

# San Francisco Sentencing Commission

## City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

---

### AGENDA

Thursday, June 26<sup>th</sup>, 2025

10:00 AM – 12:00 PM

#### Location:

San Francisco District Attorney's Office  
350 Rhode Island Street, North Building, 1<sup>st</sup> Floor, Obama Conference Room  
San Francisco, CA 94103

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or by calling in to the number below. Instructions for providing remote public comments by phone are provided below.

#### Join Zoom Meeting:

<https://sfdistrictattorney.zoom.us/j/81530749988?pwd=JcaK6pFv6TvADanNRraET2nZoRPvv8.1>

**Meeting ID:** 815 3074 9988;

**Passcode:** CL5pPQ

**One tap mobile:** +16694449171,,81530749988#,,, \*802143# US; +16699006833,,81530749988#,,, \*802143#  
US (San Jose)

**Public Comment:** Members of the public will have an opportunity to provide public comments at the beginning and end of the meeting. Members of the public wishing to make a public comment will be allotted up to 3 minutes to speak. Meeting materials link: [Sentencing Commission Agendas and Minutes – San Francisco District Attorney](#)

1. Call to Order; Roll call

Pursuant to Sentencing Commission bylaws, acknowledgment of the ancestral homeland of the Ramaytush Ohlone, the original inhabitants of the San Francisco Peninsula

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

3. Review and Adoption of Meeting Minutes from March 27<sup>th</sup>, 2025 (discussion & action)

4. Staff Report on Sentencing Commission Activities, and Reports from the Reentry Council and the Family Violence Council (discussion & possible action)

5. Update on MacArthur Foundation-funded *Safety & Justice Challenge (SJC) Initiative* by Patricia Martinez, SJC Director (discussion & possible action)

6. Presentation series: San Francisco District Attorney's Office: Sentencing Insights & Discussion by Butch Ford, Assistant Chief Attorney I; Aaron Laycook, Head Attorney; and Monifa Willis, Chief of Staff (discussion & possible action)

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

8. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda (discussion only)

9. Adjournment

# 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 SENTENCING COMMISSION

Persons who are unable to attend the public meeting may submit written comments regarding the subject of the meeting to the San Francisco District Attorney's Office (SFDA) by the time the proceedings begin. These comments will be made a part of the official public record. Written comments should be submitted to: Alexandra Lopes, SFDA, via email: [alexandra.lopes@sfgov.org](mailto:alexandra.lopes@sfgov.org) or Kelly VerHage at [kelly.verhage@sfgov.org](mailto:kelly.verhage@sfgov.org).

### MEETING MATERIALS AND PUBLIC COMMENT

Explanatory and/or Supporting Documents, if any, will be posted at: <https://sfdistrictattorney.org/sentencing-commission-relevant-documents>. The material can be faxed or mailed to you upon request. In addition to in-person public comment, the Sentencing Commission will hear up to 20 minutes of remote public comment in the order that commenters add themselves to the queue to comment on an item. Because of the 20-minute time limit, it is possible that not every person in the queue will have an opportunity to provide remote public comment. Remote public comments from those who have received accommodation due to disability (as described below) will not count toward the 20-minute limit. Members of the public are encouraged to participate remotely by submitting written comments electronically to Alexandra Lopes via email at [alexandra.lopes@sfgov.org](mailto:alexandra.lopes@sfgov.org) or Kelly VerHage at [kelly.verhage@sfgov.org](mailto:kelly.verhage@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 committee.

### ACCOMMODATIONS

The meeting location is wheelchair accessible. Wheelchair-accessible entrances at City Hall are located on Van Ness Avenue and Grove Street. Please note: the wheelchair lift at the Goodlett Place/Polk Street is temporarily unavailable. It is being replaced to improve service and reliability and to address the need for multiple repairs and subsequent additional breakdowns. A functioning lift is anticipated after completion of construction in May 2025. Elevators and accessible restrooms are located on every floor. To access the meeting remotely as an accommodation, please visit <https://sfdistrictattorney.zoom.us/j/81530749988?pwd=JcaK6pFv6TvADanNRraET2nZoRPvv8.1> or call (669) 900-6833. For remote public comments, instructions on how to use the Zoom platform can be found [here](#). Captions can be enabled – instructions can be found [here](#). Sign Language Interpretation is available upon request (see "Translation" section below). Allowing a minimum of 48 business hours for all other accommodation requests (for example, for other auxiliary aids and services) helps ensure availability. To request an accommodation, please contact Alexandra Lopes, SFDA, via email or telephone: [alexandra.lopes@sfgov.org](mailto:alexandra.lopes@sfgov.org), (628) 652-4296; or Kelly VerHage at [kelly.verhage@sfgov.org](mailto:kelly.verhage@sfgov.org).

### TRANSLATION

Interpreters for languages other than English are available upon request. Sign language interpreters are also available upon request. For either accommodation, please contact Alexandra Lopes at [alexandra.lopes@sfgov.org](mailto:alexandra.lopes@sfgov.org) or Kelly VerHage at [kelly.verhage@sfgov.org](mailto:kelly.verhage@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](http://www.sfgov.org/sunshine).

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

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

### CELL PHONES

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

### LOBBYIST ORDINANCE

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

## SENTENCING COMMISSION: MEETING MINUTES

Thursday, March 27, 2025

10:00 am - 12:00 pm

### Location:

San Francisco District Attorney's Office  
350 Rhode Island Street, 1st Floor, Obama Conference Room  
San Francisco, CA 94103

### 1. Call to Order; Roll Call

Representative Tara Agnese, Director of Policy for the San Francisco District Attorney's Office, welcomed everyone and called the meeting to order. Katrina Baptiste from the San Francisco District Attorney's Office, called roll for the meeting.

### Members in Attendance:

- District Attorney's Office – Member **Brooke Jenkins**, *District Attorney* and Representative **Tara Agnese**, *Director of Policy*
- Adult Probation – Member **Cristel Tullock**, *Chief*
- Department of Public Health – Representative **Annie Shui**, *Behavioral Health Services Utilization Management Director*
- Juvenile Probation - Representative **Gabriel Calvillo**, *Assistant Chief*
- Police Department – Representative Dan Silver, *Special Victims Unit Lieutenant*
- Reentry Council – Member **Karen Roye**, *Director of Child Support Services*
- Sheriff's Office - Member **Paul Miyamoto**, *Sheriff*
- Superior Court – Representative **Melanie Kushnir**, *Director of Collaborative Courts*
- Academic Researcher with expertise in data analysis appointed by the mayor – Member **Mia Bird**, *Assistant Research Professor at the Goldman School of Public Policy, University of California, Berkeley*
- Member of a nonprofit organization serving victims chosen by Family Violence Council – Representative **Beverly Upton**, *Executive Director, San Francisco Domestic Violence Consortium*
- Sentencing Expert chosen by the Board of Supervisors – Member **Theshia Naidoo**, *Legal Director, Criminal Justice Drug Policy Alliance*

### Members Absent:

- Member/Representative from the Public Defender's Office
- Member of a nonprofit organization working with formerly incarcerated people appointed by the Reentry Council – Member **William Palmer**

Pursuant to Sentencing Commission bylaws, Representative Agnese read the acknowledgement of the ancestral homeland of the Ramaytush Ohlone, the original inhabitants of the San Francisco Peninsula.

### 2. Public Comment on Any Item Listed Below (discussion only)

No public comment received.

### **3. Review and Adoption of Meeting Minutes from December 05, 2024 (discussion & possible action)**

Representative Agnese introduced the meeting minutes from the Sentencing Commission meeting held on December 05, 2024. Members and representatives reviewed the meeting minutes. Representative Shiu requested a change to the minutes: asking that her job title be changed to Behavioral Health Services Utilization Management Director.

Representative Agnese asked for a motion to accept the December 05, 2024, Sentencing Commission Meeting Minutes with this edit. Member Roye moved to accept, and the motion was seconded by Member Miyamoto. The minutes were unanimously approved in a roll call vote. Representative Kushnir abstained. Motion passed.

### **4. Staff Report on Sentencing Commission Activities, and Reports from the Reentry Council and the Family Violence Council (discussion & possible action)**

Representative Agnese provided an update on Sentencing Commission activities since the last meeting in December 2024. In December, the Sentencing Commission submitted its annual report to the Mayor's Office. The Sentencing Commission also reviewed previous meetings and presentations from the past 18 months and developed a plan for organizing agendas for the 2025 meetings of the Commission. In 2025 the Commission will be focusing on sentencing practices and decision making to better understand sentencing practices and outcomes in San Francisco and other jurisdictions. The next Sentencing Commission Meeting is scheduled for June 26, 2025, from 10am to 12pm at a to-be-determined location.

Member Roye provided an update on the most recent San Francisco Reentry Council meeting, which took place on January 16, 2025. The agenda included information on the January Overdose Prevention Summit and the March Reentry Council Retreat, updates on the STARR grant program and the Just Home Initiative, and presentations by the San Francisco Public Defender's Office on the Clean Slate Program and the Be the Jury Program. The next Reentry Council meeting is scheduled for April 23, 2025, at 1:00 pm.

Representative Upton provided an update on the Family Violence Council's (FVC's) most recent meeting on February 12, 2025. The FVC includes leadership roles held by nonprofit organizations and members in attendance from city departments. The FVC finished its annual report in November 2024 and presented it to the Mayor's Office. The council is transitioning from the Department on the Status of Women (DOSW) to the Mayor's Office of Victim's Rights (MOVR) and will be working with Ivy Lee and Barbara Lopez from MOVR to update the council's bylaws. The February meeting agenda included a presentation by the Director of the Office of Civic Engagement and Immigrant Affairs, Jorge Rivas. Representative Upton shared that elder abuse, child abuse, and domestic violence incidents are going unreported and communities need to be empowered to report incidents. Representative Upton also reported concern regarding large cuts to Victim of Crime Act funds and potential impact that these cuts could have on funding from the California Office of Emergency Services. The next Family Violence Council meeting is scheduled for May 07, 2025.

### **5. Remarks from District Attorney Brooke Jenkins (discussion only)**

Member Brooke Jenkins spoke about the goals of the Sentencing Commission for 2025. Over the past 18+ months, the San Francisco District Attorney's Office has established a formal partnership with San Quentin Prison. The department has hosted numerous symposia which has allowed for opportunities to engage with residents and members of different groups and learn about the disparities in sentencing across the state. Member Jenkins called for the Commission to focus on sentencing practices and decision making in San Francisco, with comparisons to other jurisdictions in the state. Member Jenkins

highlighted the need for consistency and fairness in sentencing and urged the Commission to include focused, informational presentations by SF and non-SF justice system partners and stakeholders so the Commission could explore and understand sentencing practices and decision making in California and develop statewide recommendations accordingly.

Sentencing Commission members and representatives supported Member Jenkins' recommendations. Member Naidoo agreed on the need for a comparative look at sentencing disparities in San Francisco and other counties in California and inquired about whether a goal of this exploration would include a state legislative proposal. Member Jenkins commented affirmatively, noting that disparities must be addressed at the state level in order to achieve systems change. Member Jenkins further noted the disproportionate number of black men in custody in county jail awaiting to go to trial and their right to finality in their cases. Member Roye supported Member Jenkins' suggestions for the Commission, commenting that these suggestions align with ongoing Sentencing Commission conversations focused on the disparities. Representative Upton added that there are huge disparities with access to batterer intervention programs and supports community-based interventions. Representative Kushnir commented on the presence of disparities in reentry planning regardless of a person's sentence, expressed that reentry planning should be front and center, and noted a challenge associated with California Department of Corrections and Rehabilitation efforts to use CARE Court, which is a civil court, for individuals being released – saying that individuals are being released without plans and individuals do not meeting specific criteria. Member Jenkins commented that there is a lack of reentry planning, that this is a systemic problem across the state that sets up people to fail, that the DA's office frequently discusses this topic with residents at San Quentin, and that she supports the creation of a subgroup focused on this topic. Member Jenkins commented on sentencing decision making and the use of enhancements and noted the importance of obtaining the court's perspective in these discussions. Member Bird supported these suggestions and shared information about a statewide analysis of sentencing enhancements. The Commission discussed the timeline for this work and whether the goal was to develop recommendations by the end of the calendar year. Member Jenkins noted that she had not envisioned an end of year deadline: that it was primarily important to explore this topic thoroughly. Members and representatives were not opposed to an extended timeline for this work. Member Tullock suggested that the Commission also review legislation focused on resentencing and violations and take a position on these. Representative Agnese thanked the Commission for their enthusiasm around Jenkins' suggestions and shared that she was excited to collaborate with members and representatives on ways that they can support this work.

#### **6. Update on MacArthur Foundation-funded *Safety & Justice Challenge Initiative* by Alissa Riker, Director of Programs (discussion & possible action)**

Alissa Riker provided updates on the Safety and Justice Challenge (SJC) Initiative. The Sheriff's Office has assumed administration of these grants. The SJC annual reports were submitted in February 2025. One of the highlighted areas in the report is the work of the Jail Population Review (JPR) Team. With the JPR Team, justice partners and stakeholders meet to discuss people in custody to explore whether case processing can be accelerated. The report also highlighted work completed by a grant-funded data analyst within the San Francisco Superior Court, who helped develop a data dashboard for criminal cases: this dashboard is now available on the Superior Court website. SJC partners met in March, and the Court presented an overview of their new dashboard. The last convening of the SJC Initiative will take place in Chicago, IL in April 2025. Patricia Martinez has been hired by the Sheriff's Office to serve as the new SJC Project Director: she will provide SJC updates at future meetings.

## **7. Presentation: Jail Population Trends by Lucas Jennings, Senior Administrative Analyst (discussion & possible action)**

Lucas Jennings presented jail population data for February 2025, including data on bookings, releases, the average daily population with breakdowns for age, gender, race/ethnicity, charge level, and count of bookings for individuals.

Member Bird shared that it would be useful to track trends over time and focus on potential drivers of those trends as it is challenging to know where to look for answers and where to go from this point and noted it would be beneficial to have a separate analysis from these quarterly meetings. Representative Kushnir remarked that she's seen an increase in misdemeanors and one charge cases and suggested that there are more drug charge cases. Member Miyamoto responded that less than 1% are misdemeanor drug charges and that misdemeanors make up approximately 3% of the jail population. Mr. Jennings added that bookings data are different than average daily population snapshots. Mr. Jennings stated that individuals booked into jail are released relatively quickly and that the majority of the jail population is comprised of individuals with serious, violent felonies such as murder and homicide. Representative Shui asked how residency is defined and Mr. Jennings replied that this data is self-reported to booking officers. Representative Agnese referenced the booking slide and asked what is included in the "Other" category (51%), noting that this figure seems high compared to previous data sets. Mr. Jennings replied that new felonies and non-citable misdemeanors are captured under "Other", noting that this includes individuals who come in on warrants or violations. There was also discussion of individuals with long jail stays, the number of cases with time waivers, and the impact of enhancements on sentence length.

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

Member Roye suggested that the Commission focus on sentencing enhancements in San Francisco and review past work on this topic. Representative Agnese commented that the Commission will need to consider the scope of what it can accomplish in quarterly meetings.

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

One public comment was received by Joanna Hernandez who requested that the Commission focus on how special circumstances cases are offered, referring to death penalty cases.

## **10. Adjournment**

Representative Agnese reminded members that the next Sentencing Commission meeting is scheduled for June 26, 2025, at 10:00 am. A motion to adjourn the meeting was introduced by Representative Calvillo and seconded by Representative Shui. Representative Kushnir abstained. The motion passed unanimously.

# San Francisco District Attorney's Office: Sentencing Insights



June 2025  
San Francisco Sentencing Commission

# Incremental approach:

## *Justice partners across jurisdictions*

Informational presentations on sentencing practices.



Discussion & analysis of qualitative and quantitative findings.



Reconvening past presenters.



Identify recommended next steps.



# Questions for Consideration



# DATA:

## **San Francisco: Reported Crime, Charges Filed, & Case Outcomes**

# SAN FRANCISCO: REPORTED CRIME, CHARGES FILED, & CASE OUTCOMES

2022

54,694

Reported Crime



Presented to DA



Cases Filed

1,307

Sentenced



Sentence Type:  
Probation

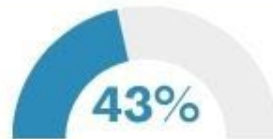
2023

52,903

Reported Crime



Presented to DA



Cases Filed

1,763

Sentenced



Sentence Type:  
Probation

2024

40,294

Reported Crime



Presented to DA



Cases Filed


2,160

Sentenced



Sentence Type:  
Probation

# Data Takeaways:



In the last 3 years, approximately 1/3 of reported crime was presented to the DA's office.

On average, the DA's office filed charges in approximately half of cases it received during the last 3 years.

On average, 75% of sentenced cases had a sentence of formal community supervision (probation or mandatory supervision)

An average of 7% of sentenced cases had a sentence of state prison

# DISCUSSION:

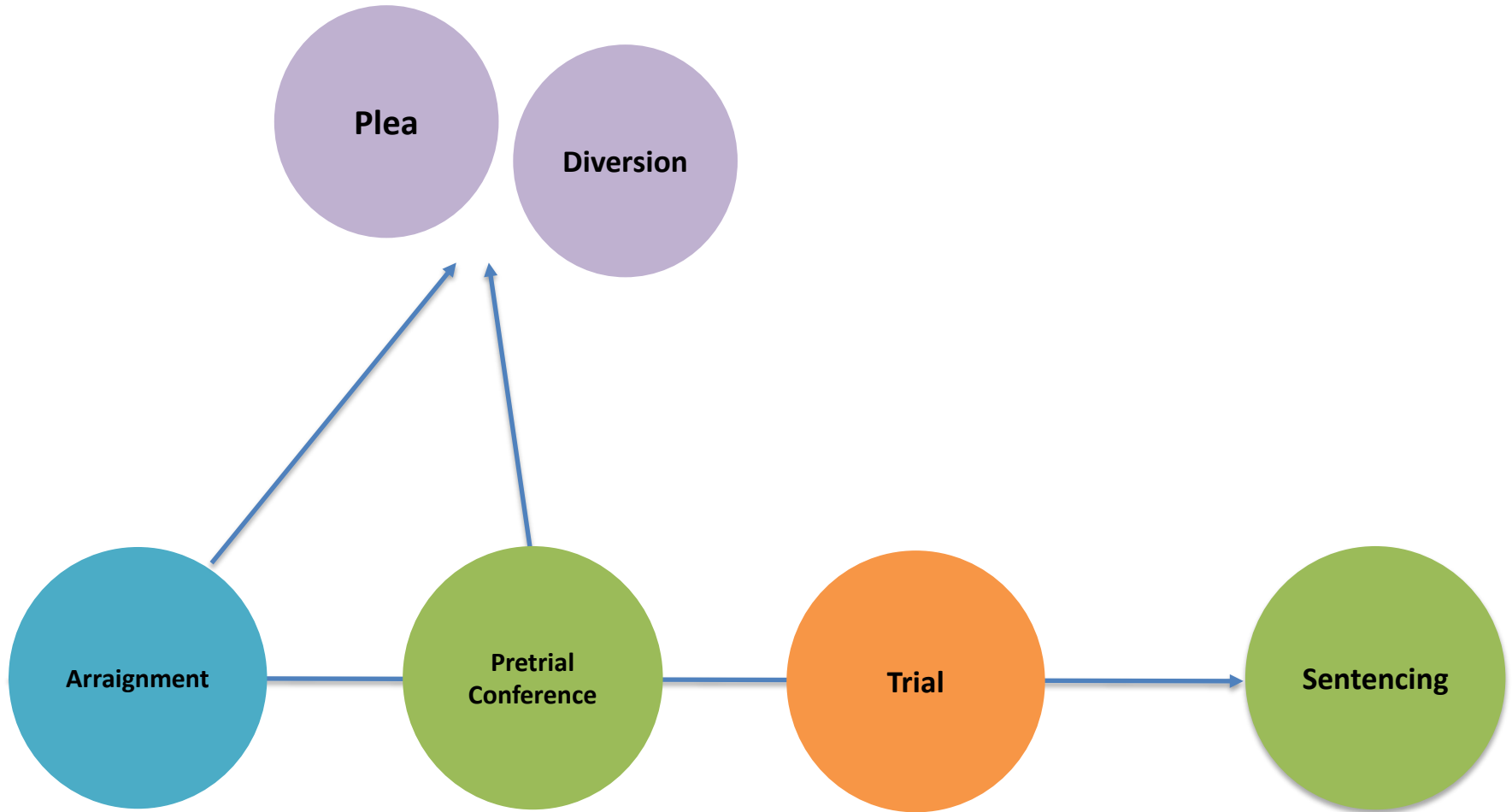
## **Criminal Case Flow & Decision Points**

# Other Factors that May Influence Sentencing

- **Charge Bargaining:** Is this a practice in your office or jurisdiction?
- Evolution of the **plea bargaining process:** Does this change your sentencing recommendations?
- **Enhancements:** How do you apply and recommend enhancements?
- **Case Processing:** Are cases handled Vertically or Horizontally by the Court? By the DA/Prosecution?
- **Court Calendars:** How do these impact sentencing?
- **Resources** (DA, Public Defender, Court, Probation): Do lack of resources impact sentencing?
- **Going Rate:** Are there informal or formal guidelines for sentences based on type of offense/case?

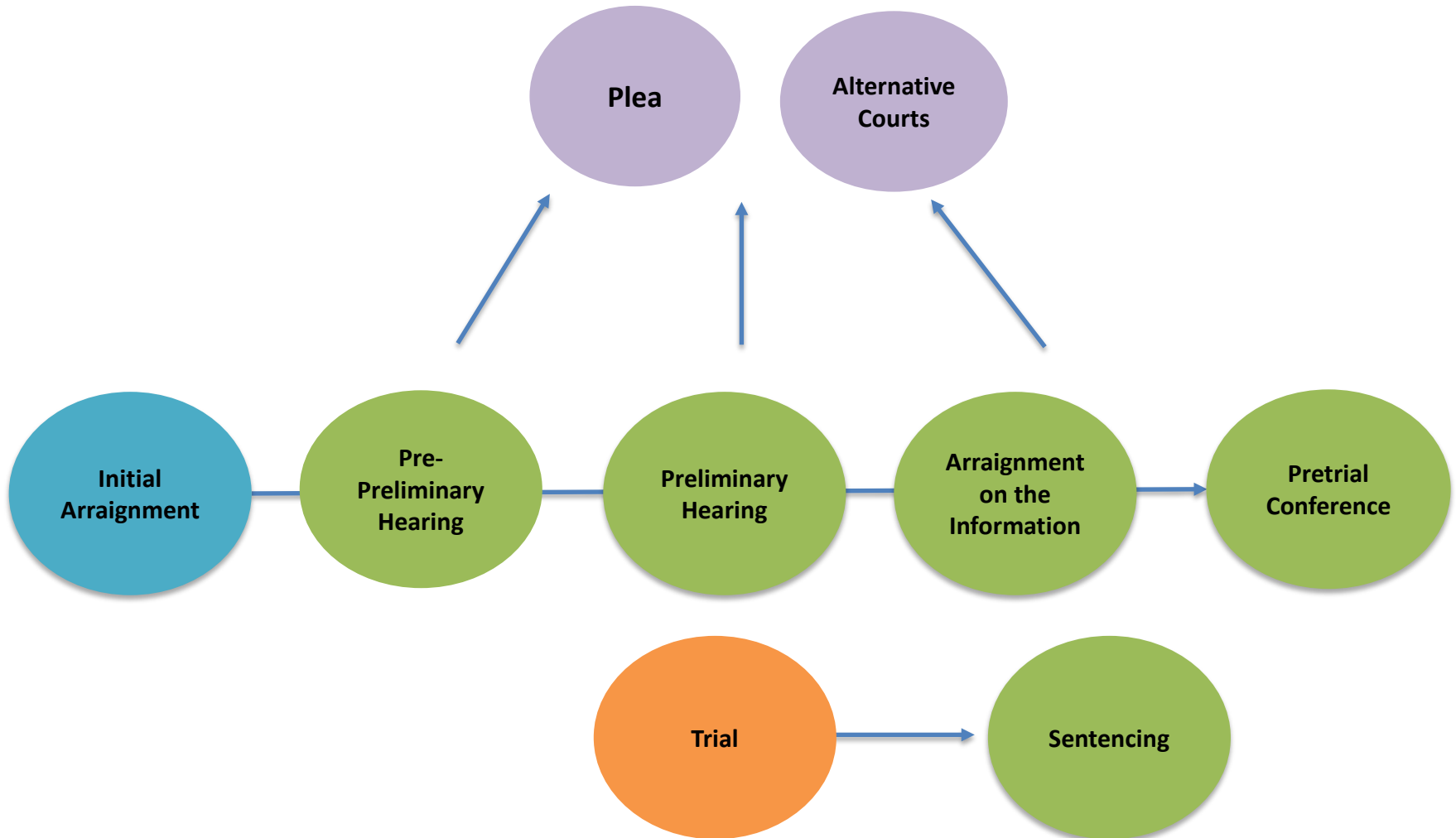
# Case Flow & Decision Points

## *Misdemeanors Cases*



# Case Flow & Decision Points

## *Felony Cases*





# Sentencing Summary:

Sentencing is driven by state minimum mandates.

Sentencing positions are shaped by ADA's professional judgment, including how similar cases have been handled in the past.

Court calendars and time passing impact sentencing outcomes.

## Follow up questions:

- How can we improve the passing of time? Are we doing more harm than good by delaying cases?
- How might we better come to middle grounds to resolve cases more efficiently? Balancing accountability for victims with reasonable sentencing.

# QUESTIONS & DISCUSSION

