

The San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

Safety and Justice Challenge Subcommittee

AGENDA

Tuesday, April 19, 2022, 12:00 pm

REMOTE MEETING VIA VIDEOCONFERENCE

Watch via Zoom: <https://sfdistrictattorney.zoom.us/j/94836471904>

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

Meeting ID: 948 3647 1904

Consistent with state and local orders addressing the COVID-19 pandemic, this meeting of the Safety and Justice Challenge Subcommittee will be held remotely via videoconference. The meetings held through videoconferencing will allow remote public comment via the videoconference or through the number noted above. Members of the public are encouraged to participate remotely by submitting written comments electronically to josie.halpern-finnerty@sfgov.org. These comments will be made part of the official public record in these matters and shall be brought to the attention of the members of the Subcommittee. Explanatory and/or Supporting Documents, if any, will be posted at: <https://sfdistrictattorney.org/sentencing-commission-relevant-documents>

1. Call to Order; Roll Call.
2. Public Comment.
 - a. General Public Comment.
 - b. Public Comment on All Agenda Items.
3. Findings to Allow Teleconferenced Meetings Under California Government Code Section 54953(e). (Discussion and Action)
 - a. The Safety and Justice Challenge Workgroup will consider adoption of a resolution making findings that Government Code Section 54953(e) requires in order to allow the Workgroup to hold meetings remotely, as currently required under local law, without complying with infeasible Brown Act requirements.
4. Monthly Jail Population Report. (Discussion and Possible Action).
5. SJC Strategy and Partner Updates. (Discussion and Possible Action).
6. Presentation by Department of Public Health on Mental Health SF Implementation (Discussion and Possible Action).
7. Request for Future Agenda Items. (Discussion and Possible Action).
8. Adjournment.

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SUBMITTING WRITTEN PUBLIC COMMENT TO THE SAN FRANCISCO SAFETY AND JUSTICE SUBCOMMITTEE

Persons who are unable to attend the public meeting may submit to the San Francisco Safety and Justice Challenge Subcommittee, by the time the proceedings begin, written comments regarding the subject of the meeting. These comments will be made a part of the official public record and brought to the attention of the Subcommittee. Written comments should be submitted to: Josie Halpern-Finnerty, San Francisco District Attorney's Office, via email: josie.halpern-finnerty@sfgov.org

MEETING MATERIALS

Copies of agendas, minutes, and explanatory documents are available through the Sentencing Commission website at <http://www.sfdistrictattorney.org> or by emailing josie.halpern-finnerty@sfgov.org. The material can be faxed or mailed to you upon request.

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/>

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RESOLUTION NO. 22-003

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 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

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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

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 Safety and Justice Challenge Workgroup of 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 Safety and Justice Challenge Workgroup finds as follows:

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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 Safety and Justice Challenge Workgroup 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 committees 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 Safety and Justice Challenge Workgroup and its committees will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of the Safety and Justice Challenge Workgroup and its committees that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and its committees 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 staff of the Safety and Justice Challenge Workgroup is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the Safety and Justice Challenge Workgroup within the next 30 days. If the Safety and Justice Challenge Workgroup does not meet within the next 30 days, the staff is directed to place a such resolution on the agenda of the next meeting of the Safety and Justice Challenge Workgroup.

Introducing the Second Cohort of Safety + Justice Challenge Fellows

The **Safety and Justice Challenge Fellowship**, supported by a MacArthur Foundation Safety and Justice Challenge (SJC) grant, is an effort to integrate and strengthen partnerships with people directly impacted by the criminal legal system into efforts to safely reduce the local jail population and eliminate racial disparities in the justice system. The District Attorney's Office, in collaboration with local partners at Bright Research Group, have selected an second cohort of fellows who will work with SJC partners over the next five months to identify innovative approaches and best practices in the legal system. Bios are included below.

Welcome to the new SJC Fellows!

Gloria Berry was born and raised in San Francisco, CA. She is a veteran with thirteen years of service, which included twelve years in technology and three years of use of force training. She also worked for eight years at San Quentin where she was promoted to Sergeant. Gloria held several other jobs including recruiter, special education teacher's aid, census bureau partner with the Black community, group home caregiver, delivery driver, and single room occupancy desk clerk in the Tenderloin. In 2012, she was diagnosed with a chronic incurable blood disease, arrested for possessing marijuana, and lost her home, which lead to her being homeless for three years. Gloria was elected to the SF Democratic County Central Committee in 2020, where she is Chair of the SF DCCC Black Lives Matter Committee. She is also the founder of Berry Powerful Ladies, a mentorship program.



John Lam is currently a reentry student majoring in political science at UC Berkeley. He works full-time as a special project's coordinator with Asian Prisoner Support Committee in Oakland CA. As a child of Vietnamese political refugees in America, he and his family's early experiences shaped his interest in becoming a political scientist and policy specialist. After serving 16 years in prison, he is interested in crafting and passing policy that would address the issues of crimmigration and reentry. He intends to pursue a master's in public policy and gain the experience and expertise needed to build a leadership pipeline for formerly incarcerated individuals to succeed. In his free time, John enjoys outdoor activities, learning to code and trying out new cuisines.



Malachi Scott is currently serving as the re-entry/community restorative justice coordinator for Restorative Justice for Oakland Youth (RJOY). He holds restorative circles in the juvenile detention center, and he is helping to build a community restorative justice framework in North Oakland. He co-founded the North Oakland Restorative Justice Council and served on the Safety and Services Oversight Commission (Measure Z) in Oakland. Malachi has journalistic experience with written articles in the New York Times and the San Francisco Chronicle and has been featured in other articles around the issue of incarceration. He played a major role in Shakti Butler's film *Healing Justice*. Malachi came to restorative justice through the Victim Offender Education Group, a program of the Insight Prison Project, while incarcerated at San Quentin State Prison. During his incarceration he obtained an associate degree, co-founded a restorative justice base group called Kid C.A.T. (Creating Awareness Together), and was the sports editor for the San Quentin News. He is also a certified Life Coach.



Rasheed Stanley-Lockheart currently serves as the Director of Re-entry at the Ahimsa Collective where he works with people re-entering community after a period of incarceration. He is a formerly incarcerated person who spent much of his adult life incarcerated. Growing up in a world surrounded by toxic-masculinity, Rasheed was able to find the love, empathy, and emotional connections he needed to hold space for healing. He participated in and facilitated groups within the prisons like SQUIRES (San Quentin Utilization of Inmate Resources Experiences and Studies), VOEG (Victim Offender Education Group), and a Men's Healing Circle. Most recently, Rasheed worked with a grass roots organization called Planting Justice, where he worked as a re-entry coordinator. This became a life-long journey that would center his focus around currently and formerly incarcerated people. Rasheed brings firsthand experience with the criminal justice system and his ability to navigate complex issues and ambiguous environments to his work. In addition to his work with The Ahimsa Collective, Rasheed serves as an advocate for formerly incarcerated people and has been featured in multiple media outlets. Most recently Rasheed has been a strong advocate in helping to change (AB2147), a law barring formerly incarcerated firefighters from getting EMT certifications preventing them from qualifying for firefighting careers post incarceration.



Lisa Wood currently serves as a Clinical Supervisor at Westside Community Services. One of her many positions is serving as the Liaison for Behavioral Health Court in San Francisco and working closely with the courts, District Attorney's Office, and the Public Defender's Office to assist clients with mental health services. She has also supervised the Nova Project through the San Francisco Sheriff's Department since 2009, working closely with those involved in the justice system. Lisa assists with intensive case management, housing assistance, and peer support. She is also the Director for Westside Methadone Clinic, assisting patients with medically assisted treatment. Lisa's commitment to her work comes from her own intimate involvement in the justice system. With over 20 years of recovery, she is a strong advocate for people in the justice system and is passionate about role modeling through living free. She is an active member of Positive Directions Equals Change, an organization founded to work with people in recovery through principles of sobriety, community, and peer support.

