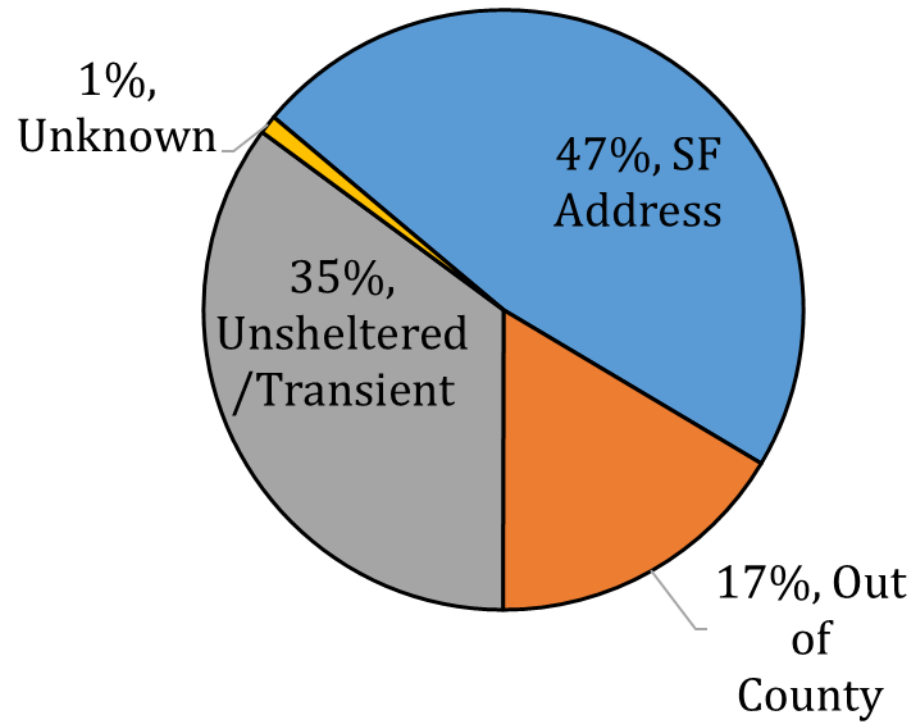
Median length of
stay for month
3.42 days

	Nov	Last 12 Months
Black	37%	Low 31 High 42
White	27%	Low 24 High 31
Hispanic	26%	Low 26 High 32
API	8%	Low 6 High 8
Other	2%	Low 1 High 3



Snapshot Residency November 2021

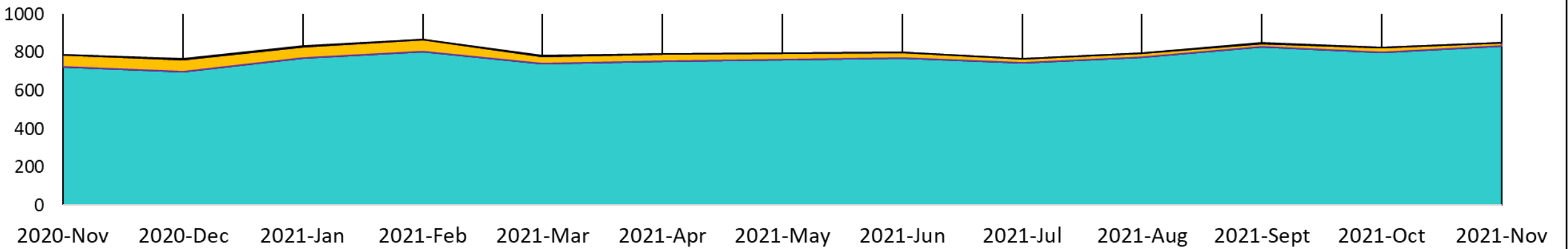
Snapshot Population by Residency



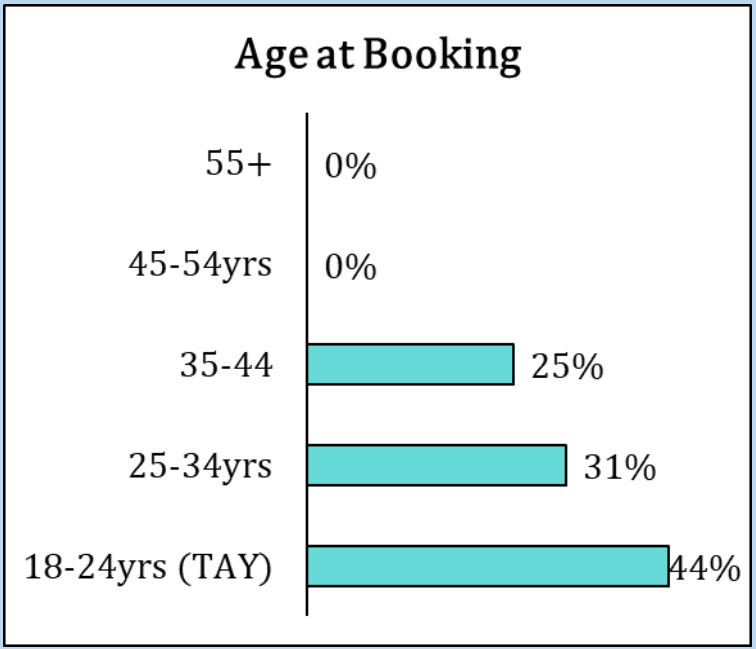
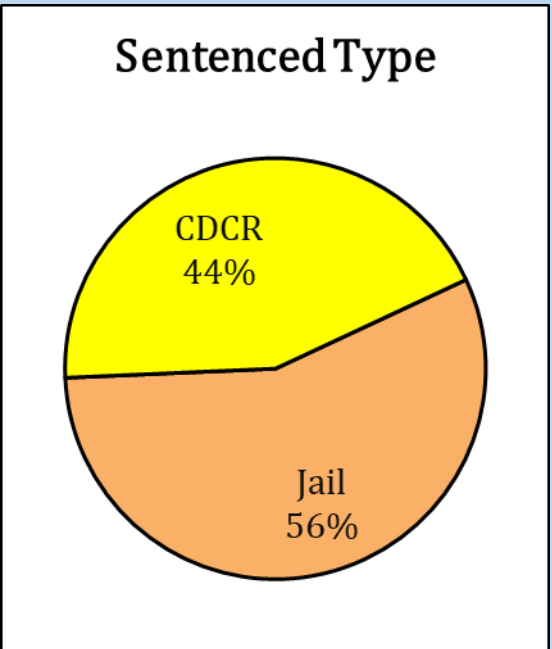
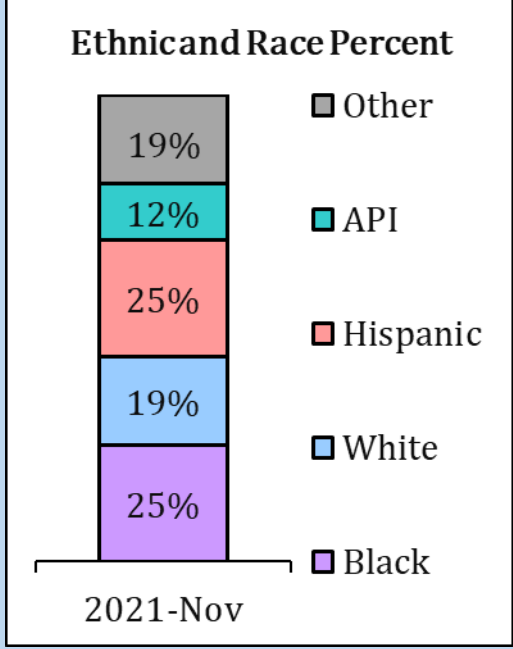
Sentenced of the Snapshot Population November 2021

Legal Status of Confined Individuals

Pretrial, 833 Sentenced, 16 Other, 3



	Nov	Last 12 Months	
Black	25%	Low 25	High 58
White	19%	Low 4	High 29
Hispanic	25%	Low 13	High 38
API	12%	Low 4	High 16
Other	19%	Low 5	High 19



END OF SLIDESHOW



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



December 14, 2021

CSH: WHAT WE DO

CSH is a touchstone for new ideas and best practices, a collaborative and pragmatic community partner, and an influential advocate for supportive housing



TRAINING AND
EDUCATION



LENDING



POLICY REFORM



CONSULTING &
TECHNICAL
ASSISTANCE

Supportive Housing is the Solution

Supportive housing combines deeply affordable housing with services that help people who face the most complex challenges to live with stability, autonomy, and dignity



Justice and Housing Project

- Grant from Wells Fargo to partner with five communities for system gaps and racial disparities analyses aimed at understanding and improving the provision of, and access to, housing for disproportionately impacted populations
- Utilizing CSH's Racial Disparities and Disproportionality Index
- Work with stakeholders and people with lived experience to interpret and analyze data and draft recommendations for addressing identified gaps
- Support longer-term systems engagement to provide greater housing opportunities for justice-involved people

Racial Disparities and Disproportionality & Cost Background

Analysis and Results

The Disparity Index

- The Disparity Index can be viewed as the

“likelihood of one group experiencing an event, compared to the likelihood of another group experiencing the same event.”

- Shaw, T.V., Putnam-Hornstein, E., Magruder, J. & Needell, B. (2008). Measuring Racial Disparity in Child Welfare. *Welfare* 87(2):23-36. Page 31.

RDDI information (1 of 2)

- **Black or African American** households are **12 times more likely** to enter the homeless system than non-Black or non-African American households
 - Also, **American Indian or Alaska Native** households **are 11 times as likely to** enter the homeless system, and **Native Hawaiian or Other Pacific Islander** households **are 6 times** as likely to enter the system as their peers.
- Out of all households that enter the homeless system, **White Non-Hispanic/Latinx** households **are 34% more likely to receive supportive housing** than non-White Non-Hispanic/Latinx households
 - **Black or African American** households **are 10% less likely** to receive PSH than their peers

RDDI information (2 of 2)

- **Black or African American** households are twice as likely to exit the homeless system into incarceration compared to non-Black or non-African American households
- **Black San Franciscans** are 16 times as likely to be jailed compared to non-Black San Franciscans

Cost of Supportive Housing

- Estimated annual costs for a unit of single-site PSH:
- Operating costs: \$10,000 per unit per year
 - Based on median operating costs per unit across all development types
- Service costs: \$7,200 per unit per year
 - Based on budgeted tenancy support services for Medicaid waivers

Total annually occurring costs: \$17,200 per unit per year or \$47 dollars per day

Cost of Jail Stays & Savings

- Jail Costs are \$250/day & average length of stay is 26 days (does not include jail health)
- Estimated jail costs at \$33,800/person/year in the high utilizer cohort
- With a supportive housing intervention, there would be a savings of **\$737,458** per year across the 64 homeless high utilizers

Recommendations

Recommendations from Focus Groups with People with Lived Experience

- Even the playing field with procuring for BIPOC organizations.
- Housing is hard to get, though when it is, services must be available alongside it.
- Establish a pre-emptive transition plan.

Other Partner Recommendations

- Create more supportive housing that is dedicated to justice involved people.
- Ensure that program design is data informed and prioritizes advice from people with lived experience of homelessness and justice sector involvement.
- Increase systems collaboration from the Justice sector with the Department of Homelessness and Supportive Housing.
- Implement changes for the Coordinated Entry System to ensure that people from the Justice Sector have access to supportive housing..
- Ease access to systems data so that regular analysis that can inform continuous quality improvement happens.



QUESTIONS AND DISCUSSION

THANK YOU!



stay connected



csh.org



The City and County of San Francisco
The San Francisco Sentencing Commission

2021 Annual Report

San Francisco Sentencing Commission

December X, 2021



San Francisco Sentencing Commission 2021 Annual Report

TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY	3
II.	BACKGROUND	3
III.	2021 MEETING TOPICS & PRESENTERS	5
IV.	MEMBERSHIP UPDATES	7
V.	FUTURE ACTIVITIES	7
VI.	CONCLUSION	8

The activities of the 2021 calendar year of the San Francisco Sentencing Commission are summarized in this annual report as required by County Ordinance 10-12.

I. EXECUTIVE SUMMARY

The San Francisco Sentencing Commission, an initiative of the District Attorney's Office, was created to analyze sentencing patterns, to advance innovative solutions and outcomes; and to provide recommendations to the Mayor and Board of Supervisors that lead to a reduction in incarceration, lower recidivism rates, safer communities, and ensure that victims are made whole.

In accordance with Governor Gavin Newsom's state of emergency order and consistent with state and local orders addressing the COVID-19 pandemic, 2021 meetings of the Sentencing Commission were held remotely via videoconferencing on Zoom and facilitated remote public comment via the videoconference and phone.

During the 2021 calendar year, the San Francisco Sentencing Commission held four virtual hearings covering Local Sentencing Trends, Digging Deeper into Racial & Ethnic Disparities, Characteristics of People with Multiple Systems Contact in San Francisco, Expanding Access to Housing for People in the Justice System, Jail Population Trends, Review and Approval of By Laws, the Criminal Justice Racial Equity Workgroup and the Safety and Justice Challenge. The San Francisco Sentencing Commission not only facilitates conversations between criminal justice stakeholders about innovative approaches to sentencing and criminal justice reform but generates action-oriented recommendations resulting in successful program and policy implementation. In 2020, a significant amount of the work of the Sentencing Commission was focused on subcommittee support in fulfillment of Ordinance 80-20 and closure of County Jail no.4. In 2021, a central theme to the work of the Sentencing Commission was person centered and focused on three key areas 1) understanding the prevalence and needs of people who are unhoused and with regular justice system contact, 2) understanding the characteristics of people with multiple systems contact and frequent jail stays, and 3) exploring the resources and programs best tailored to meet the needs of people with multiple system contact returning to community. Through this work the Sentencing Commission has increased justice system partners knowledge and understanding of pathways to housing resources for people involved in the justice system and forged stronger relationships with housing experts and service providers. A summary of previous year's reports is available on the [Sentencing Commission website](#).

II. BACKGROUND

The San Francisco Sentencing Commission, an initiative of the District Attorney's Office, was created through local legislation to analyze sentencing patterns and outcomes, to advise the Mayor, Board of Supervisors, and other City departments on the best approaches to improve public safety, reduce recidivism, and to make recommendations for sentencing reforms that utilize best practices in criminal justice. Ultimately, the commission will make recommendations that establish a sentencing system that retains meaningful judicial discretion, avoids unwarranted disparity, recognizes the most efficient and effective use of correctional resources, and provides a meaningful array of sentencing options. The mandate of the Sentencing Commission includes the following:

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

The Sentencing Commission was created by County Ordinance 10-12 which amended the San Francisco Administrative Code by adding Article 25, Sections 5.250 through 5.250-3. The purpose of the Sentencing Commission is to encourage the development of criminal sentencing strategies that reduce

recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices and efficiently utilize San Francisco's criminal justice resources. The Sentencing Commission is an advisory body to the Mayor and the Board of Supervisors.

Commission Membership

The San Francisco Sentencing Commission membership was fully formed in July 2012 and subsequently renewed in 2015. At the time of this report additional authorization for a 5-year term to the year 2023 is pending before the Board of Supervisors. A current list of commission members and qualifications is found in Appendix A.

The membership of the Sentencing Commission was developed to ensure representation from City and County partners directly involved in the criminal justice system, and those who come in contact with it. Each seat represents a valuable perspective on criminal justice proceedings; from time of arrest to post release and the critical access points for support services provided to victims and survivors of crime. In addition to this practical and service experience, the commission includes experts in sentencing and statistical analysis. These are essential components to the commission membership and contribute to the development of data-informed, sustainable improvements to our sentencing practices. While this membership serves as the core of the Sentencing Commission's work, the Commission invites broader participation from practitioners, researchers, and community to inform the proceedings.

List of member seats:

District Attorney's Office (Chair), Public Defender's Office, Adult Probation Department, Juvenile Probation Department, Sheriff's Department, Police Department, Department of Public Health, Reentry Council, Superior Court, member of a nonprofit organization serving victims chosen by the Family Violence Council, member of non-profit organization working with ex-offenders chosen by the Reentry Council, sentencing expert chosen by the Board of Supervisors, and an academic researcher with expertise in data analysis appointed by the Mayor. Representatives from BART Police began attending meetings in December 2015 and serve as non-voting members.

III. 2021 MEETING TOPICS & PRESENTERS

The Sentencing Commission held four meetings in 2021. Full details are available on <http://www.sfdistrictattorney.org/>. Meeting dates and selected subject matter presenters are provided below. In addition to subject matter presentation regular status report are provided by Sentencing Commission staff, the Criminal Justice Racial Equity Workgroup, and Safety and Justice Challenge Workgroup.

March 23, 2021

Review and Approval of Amended ByLaws: Adding the Reading of the Ramaytush Ohlone Land Acknowledgement

Presenter: Gregg Castro, t'rowt'raabl Salinan / rumsien & ramaytush Ohlone

Review of San Francisco Sentencing Trends

Presenter: Tara Anderson Sentencing Commission Director

Digging Deeper into Racial & Ethnic Disparities: Using Data to Make Change

Presenter: Clarence Ford and Anna Wong Haywood Burns Institute

Update on Justice Dashboard and "High User" Analysis

Presenter: Alissa Skog, California Policy Lab

June 22, 2021

Department of Juvenile Justice Closure

Presenters: Emily Fox, San Francisco Juvenile Probation Department

American Rescue Plan Act of 2021: Guide to Advancing Justice Related Goals

Presenters: Megan Quattlebaum, Director, Council of State Governments Justice Center

September 21, 2021

Characteristics of People with Multiple Systems Contact in San Francisco

Presenter: California Policy Lab, UC Berkeley, and UC San Francisco, represented by Stephen Paolillo and Caroline Cawley

‘Frequent Users Systems Engagement (FUSE)’ Analysis and Current Work in San Francisco

Presenter: Heather Lyons, Jenna Murakami, and Gabe Schuster, Corporation for Supportive Housing

Introduction of CNA's Center for Justice Research and Innovation, Technical Assistance Provider for the Justice Reinvestment Initiative Young Adult Justice Initiative

Presenters: Hildy Saizow and Shelby Hickman

December 16, 2021

Jail Population Trends

Presenter: Lucas Jennings, San Francisco Sheriff's Department

Expanding Access to Housing for People in the Justice System

Presenter: Heather Lyons and Gabe Schuster, Corporation for Supportive Housing

Sentencing Commission Annual Report

Presenter: Tara Anderson, Director of Policy, San Francisco District Attorney's Office

In addition to the specific items outlined above, each Sentencing Commission agenda included reports from the Safety and Justice Challenge and the Criminal Justice Racial Equity Workgroup.

Safety and Justice Challenge

With the support of the MacArthur Foundation's [Safety and Justice Challenge \(SJC\)](#), the City and County of San Francisco is working to safely reduce the local jail population and eliminate racial disparities in the justice system. In 2021, the San Francisco District Attorney's Office secured an additional \$2 million grant from the John D. and Catherine T. MacArthur Foundation to reform San Francisco's criminal legal system. The Office completed the Accept and Expend Ordinance with CCSF in 2021 and is using these funds to reduce the overreliance on incarceration and change practices that disproportionately impact people of color, low-income communities, and people with behavioral health needs. The Safety and Justice Challenge builds on past reform efforts and uses evidence-driven strategies that move beyond the easiest-to-reach populations to safely and sustainably reduce the jail population. This multi-agency cross justice system effort is focused on five primary principles: 1) using data to inform decision-making, 2) regular review of the jail population, 3) improving criminal case court processing, 4) creating and maintaining connections to supportive services and 5) rooting out implicit bias. Especially notable are the public dissemination of the new Justice Dashboard, the creation of the Criminal Justice Racial Equity Workgroup, and the launch of the SJC Fellowship.

Justice Dashboard

A top priority for the Sentencing Commission in this enabling ordinance was to identify and define the most important factors that reduce recidivism. After a collaborative planning effort system partners developed and launched the [Justice Dashboard](#), which much of the planning period devoted to understanding the various responsibilities of system partners on measuring and reporting recidivism. In August 2019, after years of internal review and validation the public Justice Dashboard went live. The goal of the Justice Dashboard is to help policymakers understand trends in how people interact with the criminal legal system and track progress toward reducing racial disparities in the system. The Justice Dashboard 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. Additional cohorts will be added each year, and CCSF partners explore the extent to which positive outcomes external to the justice system can be measured (i.e., housing and health). The Justice Dashboard is part of a larger movement within the City and County of San Francisco to use data, technology, and research as tools to reduce incarceration and racial disparities in our criminal legal system. Making the dashboard public is an essential step in promoting greater accountability and transparency. Tools like the Justice Dashboard help us create safer communities and advance the national dialogue on best practices for local justice systems. This is just one example of CCSF increasing the knowledge of racial and ethnic disparities in the San Francisco Criminal legal system. It is one step toward realizing full cross system data sharing on subsequent system contact and positive outcomes from those who desist from crime.

Criminal Justice Racial Equity Workgroup

The San Francisco Community Corrections Partnership, Police Commission, Juvenile Justice Coordinating Council, Reentry Council and Sentencing Commission prioritize racial equity so that all people may thrive. San Francisco's criminal justice policy bodies collectively acknowledge that communities of color have borne the burdens of inequitable social, environmental, economic, and criminal justice policies, practices, and investments. The legacy of these government actions has caused deep racial disparities throughout San Francisco's juvenile justice and criminal legal system. We further recognize that racial equity is realized when race can no longer be used to predict life outcomes. We commit to the elimination of racial disparities in the criminal legal system.

On September 12, 2018 the San Francisco Sentencing Commission voted to create a Criminal Justice Racial Equity Workgroup (CJREWG). This group meets bi-monthly to discuss practical steps that criminal justice departments and support agencies can take to ensure progress is made toward the identified racial equity goal; to eliminate racial disparities in the criminal legal system. In 2020-2021 efforts have focused on training for the implementation of the Racial Justice Act and the implementation of partner department's Office of Racial Equity Goals.

In addition, reducing racial disparities is a primary focus of San Francisco's implementation of the Safety and Justice Challenge, a multi-year and multi-disciplinary initiative aimed toward safely reducing the jail population. As part of this initiative, partners agree to proactively frame all planning and evaluation around the impact on people of color in jail, and to build in feedback mechanisms to ensure accountability for results. Planning work is conducted under the auspice of the SJC Workgroup CJREWG. Regular reports from the CJREWG co-chairs are made to the Sentencing Commission, Reentry Council, and the Community Corrections Partnership to ensure that information is shared across agencies and to reinforce that action must accompany the racial equity statement.

V. MEMBERSHIP UPDATES

Membership Transitions

In the 2021 calendar year the San Francisco Sentencing Commission experienced transitions for two member seats. In Winter 2021 Jerel McCrary stepped down from the San Francisco Sentencing Commission. In Spring 2021 the Family Violence Council appointed Andrew Tan, Community Partnerships Manager for Safe and Sound, to serve in the Family Violence Council member seat. In September 2021 Chief Karen Fletcher retired from the San Francisco Adult Probation Department. The San Francisco Superior Court appointed Sharon Jackson Acting Chief of the Adult Probation Department. Acting Chief Jackson or her designee will serve in Adult Probation seat until the new Chief is appointed by the Superior Court. The San Francisco Sentencing Commission thanks Chief Fletcher and Jerel McCrary for their service to the Commission.

Position of Superior Court

The San Francisco Superior Court is an invited member of the San Francisco Sentencing Commission. In 2018, representatives from the Administrative Office of the San Francisco Superior Court began participating in the Sentencing Commission as non-voting members. The court representatives are participating to advance the cross-system goals of San Francisco's Safety and Justice Challenge implementation. A detailed description of the Safety and Challenge goals is listed in section IV.

VI. FUTURE ACTIVITIES

Looking Forward: 2022

The San Francisco Sentencing Commission is currently scheduled to conduct four sessions in 2022. Sentencing Commission topics 2022 include:

- Overview of San Francisco Sentencing Trends
- 2022 Sentencing Policy and Legislative Updates
- Safety and Justice Challenge
- Justice Reinvestment Initiative Young Adult Justice Initiative

Additional areas of focus will be identified during the March 2022 meeting of the Sentencing Commission.

VII. CONCLUSION

In 2021, the San Francisco Sentencing Commission successfully completed the ninth full year of hearings covering experts discussing Local Sentencing Trends, Digging Deeper into Racial & Ethnic Disparities, Characteristics of People with Multiple Systems Contact in San Francisco, Expanding Access to Housing for People in the Justice System, Jail Population Trends, Review and Approval of By Laws, the Criminal Justice Racial Equity Workgroup and the Safety and Justice Challenge. The San Francisco Sentencing Commission plans to conduct four meetings during the 2022 calendar year.

DRAFT

Appendix A: San Francisco Sentencing Commission Members

As of December 14, 2021

Agencies & Bodies	Member
District Attorneys' Office	Chesa Boudin, District Attorney
Public Defender	Manohar Raju, Public Defender
Adult Probation	Sharon Jackson, Acting Adult Probation Chief
Juvenile Probation	Katy Miller, Juvenile Probation Chief
Sheriff	Paul Miyamoto, Sheriff
Police	William Scott, Police Chief
Department of Public Health	Grant Colfax, Director
Reentry Council	Karen Roye, Director Child Support Services
Superior Court*	Presiding Judge
<i>Member of a nonprofit org serving victims chosen by the</i> Family Violence Council	Andrew Tan
<i>Member of non-profit org working with ex-offenders chosen by the</i> Reentry Council	William Palmer
Sentencing Expert chosen by the Board of Supervisors	Theshia Naidoo Senior Staff Attorney Drug Policy Alliance
Academic Researcher with expertise in data analysis appointed by the Mayor	Steven Raphael PhD Professor Goldman School of Public Policy University of California Berkeley

*Invited

** BART PD participates as a non-voting member.