

San Francisco Sentencing Commission

City & County of San Francisco

(Administrative Code 5.250 through 5.250-3)

AGENDA

Thursday, December 11th, 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 September 25th, 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 Public Defender's Office: Sentencing Insights & Discussion (discussion & possible action)

6. Presentation series: San Francisco Adult Probation Department: Sentencing Insights & Discussion (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

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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, September 25, 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. Alex 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*
- Police Department – Representative **Mike Koniaris**, *Acting Commander*
- Reentry Council – Member **Karen Roye**, *Director of Child Support Services*
- Sheriff's Office – Representative **Ali Riker**, *Director of Programs*
- Superior Court – Representative **Melanie Kushnir**, *Director of Collaborative Courts*
- Member of a nonprofit organization serving victims chosen by Family Violence Council – Member **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*
- Juvenile Probation - Representative **Gabriel Calvillo**, *Assistant Chief*
- Member of a nonprofit organization working with formerly incarcerated people appointed by the Reentry Council – Member **William Palmer**

Members Absent:

- Public Defender's Office – Representative **Carolyn Goossen**, *Director of Policy*
- 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*

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 June 26, 2025 (discussion & possible action)

Representative Agnese introduced the meeting minutes from the Sentencing Commission meeting held on June 26, 2025. Members and representatives reviewed the meeting minutes.

Representative Agnese asked for a motion to accept the June 26, 2025, Sentencing Commission Meeting Minutes. Representative Calvillo moved to accept, and the motion was seconded by Member Roye. Representative Kushnir, abstained. The minutes were unanimously approved in a roll call vote. Motion passed.

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 by Patricia Martinez, SJC Director (discussion & possible action)

Representative Agnese provided an update on the Sentencing Commission activities since the last meeting on June 26, 2025. The 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. Phase One of this initiative began with a presentation from the District Attorney's Office focused on Misdemeanor and Felony Case Flow, decision points, and sentencing. In early July, invitations were extended to system partners including the Adult Probation Department, the Public Defender's Office, and the Superior Court. The Adult Probation Department and The Public Defender's Office are scheduled to present at the next Sentencing Commission meeting in December. Also in July, the Commission requested the help of Justice System partners to support the Commission's outreach by initiating introductions to their counterparts in neighboring counties. The Commission hopes to extend invitations to neighboring counties to participate in the presentation series. Additionally, the Member Seat for a nonprofit organization serving victims chosen by the Family Violence Counsel is now filled. The Family Violence Counsel has officially chosen Beverly Upton to serve as a member of the San Francisco Sentencing Commission. Representative Agnese opened the floor. Member Beverly Upton expressed gratitude on behalf of the Family Violence Counsel to have a seat at the Sentencing Commission, and she is looking forward to continuing to work together. Through the Chair, Monifa Willis, Chief of Staff with the District Attorney's Office, expressed gratitude for the opportunity to work alongside Member Upton, finding her community mobilization and organization inspiring. The next Sentencing Commission meeting is scheduled for Thursday, 12/11/2025 from 10am to 12pm.

Member Roye provided an update on the most recent San Francisco Reentry Council meeting, which took place on July 17th, 2025, where they adopted the previous minutes from May 15th, 2025. Victoria Westbrook provided an update on subcommittee activities, and state legislation. The Counsel voted to support three bills including 2AB247 which addresses wages for incarcerated individuals and AB248 which addresses county jail wages. Both bills are now before the Governor for approval. The Women's First Subcommittee met on July 9th, 2025 to design panels for the annual Reentry Conference, which was later cancelled. The Direct Action

Subcommittee is planning the following events: International Overdose Awareness activities in late August, the 5th Annual Recovery Day on September 12th at Bodecker Park, CASC end of year celebration to be scheduled, and the 2nd annual Overdose Prevention Summit on January 20th, 2026 at the San Francisco Main Library. There were two presentations: AI For Reentry – Dignify representatives introduce a web and mobile app that maps the reentry journey and provides a centralized hub for verified housing, employment, healthcare, and legal resources while tracking outcomes. The second presentation was on Prop 47 Cohort 5 – Kelly Lam from the Department of Public Health described the pending grant application to extend the Supporting Treatment and Reducing Recidivism Program (STARR), which focuses on people experiencing homelessness and a new step down transitional housing. Other reports included four items: STARR continues to operate at capacity and is onboarding new health workers. Safety and Justice Challenge presented. The Sheriff's Office issued a request for proposals for housing and peer support specialists. The Sentencing Commission provided a summary of its June 2025 meeting, and the Superior Court reported a grant extension to expand the eligibility for mental health diversion. In regard to Public Comment, the family of Melvin Bulauan spoke about his untimely death at 111 Taylor Street, a GEO Group Facility. Supervisor Bilal Mahmood has scheduled a Board of Supervisors hearing for November 6th to examine operations at the site. The Reentry Council will meet next Thursday, October 17th, 2025 at 1:00 PM in City Hall, Room 305.

Member Upton provided an update on the Family Violence Council (FVC), who met on August 13th, 2025 in person at City Hall. Member Upton explained the FVC is made up of three sectors: Domestic Violence, Elder Abuse, and Child Abuse, each sector having a co-chair from a nonprofit that serves that community, and the Members of the Counsel are department heads. In keeping with the theme of centering Elder Abuse more prominently, at the FVC's last meeting they hosted an Elder Abuse Panel with representatives from the Institute on Aging, SFPD's Special Victims Unit, the District Attorney's Office, and Adult Protective Services. The San Francisco Sentencing Commission provided an update from their last meeting. FVC appointed Member Upton as their choice for Member on the Sentencing Commission moving forward. Additionally, they discussed the Streamlining Task Force, which was mandated under Prop E. The Quarterly Meetings with SFPD's Special Victims Unit and FVC are going well under the leadership of Captain Phil Gordan. Lastly, October is Domestic Violence Awareness Month with FVC hosting 10 events throughout the month. The next FVC meeting is November 12th at City Hall 3:00 – 5:00pm in Rm 201.

Member Patricia Martinez from the San Francisco Sheriff's Office provided an update on the Safety & Justice Challenge (SJC) Initiative. The Bright Research Group is planning to have the Safety and Justice Challenge conduct their participatory action research project. Over the past month, we have hosted two advisory projects with our senior fellows: one with the San Francisco Sheriff's Office, revising or appeal process for individuals who were denied clearance into the facility. We walked away with 5 recommendations. Second, we had a Fish Bowl Advisory Project with the San Francisco Public Defender's Office to strengthen their client relationships and improve representation around the Homecoming Project, a program that utilizes existing living spaces that house individuals returning from prison. More information on the Safety and Justice Challenge research will be shared at the next meeting in October. Additional information

on the comprehensive jail population analyses that is generated monthly can be found on the website.

Representative Kushnir requested the 5 recommendations referenced in Member Martinez's update. Member Martinez stated they would be sharing the information in December.

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, and Daniel Morales Campos, Senior Research Analyst (discussion and possible action)

San Francisco District Attorney's (SFDA) Office, Chief of Staff Monifa Willis, provided a reminder of the true goal for the presentation series which is to reflect on the practices we engage in, in order to effect change. This series is born out of the District Attorney's Office going into prisons, speaking with the residents there, and hearing the sentencing disparities from county to county, the stacking of enhancements, and recognizing the structural racism that lives underneath those practices. Chief Willis explains, to acknowledge these truths, we must understand that we are also a part of the problem. The presentation series is not about whether these practices are right or wrong but are an opportunity to present what is currently being done, what is the practice today. The goal after these presentations is that we will have robust conversation around recommendations. An additional goal is to then bring in outside counties and look at their practices. By first looking at ourselves, and then other counties, perhaps there are practices from outside counties that we may want to implement. This then could lead to larger change we collectively push for around sentencing practices.

Today's presentation is led by Managing Attorney (MA) Susan Christian, Alternative Sentencing Planner (ASP) Samantha Roberts, and Senior Research Analyst (SRA) Daniel Morales Campos. MA Christian leads the presentation with a high-level overview of Diversion, Collaborative Courts, and Alternative Sentencing Planning. MA Christian presented on the following diversion programs: Primary Caregiver Diversion, Misdemeanor Pretrial Diversion, Neighborhood Courts, Mental Health Diversion (MHD), Developmental Disability Diversion, and Military Diversion. MA Christian then presented on the following Collaborative Courts: Behavioral Health Court (BHC), Misdemeanor Behavioral Health Court, Community Justice Center, Drug Court, Intensive Supervision Court, Veterans Justice Court, and Young Adult Court. ASP Samantha Roberts then presented on Alternative Sentencing Planning.

MA Christian presented on the case flow of both misdemeanors and felony cases with a focus on decision points. MA Christian then presented data pulled from 2024 cases, and SRA Campos presented additional data. Some statistics discussed include the following: 7778 cases were filed in 2024. 2.1% were referred to a Collaborative Court. 32% of cases referred to Collaborative Court in 2024 were admitted. 36% of cases referred to Collaborative Court in 2024 are still pending a decision. 22% of cases referred to Collaborative Court in 2024 resulted in the defendant declining to participate. Of the 7778 cases filed in 2024, 10.2% were referred to Mental Health Diversion. 48% of cases referred to Mental Health Diversion in 2024 were admitted. 23% of cases referred to Mental Health Diversion in 2024 are still pending a decision. 17% of cases referred to Mental Health Diversion in 2024 resulted in the defendant declining to participate. SRA Campos emphasized that most frequently, in both Collaborative Courts and

Mental Health Diversion programs, cases are being admitted. The second largest group in both Collaborative Courts and Mental Health Diversion (MHD) Programs are defendants declining to participate.

Member Roye asks if the numbers presented are 1 to 1, meaning 1 individual and 1 case. SRA Campos clarifies the numbers presented are cases, not individuals. If one individual picks up 3 cases in 2024, and all 3 cases are referred and all 3 are accepted, that would reflect as 3 admittances. Member Shui asks, continuing with SRA Campos's example, if that 1 individual would be sent to the same collaborative courts or treatment programs for each case, or different programs depending on the case. SRA Campos clarified that although he does not have that statistic at present, from working with the data, he knows we often see the 1 individual referred to multiple programs or collaborative courts and accepted to multiple.

Representative Kushnir provided additional data collected by the courts that provides data on unduplicated individuals, speaking to Member Shui's previous question. Representative Kushnir indicates the data collected by the Collaborative Courts is not that different from the data presented by MA Christian and SRA Campos, with one outlying difference being the number of unique individuals participating in MHD/BHC. In the data presented by Representative Kushnir, there are 560 unique individuals participating in MHD/BHC, whereas in the data presented by MA Christian and SRA Campos, there are only 332 cases. Member Riker states in the day-to-day work, it feels like she sees a higher percentage of MHD/BHC than what was presented by MA Christian and SRA Campos; however, that may be resolved based on the data presented by Representative Kushnir from the courts. Member Riker asks how it is decided which pathway is chosen, specifically when it is MHD only versus MHD and being tracked by the court? MA Christian answers that when someone is so high needs that they also need a clinical team to be associated with treatment, or other resources that can be provided by DPH or other city resources, they have the MHD case followed in BHC. Representative Kushnir and MA Christian both indicate a need for additional resources (service providers, clinicians, programs, etc.) for MHD and BHC to properly treat the individuals referred there. Representative Kushnir indicated Case Management Brokers will be placed at pretrial to review each individual for eligibility partially based on whether they can qualify for San Francisco based benefits. For example, if an individual is an Alameda County resident, they would not qualify for San Francisco resident benefits, making it more difficult for them to successfully complete a treatment plan. The Brokers would connect these individuals with Alameda County benefits and have the individual complete treatment there.

Member Riker asks a clarifying question regarding the number of referrals versus the number of granted petitions for MHD. MA Christian answers that the number of referrals only represents the number of cases referred to that program, not the number of referrals that were granted. Member Roye asks if there is a ceiling for the number of referrals that can be made, and how that compares to what can be afforded. MA Christian answers there is no ceiling for number of referrals to be made and the courts do not consider availability or affordability of services when making these determinations. MA Christian suggests the courts can try to address this by managing their dockets and not allowing someone to linger in the program if they are not doing well in the program. Member Shui asks if there are any measurements of effectiveness or efficiency of these programs and courts, an outcome metric, and if there are any requirements to

collect that data? MA Christian indicates it would be important to collect this data, and that is an important metric the Department of Public Health could partner to collect. Member Riker asks if much of this is dependent on medi-Cal funding for treatment, has there been discussions of the impact on treatment availability come January when folks with unsatisfactory immigration status will no longer be eligible for Medi-Cal? Chief Willis asks a clarifying question of why are many cases in MHD but also being followed by a collaborative court, such as drug court, for example. MA Christian answers that it is in the interest of the defendant to try for MHD because it is a Diversion Program, meaning after successful completion, the case is dismissed. Chief Willis asks a follow up question on when is the defendant being educated about all of these alternative pathways, by a third party for example? How is the defendant getting educated on these programs? Representative Kushnir states there is no outside party explaining the options to the defendant. Each specific provider is only explaining their specific service or program to the defendant after a referral is made by the court. Member Palmer also asks who is educating the defendants, who follows up with them to make sure they understand their options, like an advocate for the defendant.

Member Riker asks if there is any data on referral to petition granted, and how long they are staying in jail in between? Representative Kushnir says she will share the data she presented today electronically so it can be reviewed, but there is more information on that there. Chief Willis asks why would a defendant decline MHD if they are admitted? Both Representative Kushnir and MA Christian agree it is because the defendant does not want to participate in the treatment plan.

Member Roye asks how is data being gathered on recidivism, and how does that play into all this work? Additionally, the demographics piece is an important factor to collect as well. MA Christian says eventually we will be able to compare using a unique identifier for each person, and track recidivism that way. SRA Daniel indicates demographics are also being tracked currently, and we can track local subsequent contact using SF numbers currently. MA Christian stresses the importance of, and the need to have, a professional agency collect the data, because currently we are relying on data entry from ADAs alone.

Representative Agnese summarizes the conversation around recidivism, effectiveness, and efficiency. Member Shui raises the concern that truly tracking effectiveness and efficiency will be difficult in such a large system because each department has a different purpose and the desired outcome may look different for each one. Therefore, we need to come up with a united outcome to measure. Representative Agnese concurs and suggests also tracking pro-social behavior as well as non-compliant behavior. Member Palmer asks what is non-compliance? Who is looking at the folks slipping through the cracks, what prosocial behaviors are they engaging in, are the NGOs assisting this person. MA Christian says that is exactly what the programs are tracking. The individuals in the programs, when they engage in non-compliant behavior, are supported with treatment plans rather than punitive measures. Chief Willis then concludes there will be further presentations to continue these conversations.

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

No comments, questions, or requests for future agenda items by members.

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

No public comment received.

8. Adjournment

Representative Agnese reminded members that the next Sentencing Commission Meeting is scheduled for 12/11/2025 at 10:00 am. A motion to adjourn the meeting was introduced by Representative Riker and seconded by Member Upton. Representative Kushnir abstained. The motion passed unanimously.

SAN FRANCISCO PUBLIC DEFENDER

Greater Than One



**SAN FRANCISCO PUBLIC DEFENDER:
Sentencing Insights**

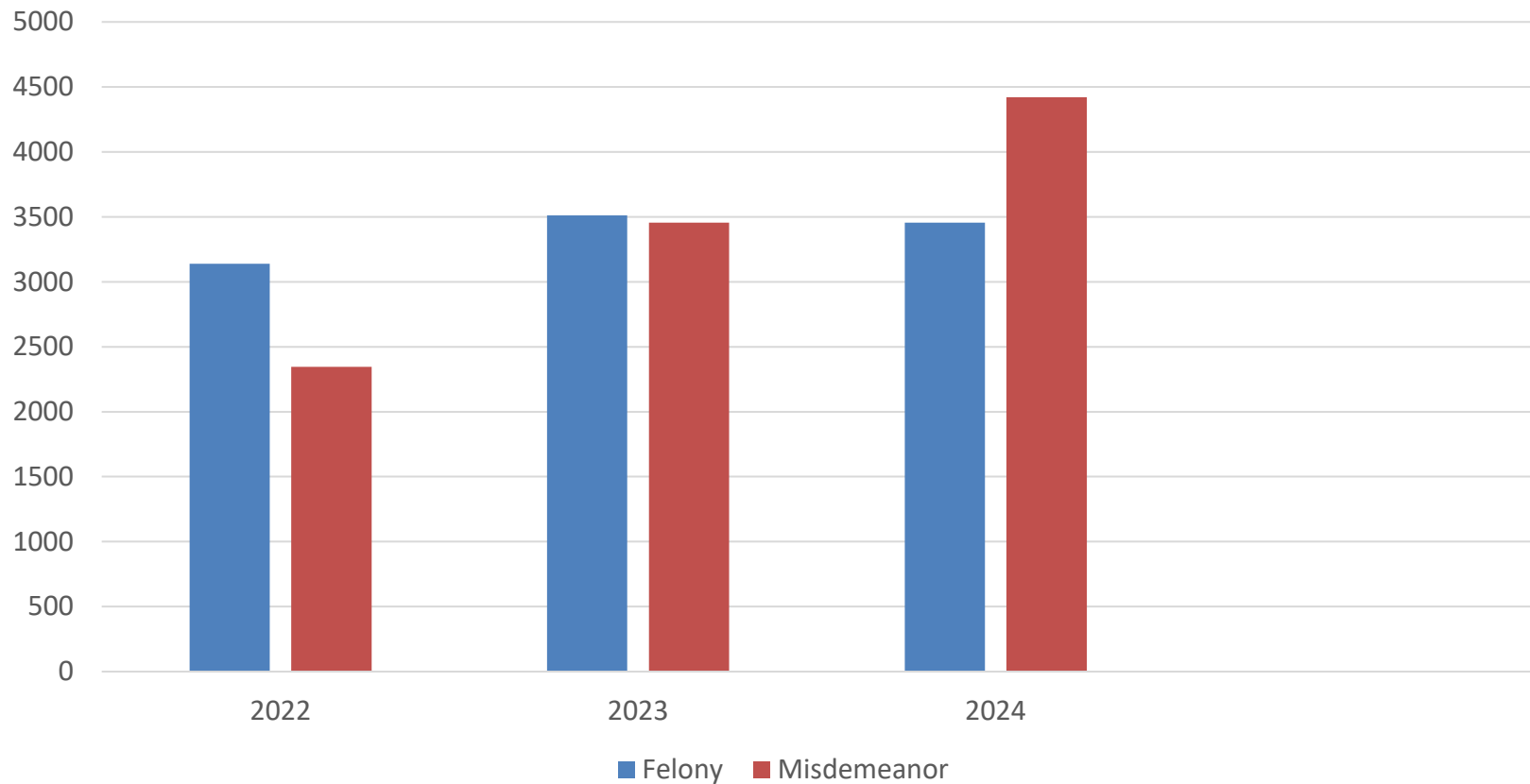
DECEMBER 2025
San Francisco Sentencing
Commission

DATA:

Increased filings and case outcomes

New Arraignments 2022-2024

Source: SF Superior Court Website



Misdemeanor Trial Outcomes

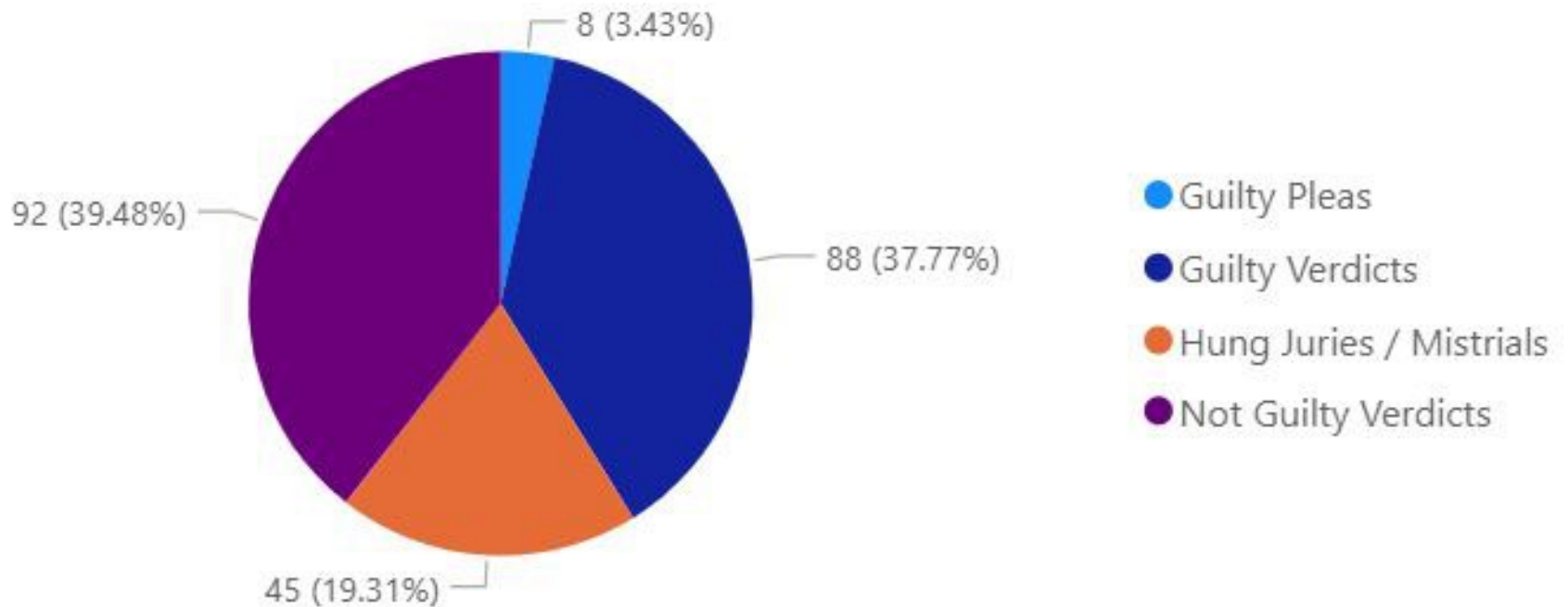
	2025 (as of 10/24/25)	2024	2019
Total Jury Trials	109	80	143
Not Guilty/Hung	55 (50%)	38 (48%)	48 (34%)
Mixed Verdict	28 (26%)	17 (21%)	38 (27%)
Guilty	26 (24%)	25 (31%)	57 (40%)

SOURCE: SF Public Defender; See Also <https://missionlocal.org/2025/08/san-francisco-misdemeanor-trial-district-attorney-Lebowski>, August 25, 2025

Misdemeanor Trial Outcomes

Previous Three Years (12/4/22-12/3/25)

CHART 7C. SFSC Total Misdemeanor Trial Outcomes



SOURCE: San Francisco Superior Court Criminal Data Dashboard

Felony Trial Outcomes

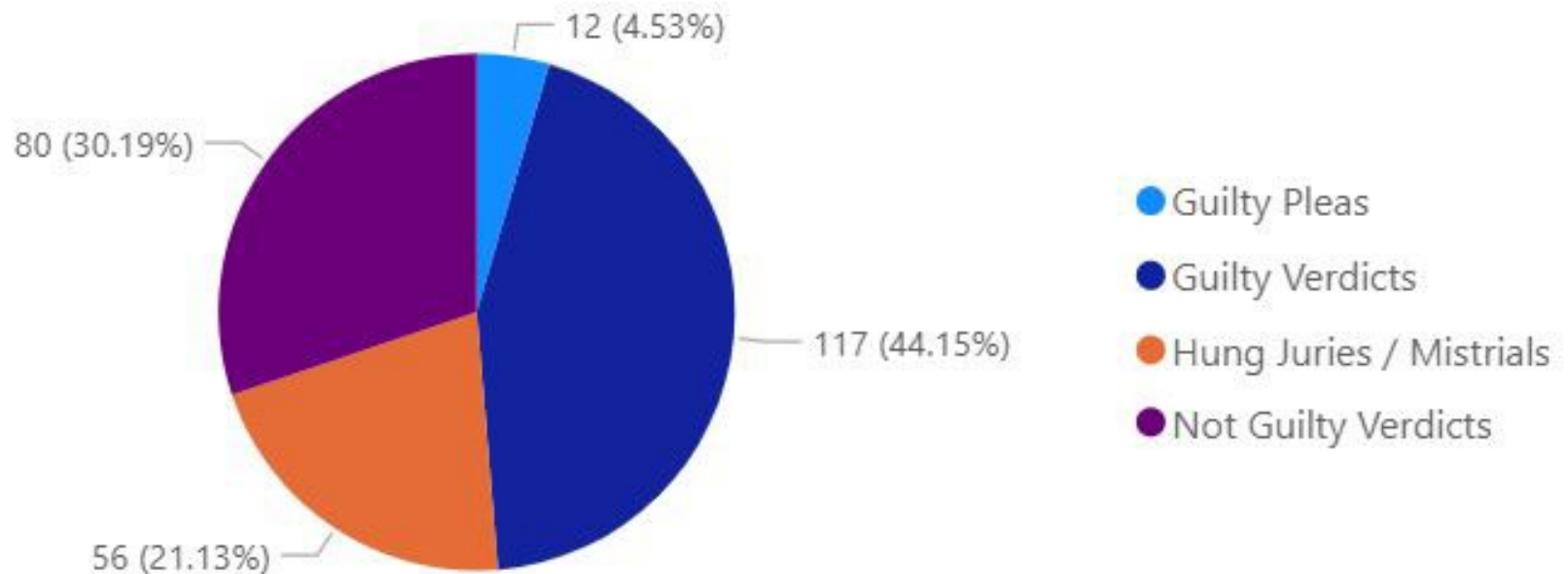
	2025 (as of 10/24/25)	2024	2019
Total Jury Trials	75	91	66
Not Guilty/Hung/Mistrial	38 (50%)	36 (40%)	32 (48%)
Mixed Verdict	17 (23%)	26 (29%)	13 (20%)
Guilty	20 (27%)	26 (29%)	17 (26%)

SOURCE: SF Public Defender

Felony Trial Outcomes

Previous Three Years (12/4/22-12/3/25)

CHART 3C. SFSC Total Felony Trial Outcomes



SOURCE: San Francisco Superior Court Criminal Data Dashboard

Data Summary

New case filings are generally up, particularly in misdemeanors where there was a 88% increase from 2022 to 2024 in new arraignments.

There is a reported decrease in referrals to collaborative courts and an increase in objections to diversion requests.

Trial outcomes suggest that cases are being overcharged and/or plea offers are not always congruent with the evidence/legal issues.

Follow up questions: Are highly publicized “sweeps” and quality of life offenses impacting the number of misdemeanor cases? How do we avoid reactionary or incongruent charging and sentencing practices that don’t always align with the evidence/legal issues in the case?

DISCUSSION:

Criminal Case Flow & Decision Points

Other Factors that May Influence Sentencing

- **Enhancements:** Sentencing enhancements and overcharging impact early resolutions, particularly in felonies
- **Court Calendars:** Overburdened court calendars impact meaningful pretrial litigation/negotiation and sentencing.
- **Probation Sentencing Reports:** Often do not reflect the full picture of the evidence in the case but instead rely on police reports to make sentencing recommendations
- **Consideration of Collateral Consequences:** Immigration, housing, employment, custody, professional licensing
- **Alternatives to traditional prosecution:** Diversion, collaborative courts, social worker intervention, restorative justice, College Pathways project, BMAGIC, MoMagic.

Case Flow & Decision Points *Misdemeanor Cases*

ARRAIGNMENT: Custodial status, pretrial release conditions

CASE WORKUP: Understanding the client's needs, investigation, litigation, discovery review, community and family connections.

PRETRIAL CONFERENCES/"RESOLVING": Dismissal; diversion; collaborative courts; DEJ; plea.

- Harm caused by a conviction/probation
- Collateral consequences
- Legal issues in a case
- Strength of the evidence
- Client needs

JURY TRIAL

Case Flow & Decision Points *Felony Cases*

ARRAIGNMENT: Release from custody; pretrial release conditions; 17(b) reduction.

CASE WORKUP

PRELIMINARY HEARING: DA Offers; 17(b); diversion; legal issues; addressing overcharging

“RESOLVING”: collaborative courts; 17(b); diversion; DEJ; dismissal; plea.

- Collateral consequences
- Individual client circumstances/needs
- Impact on families/communities
- Potential sentence
- Strength of evidence
- Legal issues

POST-PRELIMINARY HEARING

TRIAL

ACQUITTAL OR SENTENCING

Sentencing summary

Public safety can be enhanced when individuals don't have criminal convictions, which can be achieved through alternatives to prosecution.

Sentencing positions are impacted by the individual client's circumstances, the strength of the evidence and the legal issues, mitigation, and the availability of alternatives to traditional prosecution.

Trial outcomes suggest that cases are being overcharged. Overcharging and sentencing enhancements make plea negotiations more challenging/less fruitful.

Follow up questions: How can we increase alternatives to traditional prosecution and incarceration that benefit the individual and the community? How can we reach case outcomes earlier? How do we align sentencing practices with what the research and data suggests regarding increased alternatives to prosecution and the diminishing returns of lengthy periods of incarceration?

Questions & Discussion



San Francisco Adult Probation

Cristel Tullock, MSW, Chief Probation Officer

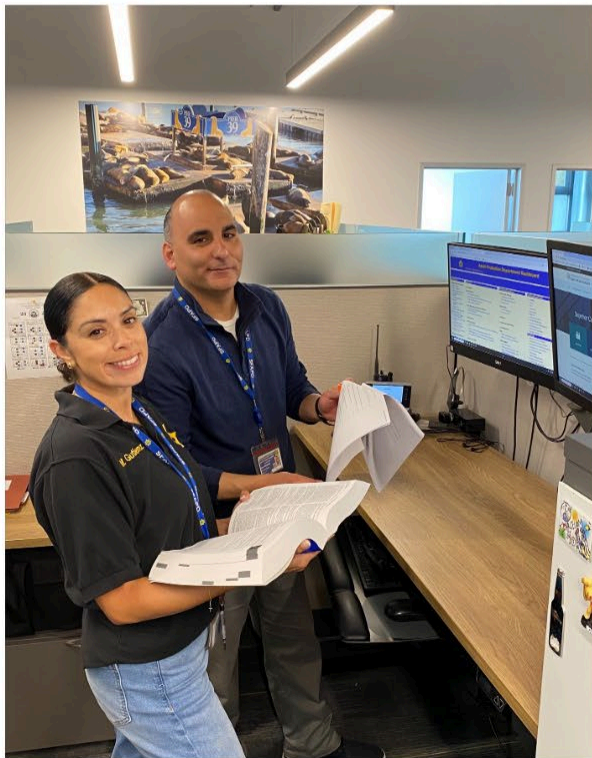


Sentencing Insights

Presenter: Division Directors Daniel Reyes and Mark Hudgins

December 2025

Mission and Values



Mission

Protect and Serve the Community,
Further Justice, Inspire
Change, and Prioritize Racial
Equity so that all People May
Thrive.



Our Work

We value the individuality and
diversity of clients, recognize the
challenges they face, and invest in
their success through services
designed to help them
permanently exit the justice
system.

Our Role

Further Justice

Probation plays a crucial role in supporting the court by providing accurate and comprehensive information during the sentencing process, helping judges make informed decisions.

Enhance Public Safety

By assessing risk levels and recommending appropriate structured supervision, probation prioritizes community safety while balancing rehabilitation and legal obligations during the sentencing process.

Rehabilitation

Focused on promoting behavior change, probation actively engages defendants through tailored treatment programs and support services, facilitating their reintegration into the community.

Victim Restoration

Ensuring that defendants fulfill their financial obligations to victims is a vital function of probation, reinforcing accountability and promoting justice within the community.



Presentence Reports

Case Flow

Felony Cases



Sentencing Report Framework

Legal & Statutory Requirements

(What guides the work)

- 1203(b)(1) PC, Rules of Court 4.411
- Eligibility and suitability (ROC 4.414, 1203 PC)
- Victim rights obligations (notification, impact statement)

Evidence-Based and Neutral Assessment

(How information is gathered and evaluated)

- Neutral fact-finding
- EBP implementation (17.5 PC, 1229 PC, 1170.05)
- Interviews, records, assessments
- Incorporate victim impact and circumstances

Structured Recommendation & Judicial Review

(How the report informs the court)

- Justified recommendation based on law, facts, and assessment
- Transparent reasoning to assist judicial decision-making
- Judge retains full discretion

"Each of us is more than the worst thing we've ever done." Bryan Stevenson, Just Mercy



Key Factors

Plea Agreement/Jury Verdict

- Considered but not binding; informs sentencing recommendations
- Jury verdict = Consideration of Conviction, Enhancements, Aggravating Factors (If applicable)

Nature of the Crime

- Severity and context of the offense. (I.E., Role, victims, weapons, under the influence, mental awareness, planned or crime of opportunity, etc.)

History

- Prior record/Supervision performance
- Background factors (I.E., Social history, family history/impact, education/employment, psychological and behavioral health, financial, military background, transitional age youth)

Compliance and Responsibility

- An individual's willingness to accept and comply with probation terms
- Remorse demonstrated

Victim's Input

- Impact statements detailing effects on victims are crucial
- Restitution and/or opportunities for restoration
- CR110/CR111 forms

Validated Assessment

Results/Rehabilitation Potential

- Risk/Needs/Responsivity, participation in programs, commitment to change
- Public Safety
- Alternatives to Incarceration/Holistic approach

Eligibility/Suitability/Factors

- Determine if eligible/suitable. If not, statutorily or presumptively?
- Aggravating/Mitigating Factors

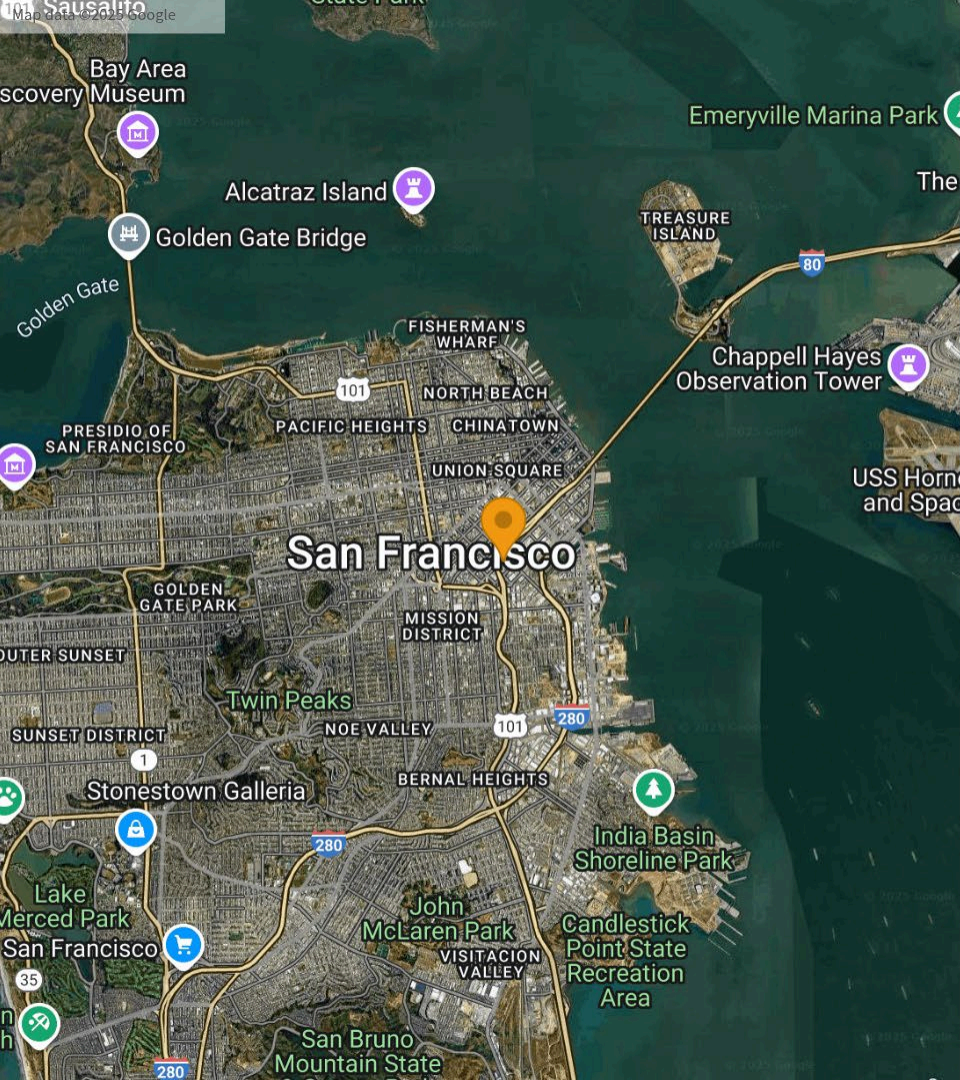
Considerations and Challenges



- **Plea bargaining process**
Invalid plea or proposed dispositions
(I.E., 1170(h) PC eligibility)
- **Enhancements**
Can add an additional period to a proposal
- **Court Calendars**
Scheduling
- **Failure to Report/Locate**
Once released, the individual does not report.
No valid record of address, phone number, etc.
Transferred to another jurisdiction
- **Lack of Important Information/Resources**
Court referral or inaccurate information
CTS records, incident report or trial records
Program Information/Verification
Other pertinent information
- **Ongoing Training and Analysis**
Legal Updates
Change in practices

Key Takeaways

- ✓ Pillars of Probation
- ✓ Key Factors
- ✓ Role in Sentencing
- ✓ Ongoing training



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