

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.
4. Monthly Jail Population Report. (Discussion and Possible Action).
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.

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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. 22-004

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

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RESOLUTION NO. 22-004

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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RESOLUTION NO. 22-004

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



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

Safety and Justice Challenge April 2022 Report

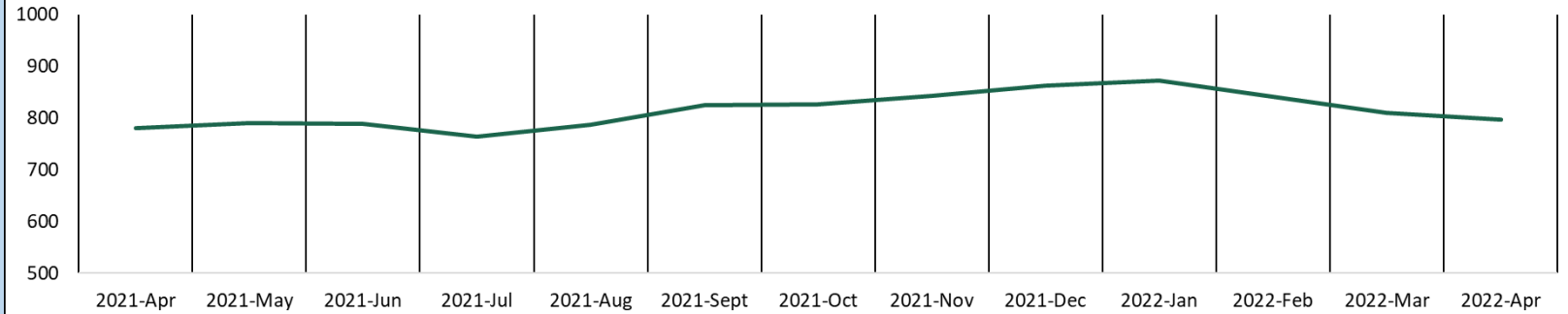
Average Daily Population

This Month
797

Change from last month
2% ↓

Change from last year
1% ↑

Average Daily Population Last 12 Months



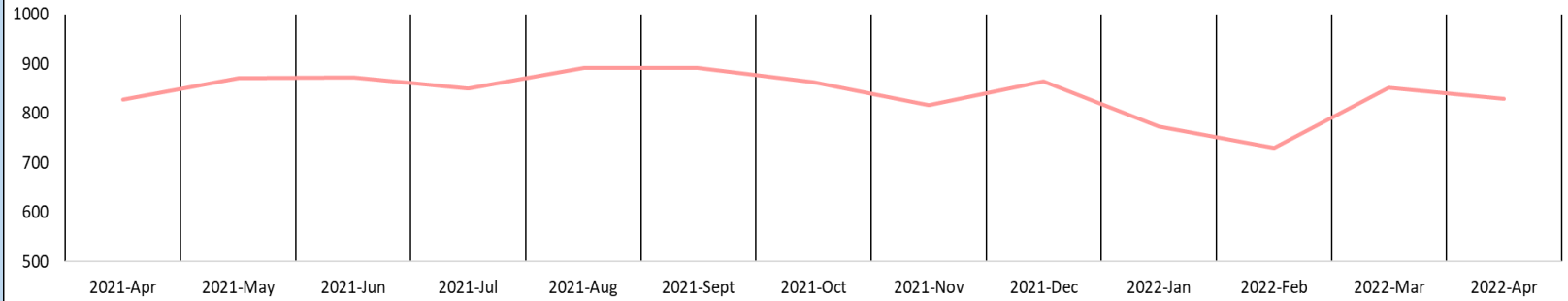
Bookings

This Month
829

Change from last month
3% ↓

Change from last year
0%

Bookings Last 12 Months



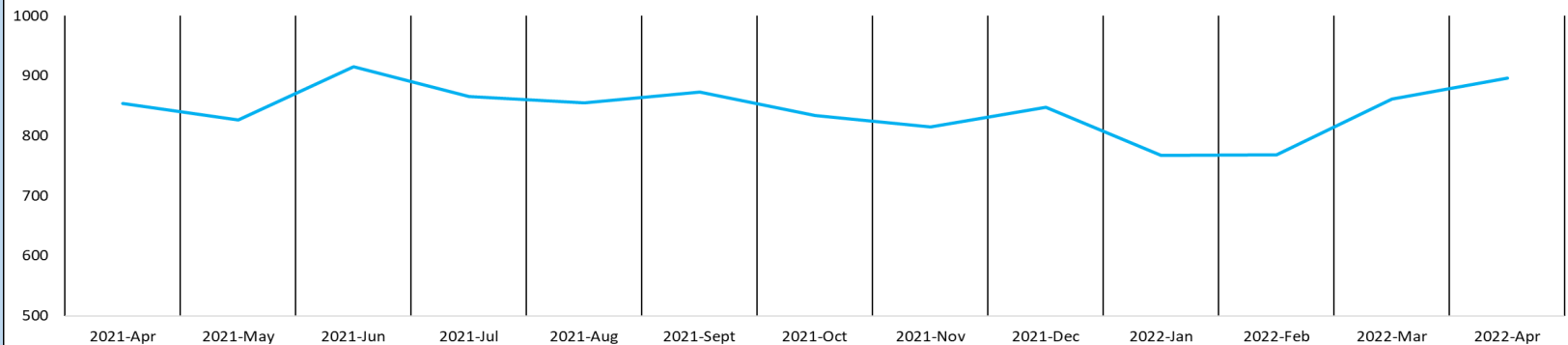
Releases

This Month
896

Change from last month
4% ↑

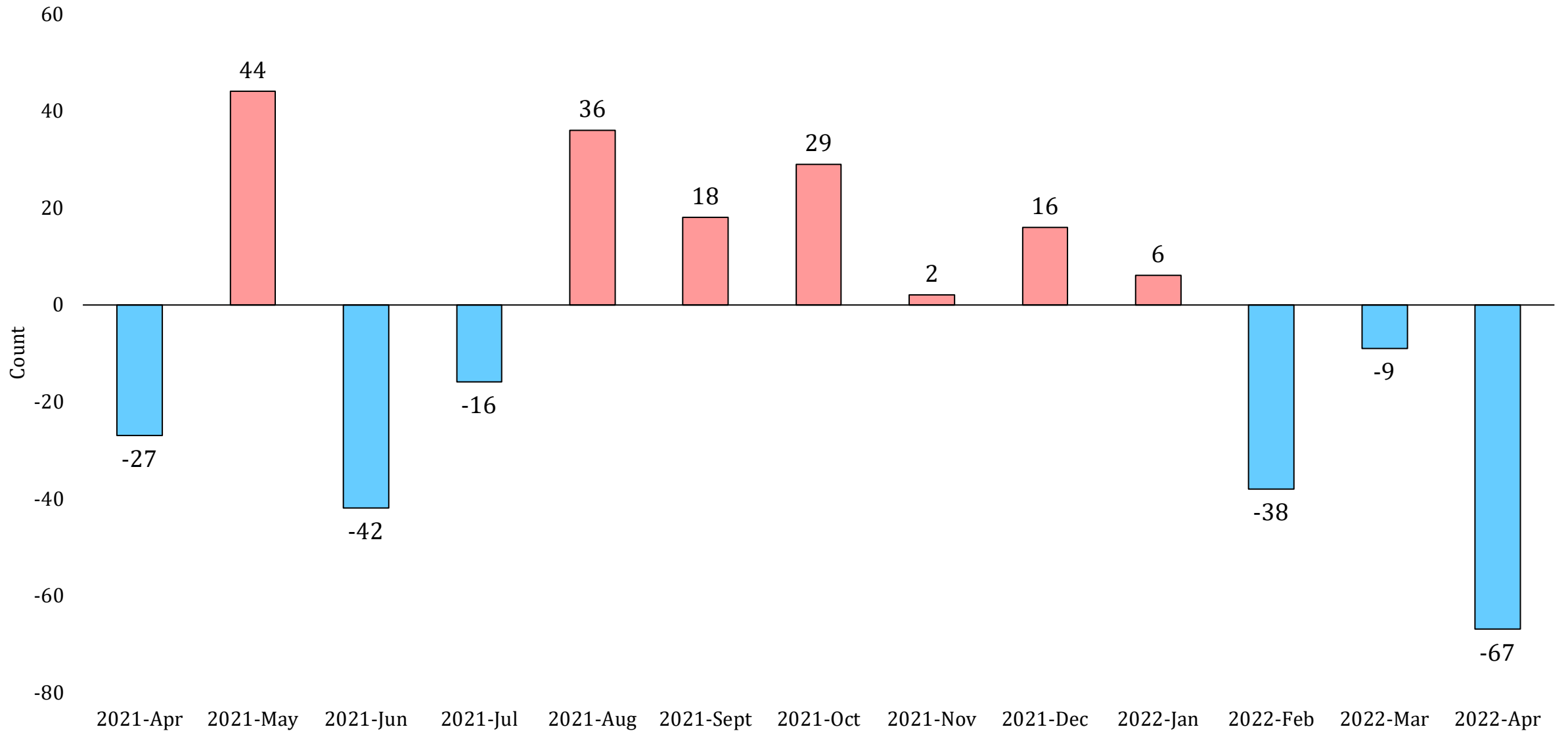
Change from last year
5% ↑

Releases Last 12 Months



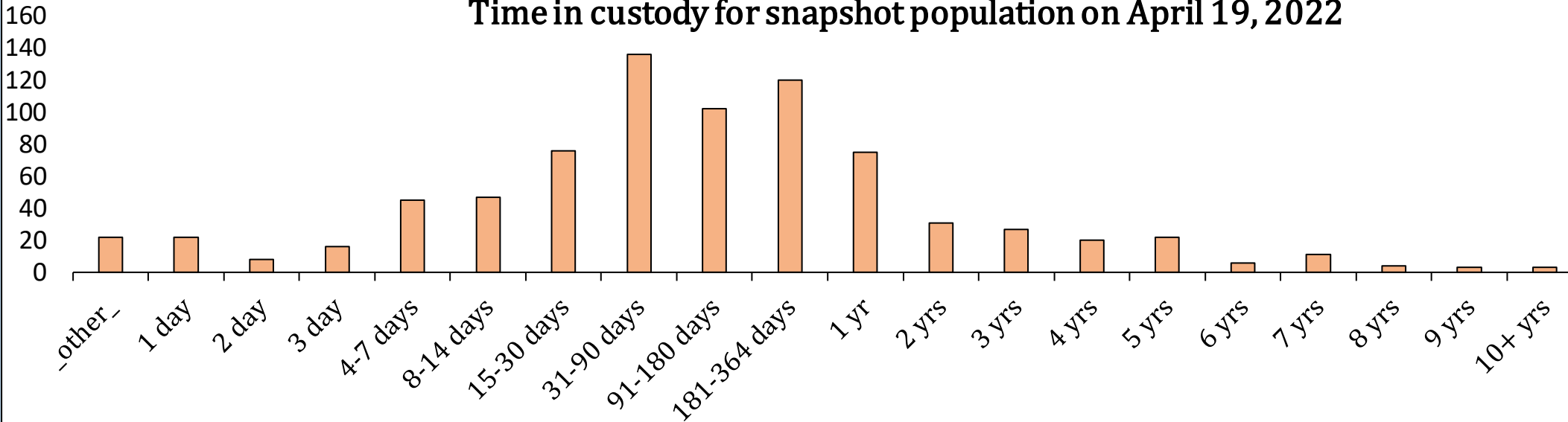
Safety and Justice Challenge April 2022 Report

Monthly difference in bookings vs. releases



Snapshot Population April 2022 Report

Time in custody for snapshot population on April 19, 2022



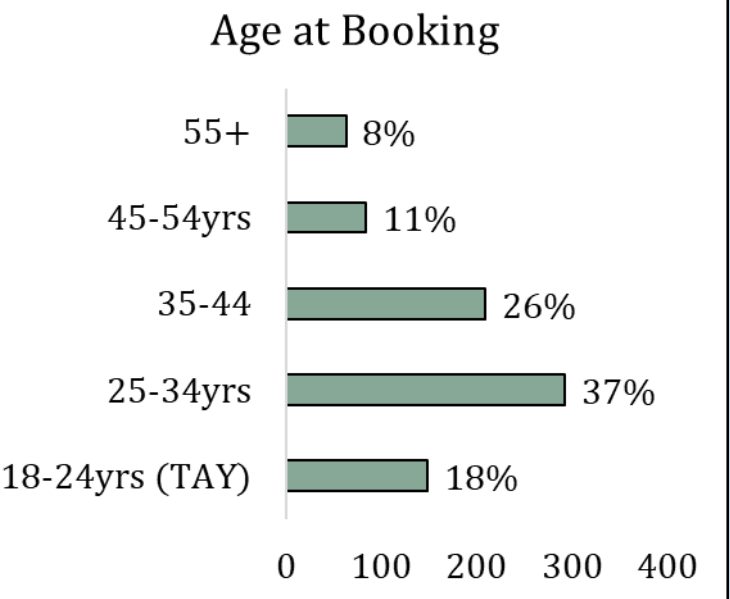
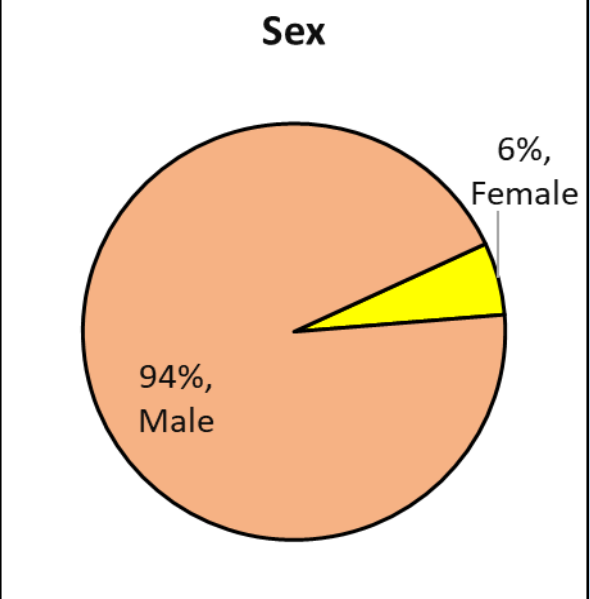
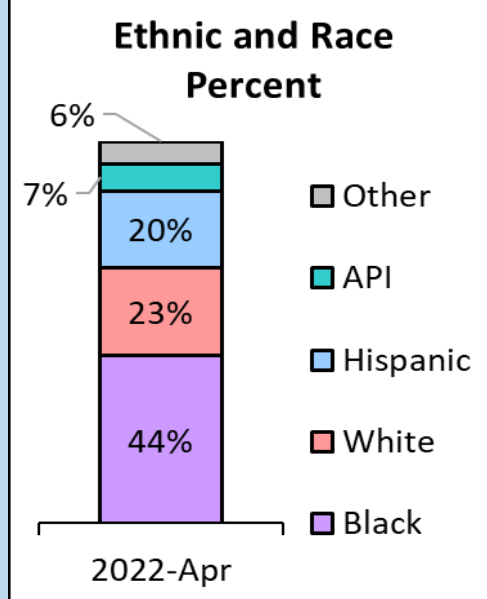
Snapshot Population 796

Average time in custody 387

Median time in custody 106

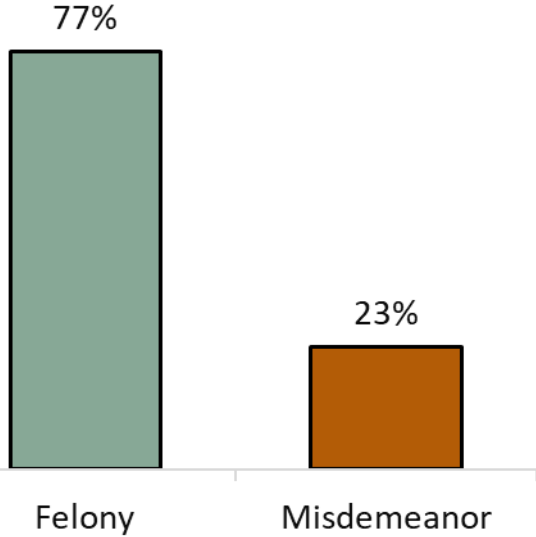
Transgender/ Non-Binary Population 11

	April	Last 12 Months
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

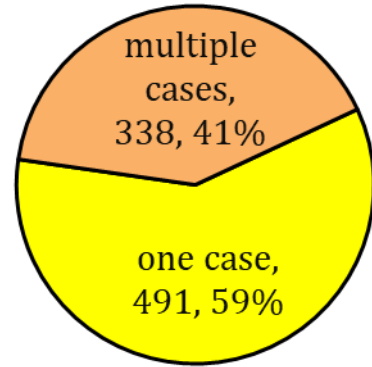


Monthly Bookings April 2022

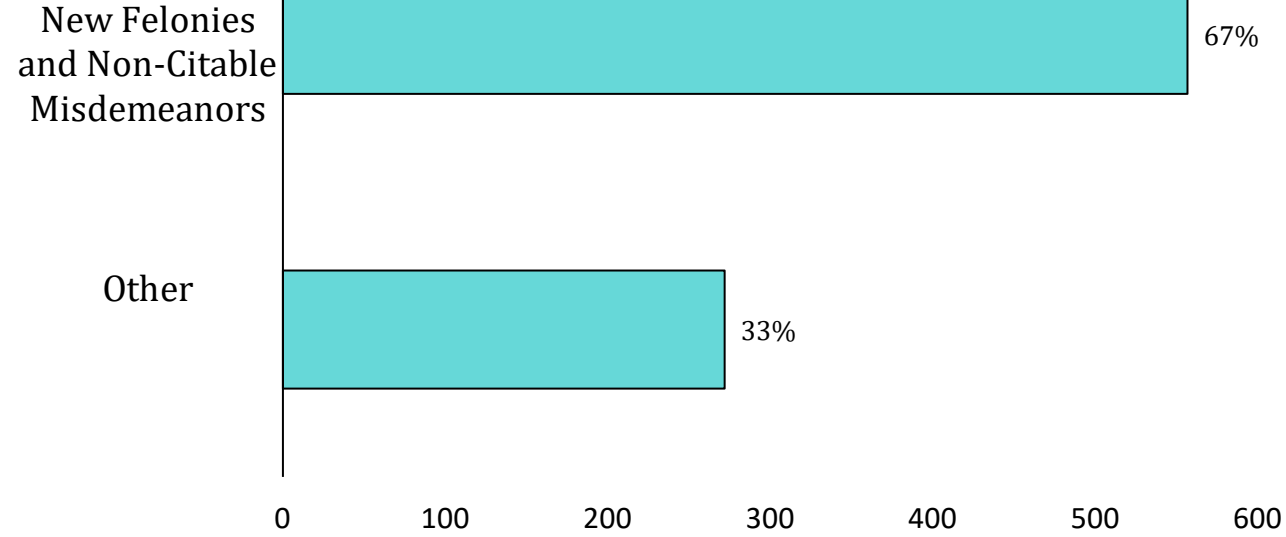
Crime Class at Booking



Case Load per Booking Number

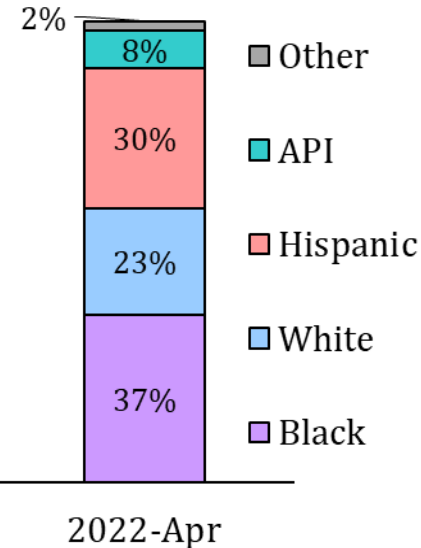


On View Charges

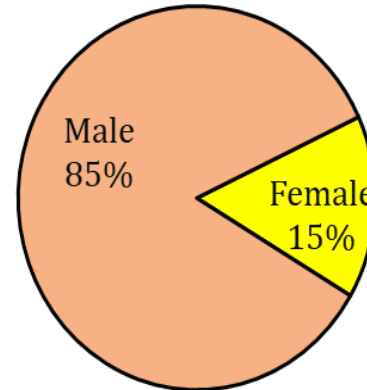


	April	Last 12 Months
Black	37%	Low 32 High 39
White	23%	Low 25 High 31
Hispanic	30%	Low 25 High 33
API	8%	Low 5 High 9
Other	2%	Low 1 High 3

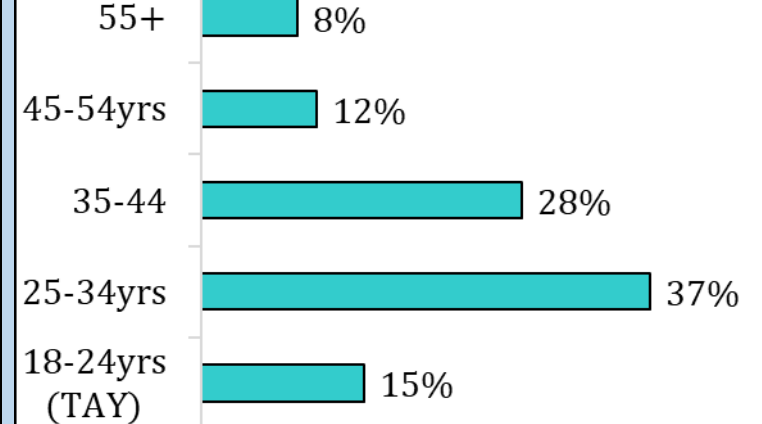
Ethnicity and Race



Sex

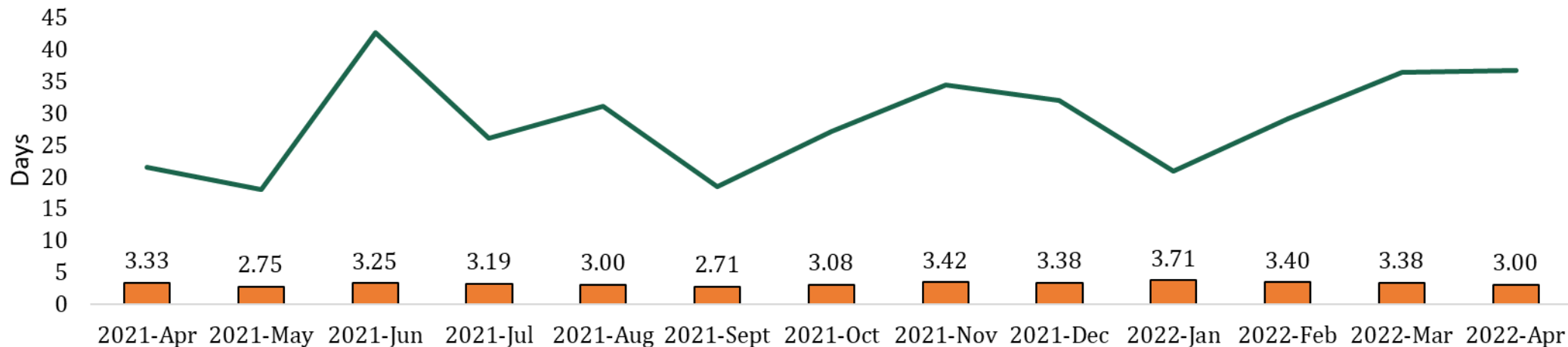


Age at Booking



Monthly Releases April 2022

Average and median length of stay for released individuals



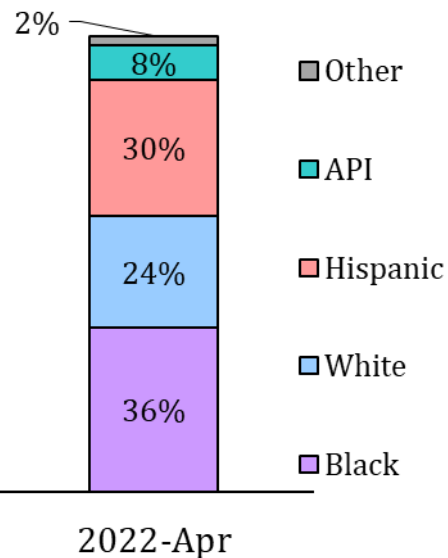
Released for month 896

Average length of stay in days 37

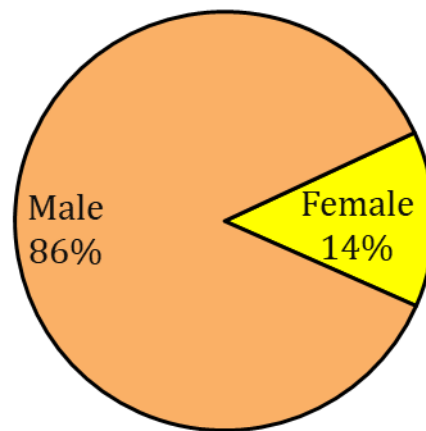
Median length of stay 3 days

	April	Last 12 Months
Black	36%	Low 31 High 37
White	24%	Low 24 High 31
Hispanic	30%	Low 26 High 33
API	8%	Low 6 High 8
Other	2%	Low 1 High 3

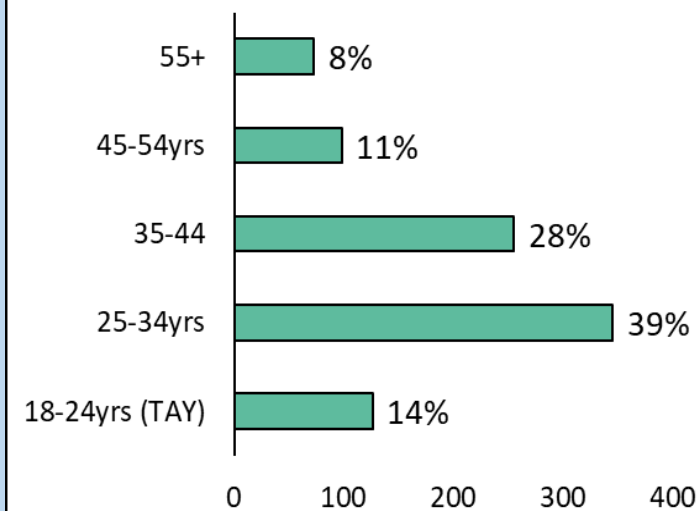
Ethnic and Race Percent



Sex



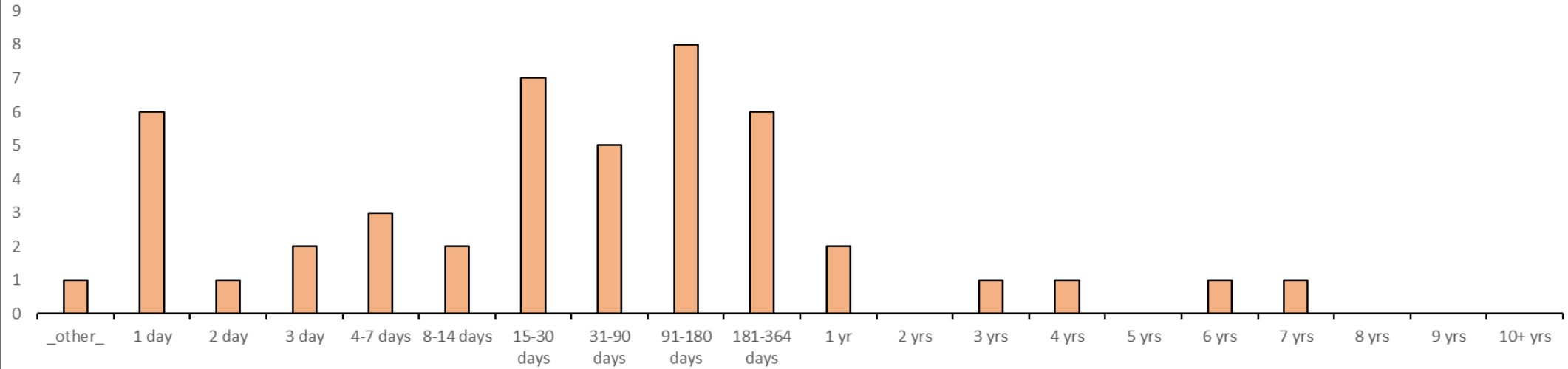
Age at Booking



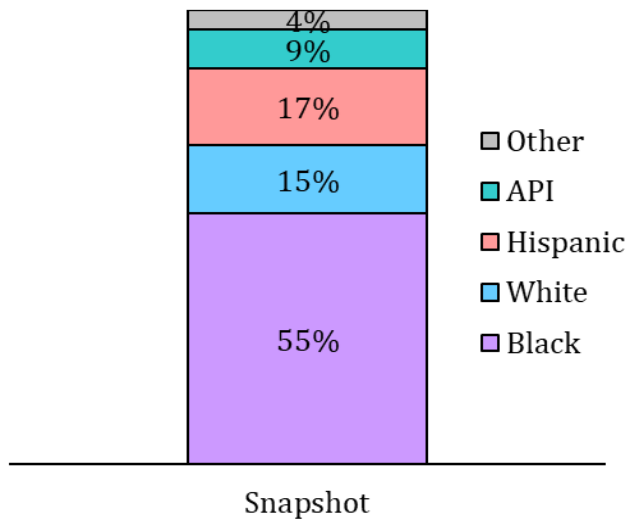
Female Population April 2022

Snapshot
Population
Female
47

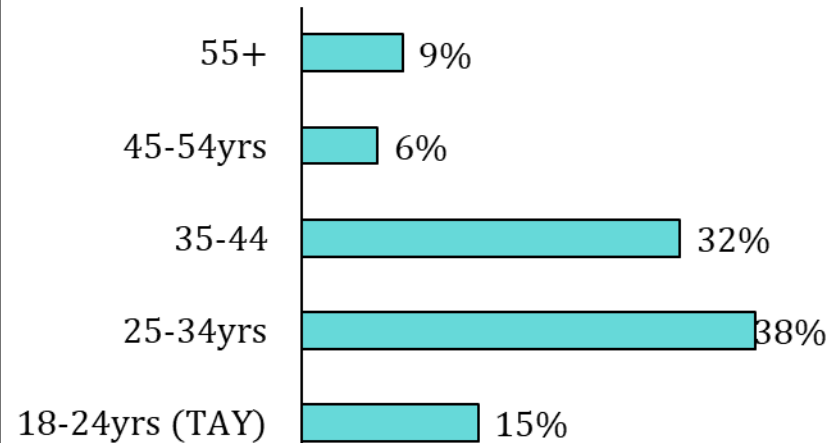
Female Length of Stay of Snapshot Population



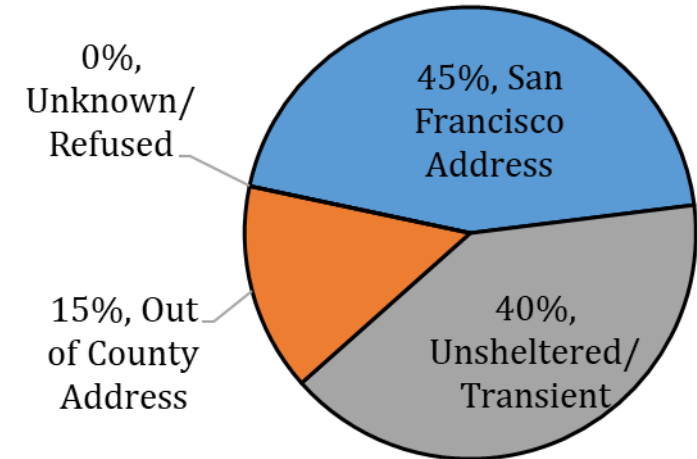
Ethnic and Race Percent



Age at Booking Snapshot Population

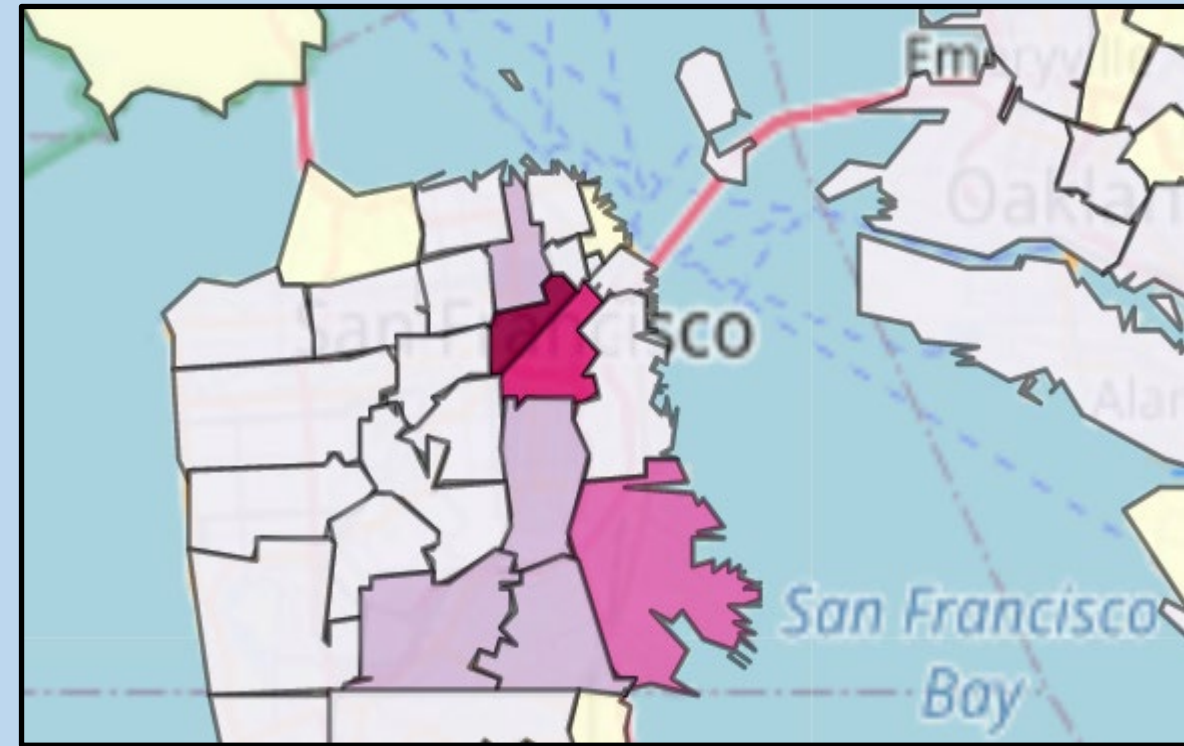
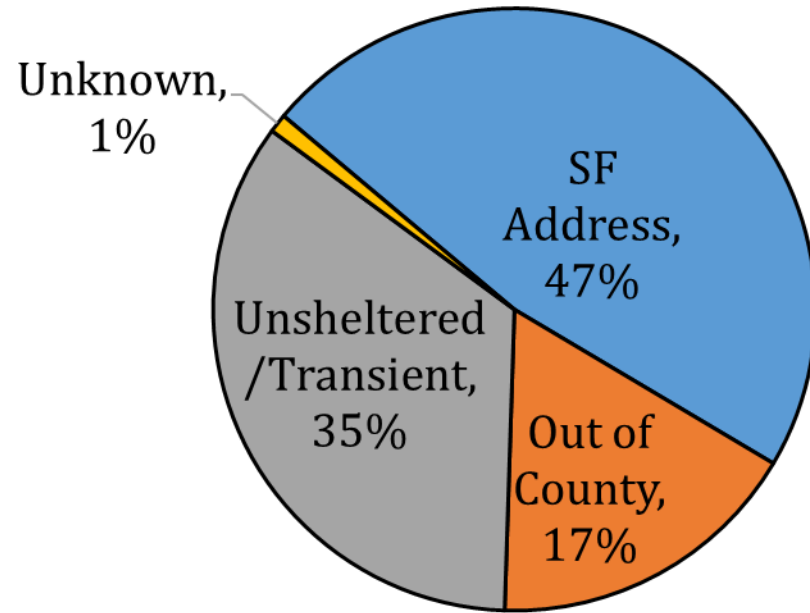


Reported Female Residency



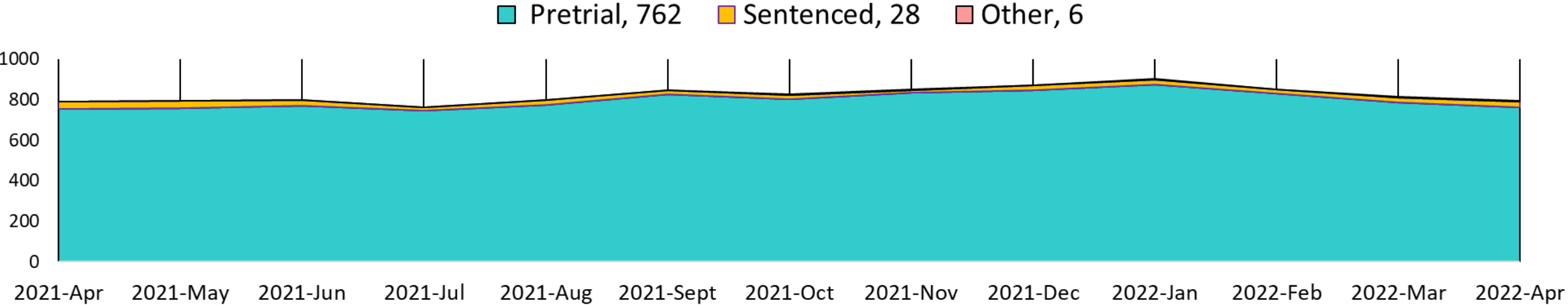
Snapshot Residency April 2022

Snapshot Population by Residency

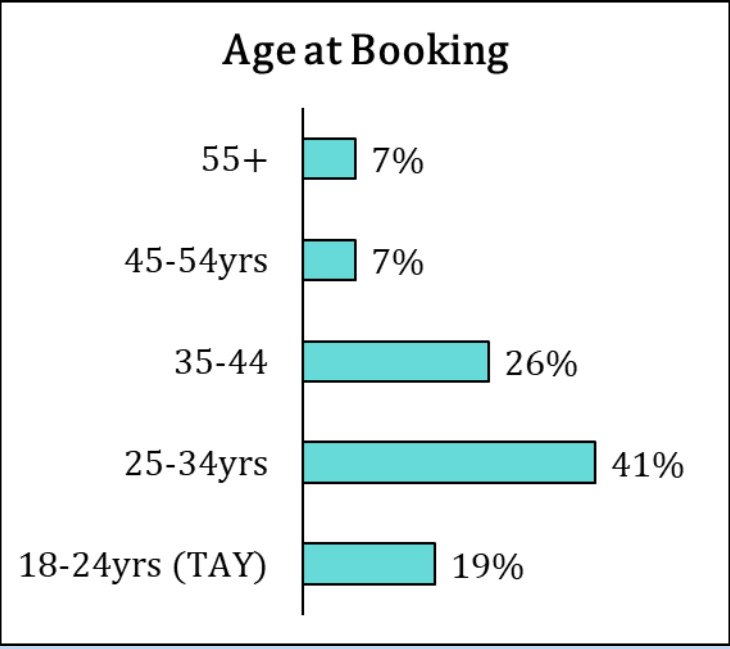
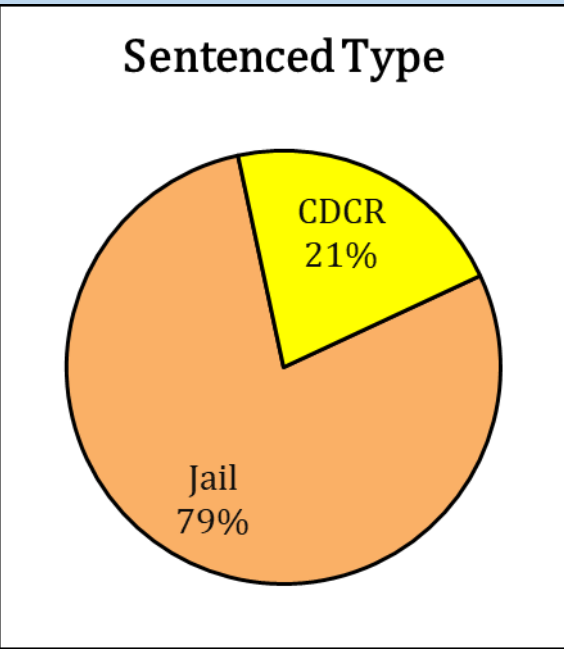
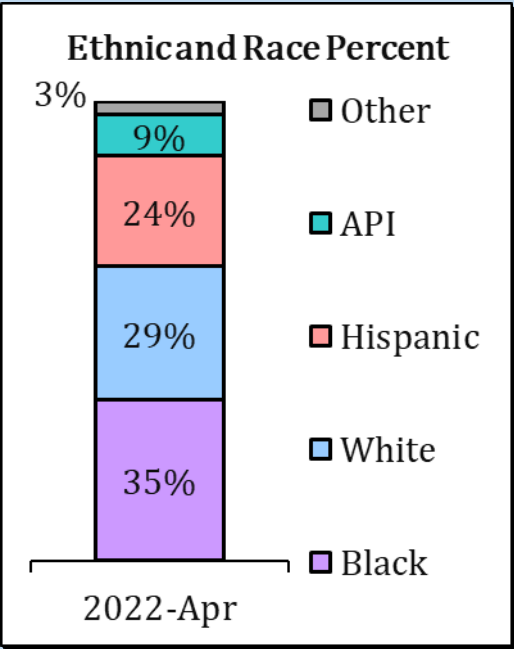


Sentenced of the Snapshot Population April 2022

Legal Status of Confined Individuals



	April	Last 12 Months
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



END OF SLIDESHOW



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



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

Outline

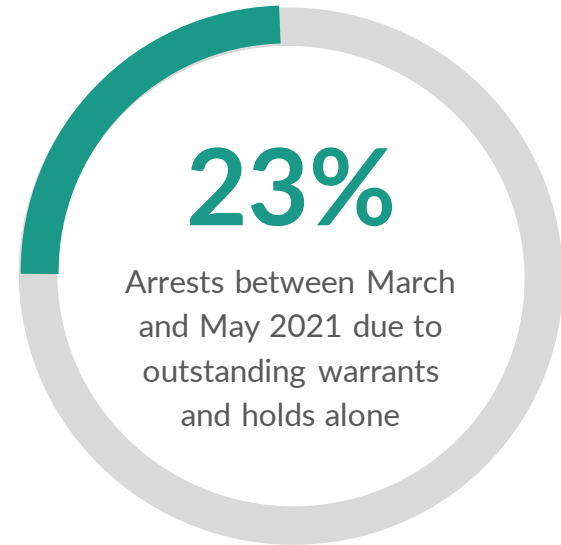
1. Background
2. Warrants and Holds Processes
3. Promising Approaches and Strategies
4. Next Steps



Background

Motivation

A significant portion of jail bookings include people brought solely due to outstanding warrants or other holds.



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

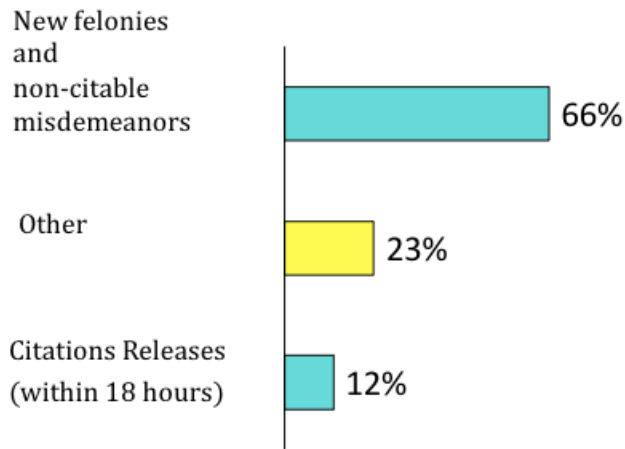
6

Parole Warrant and Hold

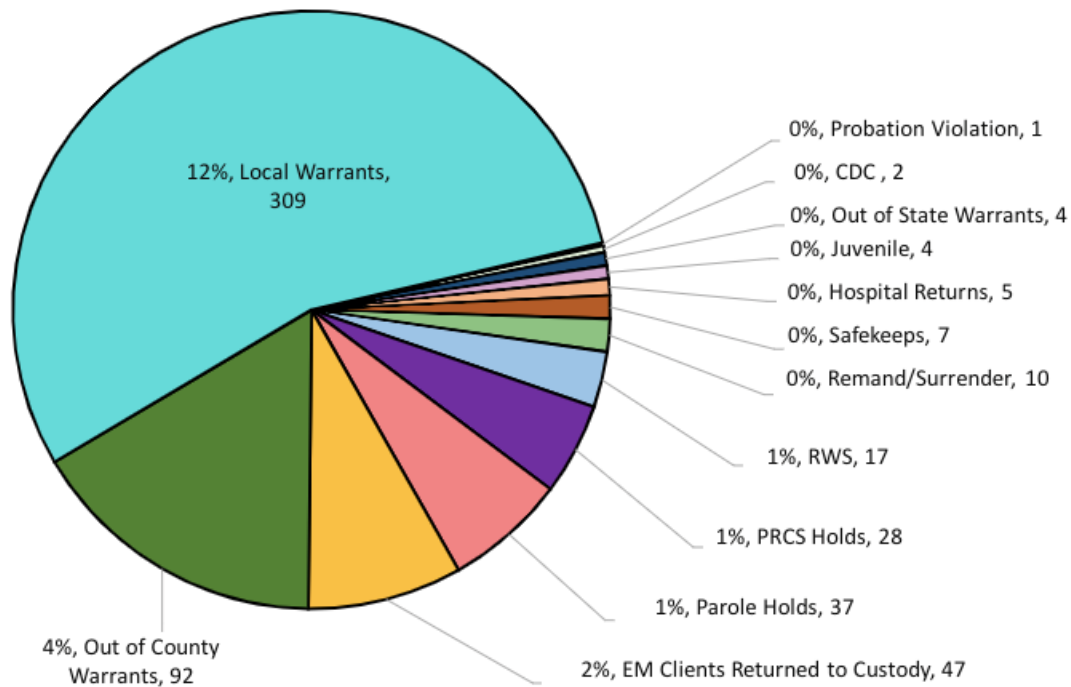
Warrant/hold for violating a parole condition

Bookings Other 3/1/21 thru 5/31/21

On View Charges

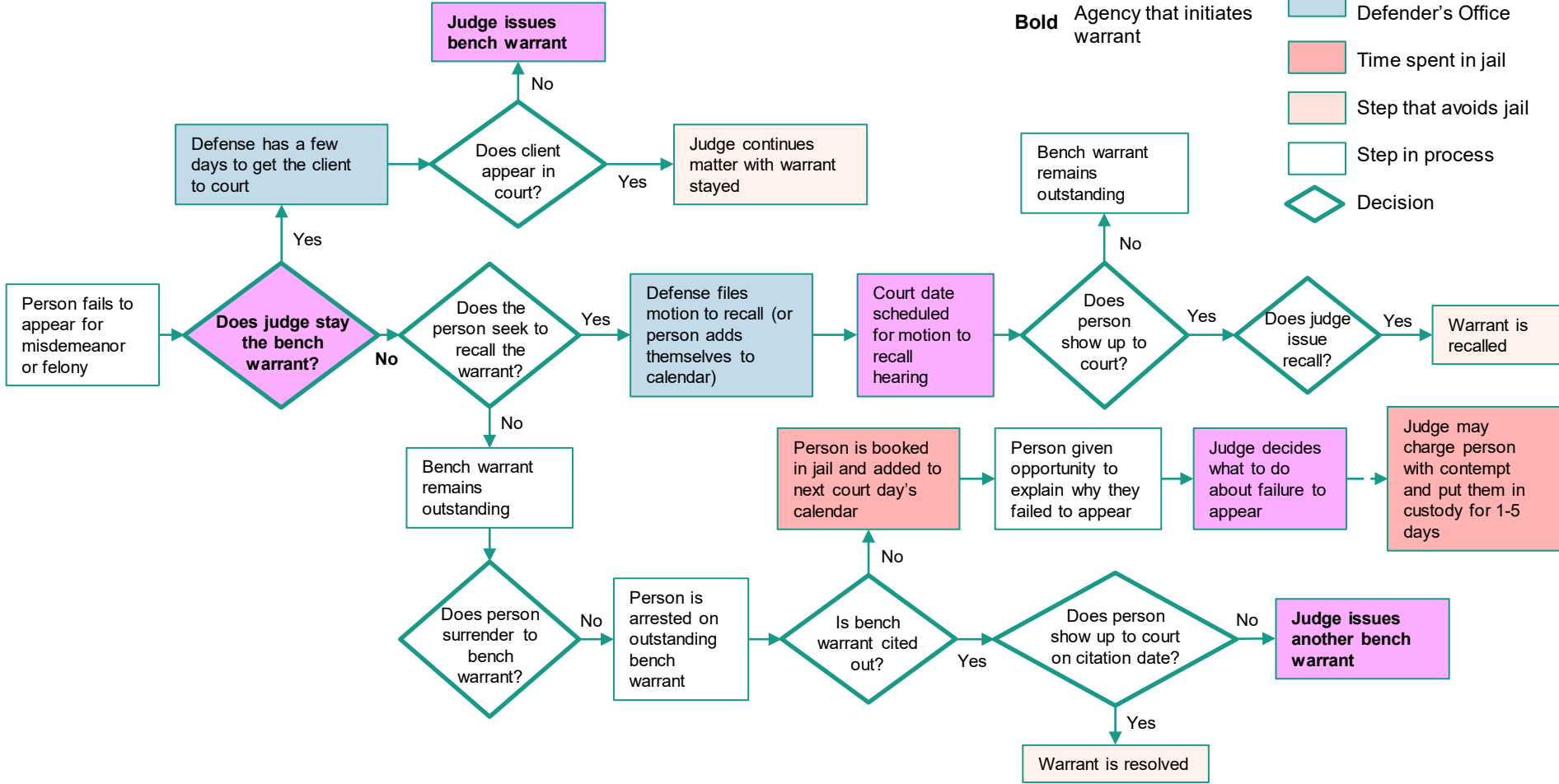


Bookings Other Category

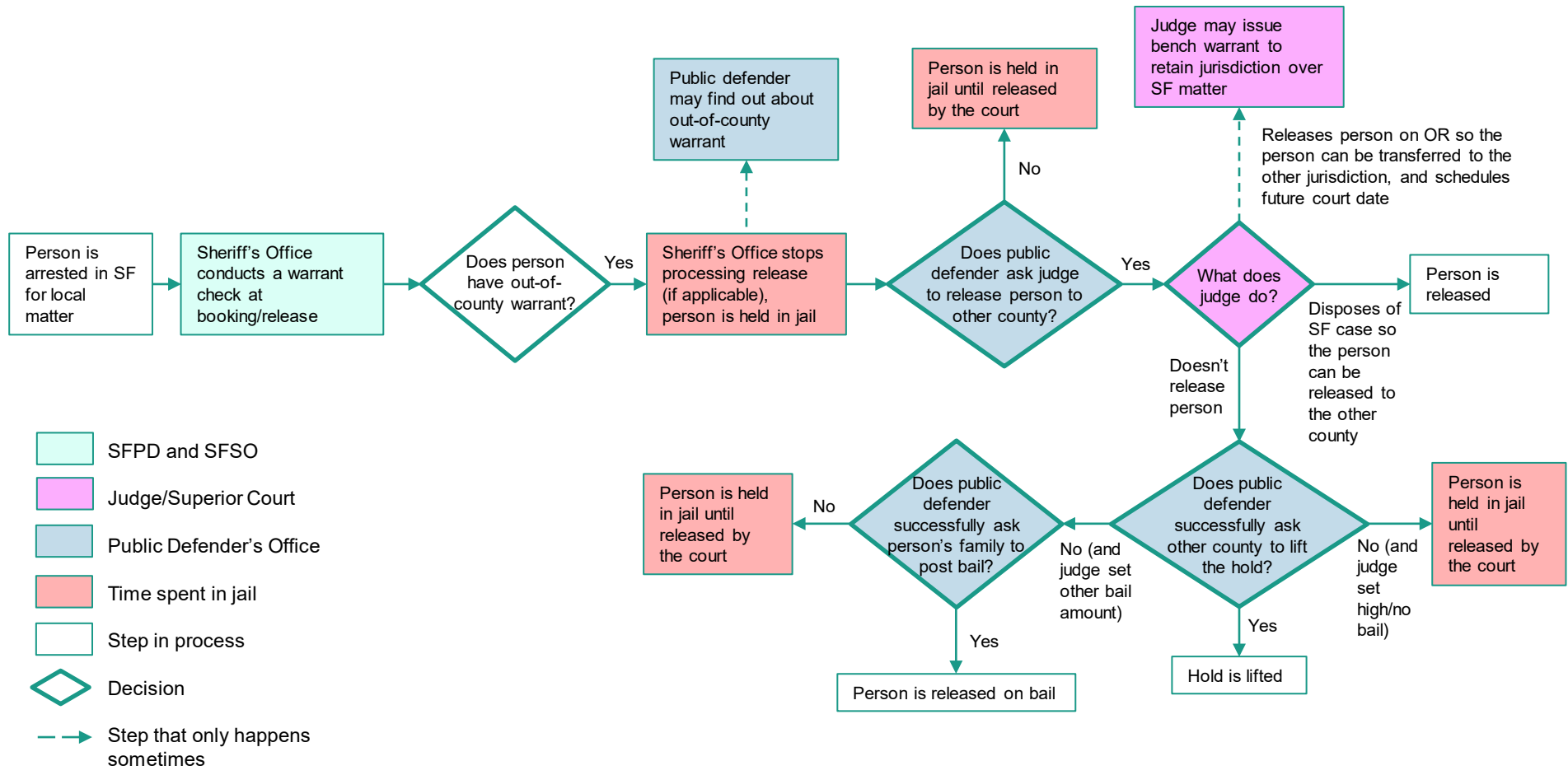


Bench Warrant Process

→ Step that only happens sometimes
█ Judge/Superior Court
█ Defense/Public Defender's Office
Bold Agency that initiates warrant
█ Time spent in jail
█ Step that avoids jail
 Step in process
◇ Decision



Out-of-County Warrant and Hold Process



- SFPD and SFSO
- Judge/Superior Court
- Public Defender's Office
- 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
ashleyqiang@berkeley.edu

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

Area	Objective(s)	Activities
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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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