

San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

AGENDA

Thursday, September 25th, 2025

10:00 AM – 12:00 PM

Location:

San Francisco District Attorney's Office
350 Rhode Island Street, North Building, 1st 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 June 26th, 2025 (discussion & action)

4. Staff Report on Sentencing Commission Activities, and Reports from the Reentry Council, the Family Violence Council, and the MacArthur Foundation-funded Safety & Justice Challenge Initiative (discussion & possible action)

5. Presentation series: San Francisco District Attorney's Office: Sentencing Insights: Alternative Pathways by Monifa Willis, Chief of Staff; Susan Christian, Managing Attorney; and Samantha Roberts, Sentencing Planner (discussion & possible action)

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

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

8. Adjournment

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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 or Kelly VerHage at 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 or Kelly VerHage at 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, (628) 652-4296; or Kelly VerHage at 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 or Kelly VerHage at 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.

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

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, June 26, 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. Alexandra Lopes from the San Francisco District Attorney's Office, called roll for the meeting.

Members in Attendance:

- District Attorney's Office – Representative **Tara Agnese**, *Director of Policy*
- Adult Probation – Representative **Alea Brown Hoffmeister**, *Policy Director*
- Department of Public Health – Representative **Annie Shui**, *Behavioral Health Services Utilization Management Director*
- Juvenile Probation - Representative **Gabriel Calvillo**, *Assistant Chief*
- Police Department – Representative **Scott Ryan**, *Lieutenant*
- Reentry Council – Representative **Freda Randolph Glen**, *Assistant to the Director of Child Support Services*
- Sheriff's Office – Representative **Ali Riker**, *Director of Programs*
- 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* (present via Zoom in non-voting capacity)
- 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*
- Public Defender's Office – Representative **Carolyn Goossen**, *Director of Policy*

Members Absent:

- 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 March 27, 2025 (discussion & possible action)

Representative Agnese introduced the meeting minutes from the Sentencing Commission meeting held on March 27, 2025. Members and representatives reviewed the meeting minutes.

Representative Shui identified a typographical error in the date at the top of the minutes, the date read that the year was 2024 instead of 2025. Representative Agnese asked for a motion to accept the March 27, 2025, Sentencing Commission Meeting Minutes with the corrected date.

Representative Riker moved to accept, and Representative Calvillo seconded this motion. The minutes were unanimously approved in a roll call vote. Representative Brown-Hoffmeister, Representative Kushnir, and Representative Goossen abstained.

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 the Sentencing Commission activities since the last meeting in March 2025. The current focus of the commission is building a framework for a presentation series on sentencing practices. The plan is to explore and understand sentencing practices and outcomes both in San Francisco and beyond, to be able to compare across jurisdictions and to explore ways to address any identified inconsistencies. The next Sentencing Commission meeting is scheduled for Thursday, 9/25/2025 at 10 am.

Representative Glen provided an update on the most recent Reentry Council meeting, which took place on Thursday, 5/15/2025. The agenda included information about various events and meetings including the Reentry Council Retreat that took place on 3/18/2025, the Women's First Subcommittee meeting on 6/09/2025, the Community Assessment and Services Center (CASC) Juneteenth event on 6/18/2025, Overdose Prevention Day in August 2025, and the 5th Annual Recovery Day event on 9/12/2025. The agenda also included a presentation on Project Zero by Impact Justice. Project Zero focuses on studying the existing reentry infrastructure in San Francisco to develop a proposal on how to achieve 0% recidivism, homelessness, and unemployment for individuals released from state prison to San Francisco. The next Reentry Council meeting is scheduled for 7/17/2025 at 1pm at City Hall.

Representative Upton provided an update on the Family Violence Council's (FVC). The last meeting of the FVC was scheduled to take place on 5/07/2025 but was postponed to a later date. The FVC is moving from the Department on the Status of Women (DOSW) to the Mayor's Office of Victim Rights (MOVR). The FVC serves as an advisory body on topics that impact survivors of elder abuse, child abuse, and domestic violence, and collaborates with law enforcement including the San Francisco Police Department's (SFPD) Special Victims Unit. The FVC will continue to meet quarterly. The next meeting is scheduled for 8/13/2025 at 3pm at City Hall.

Representative Goossen asked a question on whether grants through the Mayor's Office of Housing and Community Development (MOHCD) will be under the MOVR. Member Upton

clarified that the contracts would remain with the MOHCD, but noted that policy initiatives like the FVC will move to the MOVR.

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

Patricia Martinez from the San Francisco Sheriff's Office provided an update on the Safety & Justice Challenge (SJC) Initiative. The Sheriff's Office released a Request for Proposal (RFP) for housing and navigation support for justice involved individuals. The SJC Fellowship has begun and focuses on pathways for employment for high quality jobs. The Fellowship focuses on three core areas: orientation & immersion, research, and dissemination & findings.

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

Monifa Willis, Chief of Staff for the San Francisco District Attorney's (SFDA) Office, provided an outline for the Sentencing Commission's presentation series on Sentencing Insights noting that presentations will focus on sentencing practices based on each presenting agency's role and perspective within the criminal justice system. The plan is for each presentation to incorporate data, and information on process and decision-making related to sentencings. A standard template will be developed and provided to presenting agencies. Invitations to present will be shared with the Adult Probation Department, the Court, and the Public Defender's Office. Upon completion of the presentations, the Commission will reconvene and identify recommended next steps and solutions to improve sentencing practices.

Representative Agnese presented data on reported crime, charges filed, and information on case outcomes from 2022 to 2024.

Mr. Laycook presented on misdemeanor cases, focusing on criminal case flow and decision points. Representative Goossen raised a question about diversion and the percentage of misdemeanor cases that are in diversion. Mr. Laycook reported that there is a likely a significant number of misdemeanor cases in diversion. Representative Goossen requested data on diversion. Representative Kushnir raised a procedural question about diversion and Department 17, wanting more information about how diversion happens. Ms. Kushnir reported that she believes San Francisco is missing opportunities to get people into the treatment and raised a question of whether the recent passage of Proposition 36 may be a factor. Ms. Kushnir noted that Mental Health Diversion (MHD) has gone up 400% as a disposition and traditional collaborative courts have gone down 75% as a disposition. Mr. Laycook noted that San Francisco has a robust collaborative court system and judicial diversion is separate. Representative Kushnir reported that there are cases being sent to trial with no pre-plea agreement and a person may end up being released with no charges and no treatment.

Mr. Ford presented on felony cases, focusing on criminal case flow and decision points. Representative Riker asked whether there is data on the number of cases referred to alternative sentencing planning. Mr. Ford noted that this type of data should be accessible and reported that the referrals have likely increased. Ms. Willis noted that data requests will be submitted, and the

SFDA team will report back to the Commission on available data. Representative Goossen asked a clarifying question on the presentation series. Ms. Willis shared that departments will be invited to present at the Sentencing Commission on their perspective and role in sentencing.

In response to a question regarding the passage of time, Mr. Ford noted that the DA's Office has a lot of responsibility, but not a lot of authority, noting that the court has the authority to move cases and the passing of time typically hurts the DA's Office and helps the defense. Ms. Willis added that when time is served in county jails, individuals may not be able to receive the rehabilitative support and treatment that is needed. Representative Kushnir shared that she believes CDCR doesn't have the same quality of reentry planning that San Francisco has, noting a difference in reentry from jail versus prison. Mr. Ford reported that the vast majority of the time, the DA's Office is ready to move forward with a case, but the case gets continued over SFDA objections. Mr. Ford further stated that he believes that constitutionally, we cannot have consistency across counties, as each community should dictate what is acceptable in their respective county. Mr. Laycook added that each county has a locally driven system with elected officials, that there is a feedback loop which has value, and raised the question of how we balance this with potential statewide recommendations on sentencing practices.

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

Representative Agnese noted the aforementioned requests for data on diversion and alternative courts and agreed to report back on the status of available data at a future meeting of the Commission. Ms. Agnese also shared that she will be reaching out to departments to schedule presentations at future Sentencing Commission meetings. Representative Kushnir commented that the Courts have a new data person focused on collaborative courts and MHD who will be working on developing data dashboards. Ms. Kushnir reported that she expects these dashboards to be completed in the next couple of months.

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

No public comment received.

9. Adjournment

Representative Agnese reminded members that the next Sentencing Commission Meeting is scheduled for 9/25/2025 at 10:00 am. A motion to adjourn the meeting was introduced by Representative Calvillo and seconded by Member Naidoo. The motion passed unanimously. Representative Kushnir abstained.

San Francisco District Attorney's Office: Sentencing Insights



September 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



ALTERNATIVE PATHWAYS OVERVIEW:

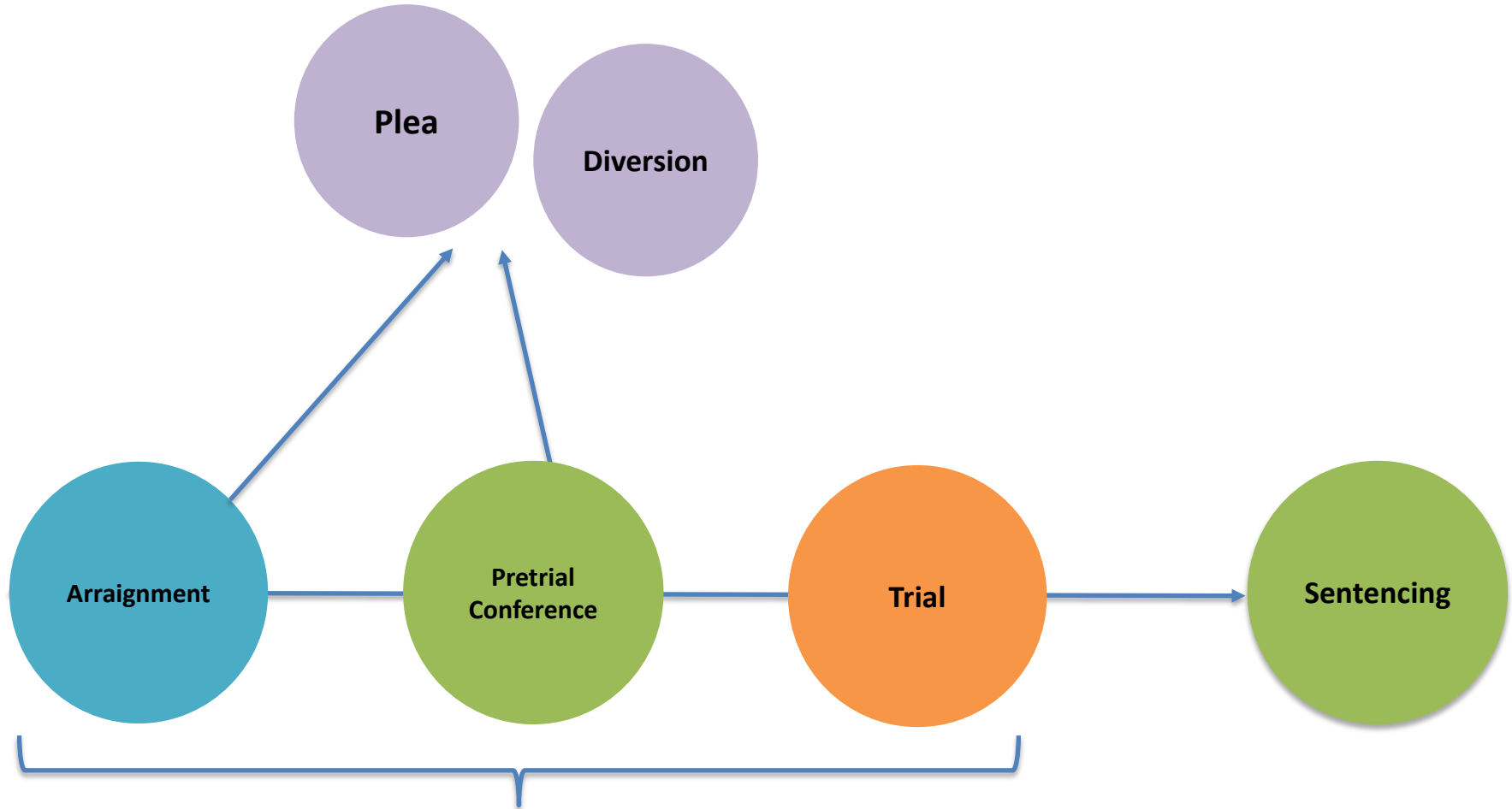
**Diversion, Collaborative Courts, &
Alternative Sentencing Planning**

High-level Overview of Alternative Pathways

- Primary Caregiver Diversion
- Misdemeanor Pretrial Diversion
- Neighborhood Courts
- Mental Health Diversion (MHD)
- Developmental Disability Diversion (DDD)
- Military Diversion
- Behavioral Health Court (BHC)
- Misdemeanor BHC (MBHC)
- Community Justice Center (CJC)
- Drug Court
- Intensive Supervision Court (ISC)
- Veteran's Justice Court (VJC)
- Young Adult Court (YAC)
- Alternative Sentencing Planning (ASP)

Case Flow & Decision Points

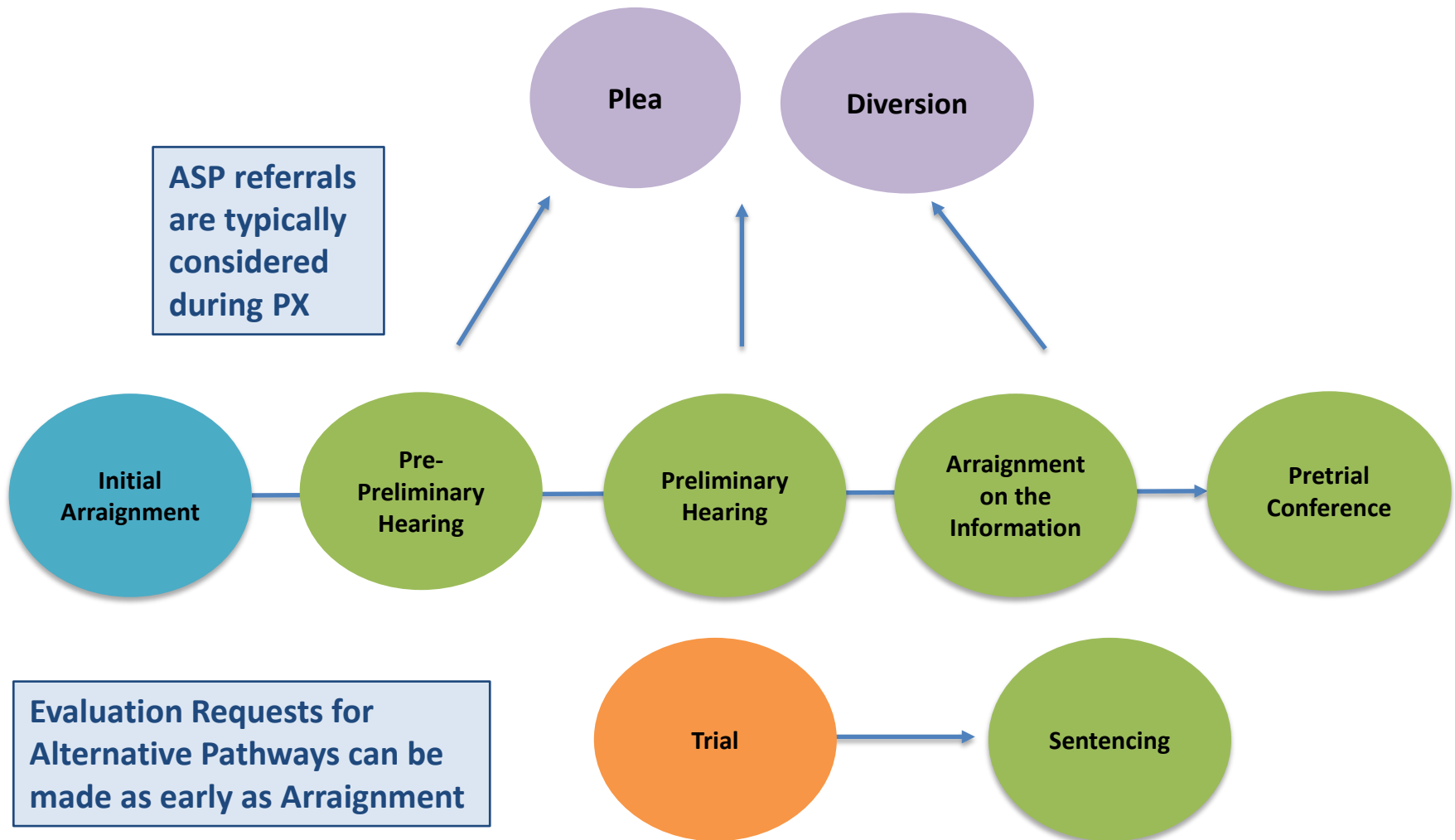
Misdemeanor Cases



Evaluation Requests for Alternative Pathways can be made as early as Arraignment

Case Flow & Decision Points

Felony Cases



DATA:

San Francisco: Alternative Pathways

Collaborative Courts & Mental Health Diversion: Referrals

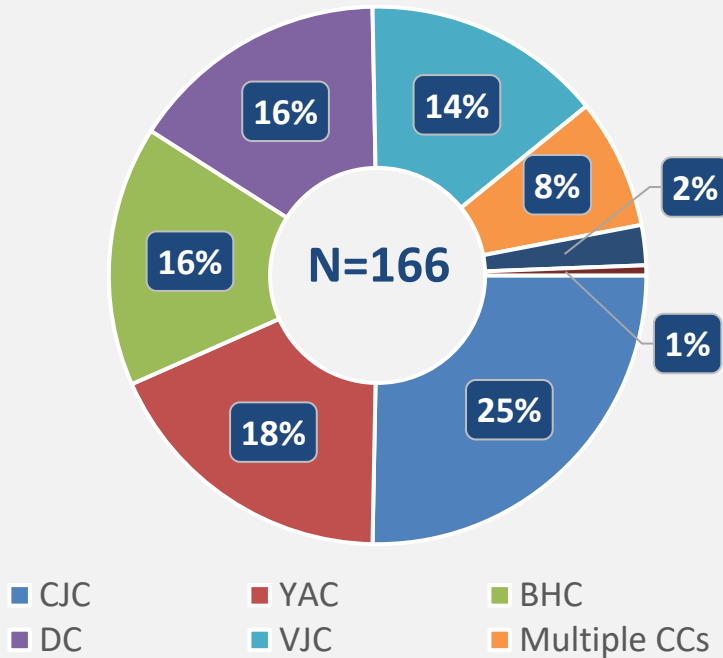
7778
Cases
Filed in
2024

2.1% were
Referred
to CC

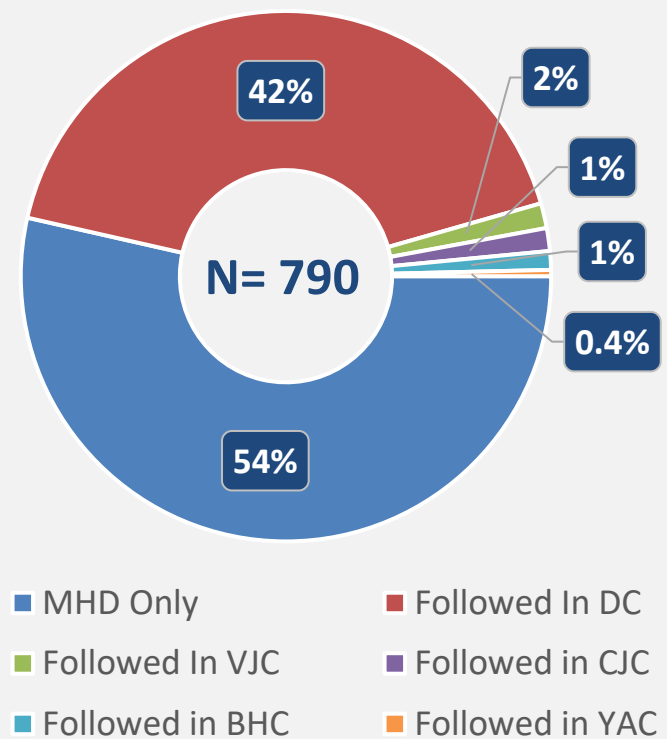
10.2%
were
Referred
to MHD

2024 Snapshot

Collaborative Courts Referrals



Mental Health Diversion Referrals



Collaborative Courts & Mental Health Diversion: Referral Decisions

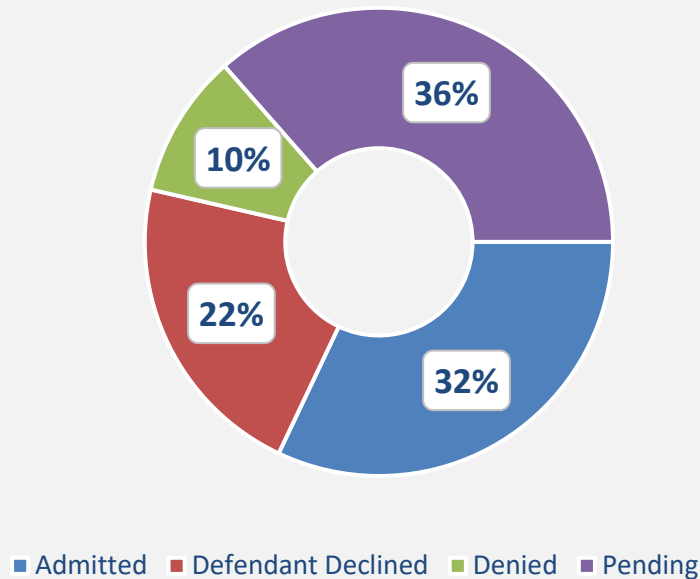
**7778
Cases
Filed in
2024**

**2.1% were
Referred
to CC**

**10.2%
were
Referred
to MHD**

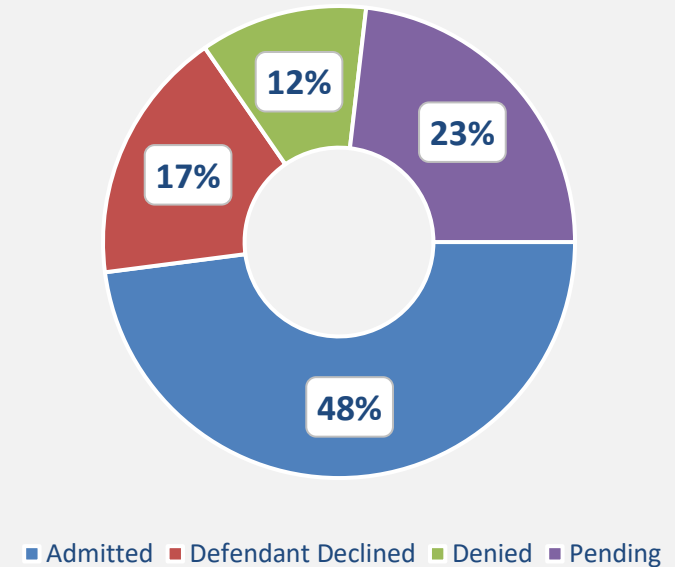
2024 Snapshot

Collaborative Courts Referrals: Admit Decision



***Cases=166; Admit Decisions=181**

MHD Referrals: Admit Decision



***Cases=790; Admit Decisions=855**

*Note: A case may be referred to the CCs and MHD more than once. As such, the total number of “admit decisions” is larger than the number of cases. Each admit decision is counted as a distinct event.

Collaborative Courts & Mental Health Diversion: Referral Trends

Year Over Year Comparison: 2024 vs. 2025

	Cases Referred		Percent Change
	Jan-Aug 2024	Jan-Aug 2025	
Collaborative Courts	200	152	-24%
Mental Health Diversion	623	885	+42%

Data Takeaways:



In 2024, filed cases were ~five times more likely to receive an MHD referral than a CC referral

While 'admitted' is the most common decision outcome for MHD and CC referrals, a significant share of defendants chose to decline enrollment

Almost half (42%) of the cases referred to MHD are also being followed in Drug Court

In 2025, there has been a significant increase in referrals to MHD and a significant decrease in referrals to CC

DISCUSSION:

Diversion, Collaborative Courts, and ASP

Factors that May Influence Alternative Pathways

- Evolution of the plea bargaining process can influence alternative pathway options or recommendations
- Lack of resources can impact alternative pathways (e.g., bed availability, availability of service providers, insurance/lack thereof)
- Clinical Eligibility: Diagnostic eligibility determinations re: behavioral health & intellectual disabilities
- Willingness to Participate: 17-22% of defendants decline
- County of Residence can influence alternative pathways
- Treatment Plans: legally must be responsive to the diagnoses and criminal conduct; must take public safety into account
- CalAIM: Do changes with reimbursement and services impact alternative pathways?

Alternative Pathways Summary:

Pathways are driven by statutes and resources.

Exploration of pathways can impact case duration & sentencing outcomes.

Program Admission is dependent upon defendants' willingness to participate & eligibility criteria.

Follow up questions:

- How can we improve access to treatment?
- What impact are justice and health system delays having on a person's ability to get well?

QUESTIONS & DISCUSSION

