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, May 17, 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.


5. Presentation by Ashley Qiang on Local Warrants and Holds Processes (Discussion and Possible Action).

6. SJC Strategy and Partner Updates. (Discussion and Possible Action).

7. Request for Future Agenda Items. (Discussion and Possible Action).

8. Adjournment.
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.

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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

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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.

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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/
RESOLUTION NO. 22-004

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
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:
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.
SJC WORKING GROUP

Tuesday May 17th, 2022

SAFETY + JUSTICE CHALLENGE

Supported by the John D. and Catherine T. MacArthur Foundation
Safety and Justice Challenge April 2022 Report

**Average Daily Population**
- **This Month:** 797 (2% down from last month, 1% down from last year)

**Bookings**
- **This Month:** 829 (3% down from last month, 0% change last year)

**Releases**
- **This Month:** 896 (4% up from last month, 5% up from last year)
Monthly difference in bookings vs. releases

- Count

- Safety and Justice Challenge April 2022 Report


- -27 -42 -16 36 18 29 2 16 6 -38 -0.9 -67

- June 2021

- Monthly difference in bookings vs. releases
### Time in custody for snapshot population on April 19, 2022

- **Average time in custody**: 387 days
- **Median time in custody**: 106 days

### Ethnic and Race Percent

- **Black**: 44% (Low 42, High 46)
- **White**: 23% (Low 21, High 25)
- **Hispanic**: 20% (Low 20, High 23)
- **API**: 7% (Low 6, High 7)
- **Other**: 6% (Low 4, High 6)

### Sex

- **94%, Male**
- **6%, Female**

### Age at Booking

- **55+**: 8%
- **45-54 yrs**: 11%
- **35-44**: 26%
- **25-34 yrs**: 37%
- **18-24 yrs (TAY)**: 18%
Average and median length of stay for released individuals

- **April**
  - Black: 36%
  - White: 24%
  - Hispanic: 30%
  - API: 8%
  - Other: 2%

- **Last 12 Months**
  - Low: 31, High: 37
  - Low: 24, High: 31
  - Low: 26, High: 33
  - Low: 6, High: 8
  - Low: 1, High: 3

**Sex**

- Male: 86%
- Female: 14%

**Age at Booking**

- 55+:
- 45-54 yrs:
- 35-44:
- 25-34 yrs:
- 18-24 yrs (TAY):

**Average length of stay in days:** 37
**Median length of stay:** 3 days

Released for month 896
Female Population April 2022

Female Length of Stay of Snapshot Population

- Other: 1%
- 1 day: 100%
- 2 day: 45%
- 3 day: 40%
- 4-7 days: 15%
- 8-14 days: 5%
- 15-30 days: 2%
- 31-90 days: 2%
- 91-180 days: 1%
- 181-364 days: 1%
- 1 yr: 2%
- 2 yrs: 3%
- 3 yrs: 4%
- 4 yrs: 5%
- 5 yrs: 6%
- 6 yrs: 7%
- 7 yrs: 8%
- 8 yrs: 9%
- 9 yrs: 10%
- 10+ yrs: 11%

Ethnic and Race Percent

- Female Population: 47
- 4% Other
- 9% API
- 17% Hispanic
- 15% White
- 55% Black

Age at Booking Population Snapshot

- 55+: 9%
- 45-54 yrs: 6%
- 35-44: 32%
- 25-34 yrs: 38%
- 18-24 yrs (TAY): 15%

Reported Female Residency

- 45%, San Francisco Address: 45%
- 40%, Unsheltered/Transient: 40%
- 0%, Unknown/Refused: 0%
- 15%, Out of County Address: 15%
Snapshot Residency April 2022

Snapshot Population by Residency

- SF Address, 47%
- Unsheltered / Transient, 35%
- Out of County, 17%
- Unknown, 1%
**Sentenced of the Snapshot Population April 2022**

**Legal Status of Confined Individuals**
- Pretrial, 762
- Sentenced, 28
- Other, 6

**Ethnic and Race Percent**
- Black: 35% (Low 8, High 58)
- White: 29% (Low 4, High 54)
- Hispanic: 24% (Low 9, High 38)
- API: 9% (Low 4, High 16)
- Other: 3% (Low 0, High 19)

**Sentenced Type**
- Jail: 79%
- CDCR: 21%

**Age at Booking**
- 55+: 7%
- 45-54 years: 7%
- 35-44 years: 26%
- 25-34 years: 41%
- 18-24 years (TAY): 19%
END OF SLIDESHOW
Understanding the Impacts of Warrants and Holds on Jail Time in San Francisco

Ashley Qiang
Master of Public Policy, 2022
Goldman School of Public Policy, UC Berkeley
1. Background
2. Warrants and Holds Processes
3. Promising Approaches and Strategies
4. Next Steps
Background
A significant portion of jail bookings include people brought solely due to outstanding warrants or other holds.

23%

Arrests between March and May 2021 due to outstanding warrants and holds alone

Source: Lucas Jennings, San Francisco Sheriff’s Office, Internal SJC Analysis
Key Research Questions

1. What are current local practices around issuing and executing warrants?

2. What types of holds might prevent someone from being released in jail, and what processes are in place to address them?

3. What strategies might San Francisco employ to safely reduce the number of people being booked on local warrants and holds?
Warrants and Holds Processes
Types of Warrants and Holds Analyzed

1. Bench Warrant
   Warrant for failing to appear

2. Out-of-County/En-Route Warrant and Hold
   Warrant/hold for an offense committed in another county

3. Sheriff’s Affidavit Warrant
   Warrant for violating electronic monitoring condition

4. Probation Warrant and Hold
   Warrant/hold for violating a probation condition

5. PRCS Warrant and Hold
   Warrant/hold for violating a PRCS condition

6. Parole Warrant and Hold
   Warrant/hold for violating a parole condition
Bookings Other 3/1/21 thru 5/31/21

On View Charges

- New felonies and non-citable misdemeanors: 66%
- Other: 23%
- Citations Releases (within 18 hours): 12%

Bookings Other Category

- 12%, Local Warrants, 309
- 4%, Out of County Warrants, 92
- 0%, Probation Violation, 1
- 0%, CDC, 2
- 0%, Out of State Warrants, 4
- 0%, Juvenile, 4
- 0%, Hospital Returns, 5
- 0%, Safekeeps, 7
- 0%, Remand/Surrender, 10
- 1%, RWS, 17
- 1%, PRCS Holds, 28
- 1%, Parole Holds, 37
- 2%, EM Clients Returned to Custody, 47

Source: Lucas Jennings, San Francisco Sheriff's Office, Internal SJC Analysis
Out-of-County Warrant and Hold Process

Person is arrested in SF for local matter → Sheriff’s Office conducts a warrant check at booking/release

Does person have out-of-county warrant?

Yes → Sheriff’s Office stops processing release (if applicable), person is held in jail

Person is held in jail until released by the court → Public defender may find out about out-of-county warrant

No → Person is held in jail until released by the court → Person is released on bail

Does public defender ask judge to release person to other county?

Yes → What does judge do?

Disposes of SF case so the person can be released to the other county

No (and judge sets high/no bail) → Person is held in jail until released by the court

Does public defender successfully ask person’s family to post bail?

Yes → Person is released on bail

No (and judge sets other bail amount) → Judge may issue bench warrant to retain jurisdiction over SF matter

Does public defender successfully ask other county to lift the hold?

Yes → Release person on OR so the person can be transferred to the other jurisdiction, and schedules future court date

No (and judge sets high/no bail) → Hold is lifted

Person is released

Public Defender’s Office

SFPD and SFSO

Judge/Superior Court

Time spent in jail

Step in process

Decision

Step that only happens sometimes
Promising Approaches and Strategies
Addressing Bench Warrants

With no new felony or misdemeanor on-view charges

- Expand Court Reminders
- Expand and Continue Remote Court
- Create a Walk-On Calendar
- Implement New Warrant Clearance Programs
Restructuring Operations to Address Out-of-County Warrants and Holds

- Identify Ways to Find Out About Out-of-County Warrants Earlier
- Improve Communication Channels with the Public Defender’s Office
- Create Systems to Standardize Out-of-County Contacts and Agreements
Next Steps
Next Steps

- Review SFPD Warrants and Holds Process
- Continue to Have Conversations about Potential Policy Solutions
- Develop a Better Understanding of the Warrants and Holds Data
Questions?

Ashley Qiang
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## San Francisco Goals & Activities for 2022

### Overarching Goals:
1) Reduce racial disparities in the jail
2) Maintain overall jail population reductions
3) Develop mechanisms to sustain efforts and changes

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<th>Area</th>
<th>Objective(s)</th>
<th>Activities</th>
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| **Lead with Race**          | Center all strategies around racial disparities reduction. Engage community members with lived experience in to inform strategies and activities. Develop new activities focused on disparities reduction. | • Launch SJC Fellowship cohort 2, focused on strategies to increase access to housing  
• DA’s Office implement Fellows’ recommendations on restorative justice expansion  
• Support Criminal Justice Racial Equity Work Group to finalize and implement “Shared Safety” priorities (e.g., phase two of Racial Justice Act training series; present on Department Racial Equity Action Plans)  
• Provide input on Young Adult Justice Action Plan through SJC meetings |
| **Sustain Shared Focus**    | Sustain and enhance a vigorous jail population review (JPR) process. Use the lessons from case review to drive policy change. | • Hold bimonthly JPR meetings, revisit criteria quarterly to ensure focus on reducing racial disparities  
• Implement plan to track impact and share lessons learned  
• Re-think approach to policy/program solutions (particularly around housing and treatment placement) and strategize about communication with other policy bodies  
• Bring policy recommendations to SJC Workgroup quarterly for discussion/action  
• Host more intensive case review as needed during COVID |
| **Improve Case Processing** | Justice partners work to adopt systems and structures to reduce delay, coordinate criminal case priorities, and address lengthy stays in jail. | • JMI and Court launch workgroup to explore/develop new case processing tools  
• Court, Defense, and District Attorney consult and pilot new case processing tools  
• Explore processes/practices related to warrants and holds and implement changes |
| **Increase & Maintain Healthy Connections** | 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. | • Dept. of Public Health clinician works with people in jail, referring to JPR and community-based supports  
• Continue building partnerships with Dept. of Homelessness and Supportive Housing  
• DA Sentencing Planner develops plans for community-based care  
• Develop process to flag cases for behavioral health intervention  
• Develop/act on policy proposals and to better serve high users of multiple systems  
• Monitor progress of new citywide crisis response efforts and participate as needed |
| **Drive with Data**          | 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. | • Share monthly jail population data with SJC Workgroup, refining with input to include other partner benchmarks and ensuring data is connected to action  
• Continue development of internal and external facing data dashboards  
• Data team meets quarterly to discuss data trends and data sharing needs  
• Provide input to JUSTIS workgroups on performance measures transition of the Justice Dashboard |