

CITY AND COUNTY OF SAN FRANCISCO
JUVENILE PROBATION COMMISSION



LONDON N. BREED, MAYOR

JUVENILE PROBATION COMMISSION

FULL COMMISSION REGULAR MEETING MINUTES

Wednesday, March 9, 2022

5:30 p.m.

Meeting held by teleconference pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency.

Full Commission

Margaret Brodtkin, President

Joseph Arellano

Johanna Laco

Toye Moses

James Spingola

Meeting Minutes

Proceedings:

1. Roll Call:
President Brodtkin called the meeting to order at 5:36 p.m.
Present: Margaret Brodtkin; Johanna Laco; Toye Moses; and James Spingola.
Commissioner Arellano was excused.

Others Present: Katherine Miller, Chief Probation Officer, and Department staff.
2. Findings To Allow Teleconferenced Meetings Under California Government Code Section 54953(e) (Discussion and Possible Action)
Motion to adopt resolution (see supporting document at:
<https://sfgov.org/juvprobation/sites/default/files/Findings%20Motion%20-%20Juvenile%20Probation%20Commission.pdf>.
Motion to adopt resolution as drafted to allow teleconference meetings to continue by Commissioner Moses; second by Commissioner Spingola.
No public comments.
AYES (4): Brodtkin; Laco; Moses; and Spingola.
Motion approved.
Commissioner Laco introduced herself and said she is the Research Director of California Policy Lab at UC Berkeley. She said she does quantitative research on criminal justice issues, is really looking forward to helping the outcomes for youth and their families in San Francisco, and working with the Commission.
3. No public comments.

4. Review and Approval of the Full Commission Meeting Minutes of February 9, 2022 (ACTION ITEM)
Motion to approve by Commissioner Brodtkin; second by Commissioner Moses.
No public comments.
AYES (4): Brodtkin; Lacoë; Moses; and Spingola.
Motion approved.
5. Report on Close Juvenile Hall Report from Board of Supervisors President Shamann Walton's office (DISCUSSION)
Tracy Gallardo discussed the different types of priorities the Supervisors are looking at such as warrants, how they are used appropriately; tiered warrants; in-take; reduction of number of youths in detention; and development of mental and behavioral health services.
- Tracy Gallardo, Legislative Aid to President Walton, said Supervisor Walton is interested in tiered warrants, a community intake process, reduction of the number of youth in detention and the development of mental and behavioral health services. She said CJHWG has submitted their final plan; they held one hearing on the submission and will hear the item again at the Children, Youth, and Their Families meeting in May. She said regarding reform, they are in support of the Wellness/Advocate/Co lead position that has been recommended and will continue to meet with various groups to receive input. She said the closure has been impacted by the recent merging of DJJ youth and they are exploring options presented and are open to other ideas. She said they would like to highlight the need for family support and have family needs addressed.
- No public comments.
6. California Policy Lab Make It Right Presentation by Dr. Steven Raphael (DISCUSSION)
Dr. Raphael discussed the study and processes that determine criteria for youths regarding eligibility to generate cases to keep service providers at capacity. See supporting document at: [Can Restorative Justice Conferencing Reduce Recidivism? Evidence From the "Make It Right" Program \(sfgov.org\)](https://www.sfgov.org/cpl/mir)
- o treatment assignments and choices.
 - o MIR causes a permanent reduction in arrest, cumulative rearrest hazard, discussing likelihood of being arrested within a certain number of days.
 - o MIR reduces felony arrests: felony and any arrests.
- President Brodtkin asked what they could do to get more kids referred to Make It Right; how to make sure agencies are following-up; and if agencies are a part of cases being successful or not. She said this is not the only restorative justice program offered in SF.
Commissioner Lacoë said there are not that many kids being arrested in SF on serious charges that are eligible and trying to expand the number of kids to get in program and have it work in the same way can be challenging.
- Public Comments:
- Denise Coleman, Huckleberry Youth Programs CARC, said they are a sub-contractor to Community Works West, and act as agreement monitors. She said they sit in the conference and support youths in completing their agreements to keep them on track.
Chief Miller said research shows that strongest findings are found when it is for a serious case. She said this model is fully designed to be a true alternative to the existing system. She said what happens after is important and shows significantly lower rearrests.
President Brodtkin said there is still a high rearrest rate for not only people in the program but for those comparable, and is hoping as a Commission they can get data on outcomes on rearrest rates and what is and is not successful to lower rate.
Commissioner Spingola expressed concern and asked if youths, ages 15 though 18, are represented by a parent. Dr. Raphael said a parent or legal guardian would have to give legal consent to participate in program.
Denise Coleman said coordinators, like case managers, prepare youths for the conference; prepare them to sit in front of people and talk about the frame of mind they were in when they were committed; and to help repair the harm for both parties. She said coordinators are there in the best interest of the kids.
Commissioner Spingola expressed concern for the youths and feels it is traumatizing.

Sandra Santana said part of the restorative process is to never create or induce trauma for the youth and they work with the youth's parent or legal guardian to support them through the conferencing process and with the person harmed so everyone feels supported and everything is equal. She said a coordinator's role in restorative circling is to provide a caring, kind, trauma-informed space, and coordinators are trained to handle restorative justice, conflict, and de-escalate any conflict that may arise in conferencing. She said they have not had any escalation or conflicts.

Commissioner Moses asked how they can prevent youths from initially being booked.

Chief Miller said this is prosecutor diversion, so the front end has already happened. She said they will discuss DA's diversion models at the June meeting.

7. JPD Monthly Data Report (DISCUSSION)

Celina Cuevas highlighted SF JPD monthly report through January 2022.

See supporting document at: [202201_JPC_Monthly_Report_03.09.22_Final.pdf \(sfgov.org\)](#)

- o Juvenile Hall Snapshot: N=13, population by gender, race ethnicity, age, county, & status;
- o ADP by Race Ethnicity: average daily population 100% black youths;
- o Admissions by Primary Reason: 74% in January were mandatory detentions for 707b offenses, 26% due to fire arm possession;
- o Probation, CARC & MIR Referrals: seeing higher number of referrals to Probation, but low number of referrals to CARC & Make It Right;
- o Active Caseload by Unit: decrease in AB12 with exiting first cohort; others remain stable;
- o Deep Dives: CBO-JPD Workgroups in May and Diversion in June;

President Brodtkin expressed concerns of lower referrals to CARC and Make It Right. She said it is inconsistent with where they are trying to go which is to have fewer kids in the system. She appreciates the accurate data but it raises concern. She would like to schedule an Ad Hoc meeting with Chief Miller and Commissioner Lacoé to review and condense data, discuss items that have fallen off the report, and things that they should hear more about. She would like to report to the Commission how to make the data more accessible.

Commissioner Lacoé said it would be helpful to discuss eligible people because it is hard from the number of referrals to understand if the share who is eligible is changing, or not enough eligible people are coming through the door.

8. Reports to the Commission (DISCUSSION AND POSSIBLE ACTION)

a. President's Report – Retreat, Committees, Appointments

President Brodtkin discussed the CJHWG final report. She presented testimony on the importance of the Commission, history of the Commission, and the role they intend to play in overseeing the close in collaboration with other departments: Health; SFPD, DCYF; and HSA. President Brodtkin said they are waiting to get their guidance as BOS develop their own policies and priorities about in-take, reduction of number of youths in detention, and development of mental and behavioral health services.

President Brodtkin said Commissioner Lacoé will now chair the Programs Committee; Commissioner Arellano recommended Noe Valley Library for the JPC retreat; and Nancy Rubin will facilitate meeting. President Brodtkin will hold planning meetings with Chief Miller to discuss goals for the year and roles as an oversight Commission for JPD.

Motion to hold JPC retreat at Noe Valley library in late April/early May and hire Nancy Rubin to facilitate to discuss goals for the year and perform roles as oversight Commission for JPD by Commissioner Moses, second by Commissioner Lacoé.

AYES: (4) Brodtkin; Lacoé; Moses and Spingola.

Motion passes.

No public comments.

b. Chief's Report presented by Chief Miller:

- Workforce Update:
 - o Alex Souza promoted to Senior Secretary, a new position in charge of all clerks;
 - o new Finance Director, Veronica Martinez;
 - o new Utility Worker Specialist;
 - o two new on-call Juvenile Hall Counselors;
 - o Four employees have moved to provisional Juvenile Hall Counselor roles;

- Stationary Engineer left;
- Glenn DeLeon, Finance Manager/Finance Analyst capacity moved on;
- Cheryl Taylor, Interim Finance Director, moved to PUC.
- Juvenile Justice System Transformation Updates
 - Supervisors are looking at warrants and tiered warrants, warrants that may result in detention or may result in not having to detain youth. First meeting with court partners at end of month and will look at models in other jurisdictions;
 - DJJ Realignment: submitted DJJ's closure plan to the state in December. Met with Office of Youth and Community Restoration that will oversee work. Next phase is using funding from the state to create new plans/services, including having more credible messenger programming for youths in Hall/community, and having more holistic support for families and funding in the form of community grants. President Brodtkin asked to define "credible messenger." Chief Miller referred to "life coach models, life experience in the system." Maria McKee said they are working with a UC Berkeley student to do an evaluation on electronic monitoring and will be doing a quantitative analysis to move all data and look at all outcomes, as well as having conversations with justice and community-based stakeholders, and youths. Maria will present more on this in May.
- Log Cabin Ranch

Chief Miller said Mayor Breed asked for a list of ways LCR can be used. Chief Miller said they discussed this at the Programs Committee and heard ideas from attendees. She said the California Conservation Corp reached out to take over the property to do programming for young people/adults around fire safety and training. She will also meet with Rec and Park, PUC, Real Estate, and other City department for suggestions. President Brodtkin said California Conservation Corp offered to update LCR at their costs.
- Capital Planning Budget

Chief Miller said the budget was submitted and will go before BOS on June 17th and 22nd. She discussed their capital budget, capital projects exceeding \$100K, for boiler repairs and facility maintenance. She said next year's submission will include elevator repairs, land erosion, air exchange and exhaust system, window replacement, and a placeholder of \$500K for the City to hire an architect to redesign Juvenile Hall.
- c. 02-15 Programs Committee Report

President Brodtkin said they discussed updates on AB12 youths, extended foster care youths that graduated from out-of-system and placement, including AFS.

Public Comments:

Mollie Brown said there are now 25 outstanding warrants, down from 50 last year, and all 43 AB12 youths that emancipated on January 1st received stipends.

9. Future Agenda Items (ACTION ITEM)

- Commissioner Moses requested the election of Vice President be put on next agenda.
 - Commissioner Brodtkin would like to hear about Diversion to include meetings between CBO's and JPD, and any data on referrals available in May.
- No public comments.

Announcements

10. (Closed Session)

Roll Call: Present: Margaret Brodtkin; Johanna Lacoë; Toye Moses; and James Spingola. Commissioner Moses motioned to go into closed session to discuss pending litigation, second by Commissioner Lacoë.

No public comments.

AYES: (4) Brodtkin; Lacoë; Moses; and Spingola.

Motion approved.

a. Pursuant to Government Code Section 54956.9(a) and San Francisco

Administrative Code Section 67.10(d)(1) and (2): (DISCUSSION & POSSIBLE ACTION)
CONFERENCE WITH LEGAL COUNSEL – Existing and Litigation

Existing litigation -

1. **I.H., et al., v. CCSF, US District Court, Northern District,
Case No. 20-vc-06155-AGT**

Anticipated litigation -

2. **Plaintiff Alfred Lam - Defendant CCSF**

(OPEN SESSION) Roll Call.

Present: Margaret Brodtkin; Johanna Lacoë; Toye Moses; and James Spingola.

11. Vote to elect whether to disclose any or all discussion on Item 4 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)
Commissioner Moses motioned to not disclose discussion in closed session, second by Commissioner Lacoë.
No public comment.
AYES: (4) Brodtkin; Lacoë; Moses; and Spingola.
Motion approved.
12. Adjournment (ACTION)
 - President Brodtkin adjourned the meeting at 7:38 p.m.

For more information, contact the Commission Secretary at 415-753-7870 or visit:
<http://sfgov.org/juvprobation/juvenile-probation-commission-meeting-information>
<http://sfgov.org/juvprobation/juvenile-probation-commission-audio-archive>