

Reentry Council

City & County of San Francisco

DRAFT MINUTES

Tuesday, April 29, 2014
10:00 a.m.

Milton Marks Conference Center Auditorium
455 Golden Gate Avenue
San Francisco, CA

Members in Attendance: Cristine DeBerry (alternate for District Attorney George Gascón, co-chair), Paul Henderson (alternate for Mayor Edwin Lee, co-chair), Ali Riker (alternate for Sheriff Ross Mirkarimi, co-chair), Public Defender Jeff Adachi (co-chair), Chief Wendy Still (co-chair), Noel Belton (alternate for Chief Yador Harrell), Joseph Calderon, Jasmine Dawson (alternate for Maria Su), Armel Farnsworth (alternate for Steve Lin), Stanley Goff, Omorde Rico Hamilton, Ernest Kirkwood, Craig Murdock (alternate for Jo Robinson), Chief Allen Nance, Karen Roye, Deputy Chief David Shinn (alternate for Chief Gregory Suhr), and Keenia Williams.

Members Absent: Steve Arcelona, Greg Asay, Robert Bowden, Leslie Levitas.

1. Call to Order and Introductions.

At 10:10 am, Paul Henderson called the meeting to order and welcomed the public and the Council. He acknowledged the co-chairs and asked the other members to introduce themselves.

2. Public Comment on Any Item Listed Below as for “Discussion Only.”

Paul Henderson invited members of the public to review the agenda and speak on any agenda item. There were no comments.

3. Review and Adoption of Meeting Minutes of February 11, 2014 (discussion & possible action).

Paul Henderson asked members to review the minutes from the last meeting. Henderson asked for any comments from Council members and upon hearing none, asked for a motion to approve the minutes. Chief Nance motioned, Cristine DeBerry seconded and the motion carried at 11:16.

4. Welcome New Reentry Council Member Keenia Williams, Mayoral Appointee (discussion only).

Henderson acknowledged and introduced Keenia Williams, who is the newest Mayoral appointee to the Council. Keenia gave a brief introduction and thanked the Council for giving her the opportunity to share her opinions and to be a part of the Council’s effort.

5. Staff Report on Activities of the Reentry Council (discussion only).

Henderson invited Jennifer Scaife, Acting Director of the Reentry Division, to provide a brief staff report on the activities of the Reentry Council. Jennifer indicated that on page 15 of the packet was an updated roster of Council members. Jennifer mentioned that Macio Lyons, the Reentry Council appointee to the WICAC, had stepped down, and that the WICAC would be undergoing some restructuring as a result of legislation introduced by David Chiu, president of the Board of Supervisors. Jennifer announced that Sara

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Felicia Moore Jordan is no longer with APD and that the Reentry Division will be recruiting for her position. She acknowledged that due to staffing changes over the last few months, regrettably, the Reentry Council has not been able to convene its subcommittee meetings, despite interest from individuals. She stated that it is anticipated that by the middle of May, meetings will be scheduled. Jeff Adachi asked when the last meetings occurred and Jennifer said they happened in October. Nonetheless, Jennifer explained that current members have since been reaching out and getting members on board. Adachi asked if this was simply a result of a staffing issue and Jennifer concurred that it was. Paul Henderson asked if there were any other questions and there were none.

6. Regular Update on Reentry Related Funding and Update on Implementation of the Second Chance Act funded projects, with Presentation by Gary Levene, Supervising Probation Officer, Juvenile Probation Department, on the Juvenile Collaborative Reentry Unit (JCRU) (discussion only).

Henderson invited Jennifer Scaife to give an update on relevant reentry funding awards to San Francisco agencies. Jennifer instructed the Council and public to refer to page 19 of the agenda packet, where it lists the active grants and page 26, which details the pending applications. Jennifer explained that there have been three collaborative grants planning meetings and she thanked those people who have participated. Jennifer then pointed out that there are currently four pending applications: two submitted by the San Francisco Department of Public Health – one for older adults with co-occurring substance abuse and mental health disorders and one aimed at developing and expanding Behavioral Health Treatment Court Collaborative; one submitted by the San Francisco Adult Probation Department focused on Smart Supervision as a way to improve probation and parole success rates; and finally one submitted by the SFSD focused on providing technology career training programs for incarcerated individuals.

Jeff Adachi thanked Jennifer for the overview and asked if anyone is tracking who is receiving services that are provided by the direct service grants that we currently have in place amongst the different Departments. Jennifer said that she is not aware of any cross referencing data across various grantees. Chief Still agreed that there is a need to have a researcher in place to pull this together but there would still need to be data user agreements in place and it would be a challenging undertaking considering agencies currently exist on varying data systems. Chief Still reminded the Council that DPH has periodically provided a list of individuals and service utilization and the impact of this on medical and mental health dollars and this might be something people could work towards. Jeff Adachi reiterated that he would like to see a system in place to track all services being utilized by the criminal justice population and suggested that the data warehouse might allow us to connect the dots.

Ali Riker asked if all of the grants require recidivism analysis. She asked if this was a requirement, and if so, were all grantees coming to SFSD for this. Craig Murdock explained that even within the Second Chance Act Funding, the requirements and data reporting varies. He clarified that the grants that were listed in the packet are just a very small slice of services available. He noted that DPH has a lot of data on accessed services because of billing requirements but there are many other services that are being provided that are not tracked. Karen Roye agreed that it would be very complicated. Armel Farnsworth asked if it was true that we don't track any of our outcomes for any of this investment and was told that this was inaccurate. Jennifer Scaife pointed out that each agency is tracking outcomes individually but does not have the ability to share this information across agencies at this point. Karen Roye said that tracking recidivism is a condition of certain grants and it's the funder who ultimately drives the direction of the grant and that currently, everyone is tracking separately. Chief Still acknowledged that although there is currently not a mechanism in place, JUSTIS would provide us this opportunity and that by having a data analysis warehouse, we could have a better understanding of services and outcomes. She further explained that because clients are accessing multiple services there is no way to understand this correlation of other services.

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Chief Nance said that there is a way to develop the capacity to track the utilization of services by an individual client and that some of this will be done through JUSTIS. He said that at Juvenile Probation the following questions were asked: Are there certain young people who are having better outcomes than others? And if so, what services are those individuals accessing? To what extent are these investments yielding the outcomes that we want? He further acknowledged that there needs to be a system beyond JUSTIS that allows agencies to look at the same data and ask the same questions.

Following this discussion, Jennifer Scaife introduced Gary Levene, from Juvenile Probation and Rebecca Marcus from the Public Defender's office to talk about the Juvenile Collaborative Reentry Unit (JRCU). Gary introduced the program and explained that it was a result of a three year DOJ grant, which began the JRCU. He explained that initially, there was limited staff consisting of one Probation Defender, one Case Planner, one Case Coordinator, and one Probation Officer. These individuals worked to serve youth in out of home placement who were represented by a Public Defender. Because of its impact, a one year extension was awarded and the program was able to expand its capacity.

Levene explained that the main objective of JCRU is to reach out to youth, maintain contact, build relationships, create case plans with families, invest in collaborative planning, and ultimately to present the court with a reentry plan for youth returning to the community who will continue to be supported by Juvenile Probation.

Levene introduced Rebecca Marcus to talk more about the importance of this collaboration. She explained because individuals in the JRCU have such high needs, everyone must work together in order to support this young people (judges, probation, the Public Defender's office, and community partners). She finished by acknowledging that AB12 provided these additional resources for housing and really allowed resources to be extended to those in the foster care system. Levene followed by reporting that in 2013, JRCU served 59 youth and of those, there was an 11.8% recidivism rate.

Chief Nance commented that he is very proud of this work and the response it has generated from young people and their families. He agreed that the success of this program is extraordinary.

Jeff Adachi followed by asking (1) what is the current capacity of this program and is it enough and (2) how is the disproportion of arrests and detention of people of color being addressed? Levene said he thought that the capacity was adequate because fewer youth are being committed and that currently, they are able to dedicate a lot of resources to these youth. Rebecca Marcus interjected by saying that from her perspective, there could always be additional resources. She works with a caseload of 125 youth and in her mind, more means more. In regards to looking at the disproportionality of minorities, she concluded by saying that the outcomes have shown great improvements in regards to this issue but she is still very concerned with gender specific services due to the high degree of trauma seen amongst this population.

Paul Henderson asked the Council to skip Agenda Item 7 and move to Agenda item 12. He asked Chief Still to give an update on the implementation of Realignment in San Francisco.

Chief Still left the meeting at 11:02 and the Council was joined by Martin Krizay, Chief Deputy.

7. Regular Update on Legislative and Policy Issues Related to Reentry (discussion only).

Paul Henderson asked Jennifer Scaife to provide an update regarding any relevant state and local legislation. Jennifer provided a brief overview of the materials in the packets provided to members.

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8. Presentation by Zoë Polk, Director of Policy and Social Justice, San Francisco Human Rights Commission, on the Implementation of the Fair Chance Ordinance (discussion only).

Paul Henderson invited Zoe Polk, Director of Policy and Social Justice for the San Francisco Human Rights Commission, to provide an update on the Implementation of the Fair Chance Ordinance. Polk referred to page 39 of the packet to give an overview of the Fair Chance Ordinance, which is an ordinance to amend police and administrative codes that consider criminal history in employment and housing decisions. She announced that it will go into effect August 13, 2014 and that the Human Rights Commission (HRC), in consultation with the Mayor's Office of Housing and Community Development, shall be responsible for administrative enforcement of the housing portions of the ordinance.

9. Update on Implementation of the Justice Reinvestment Initiative, with Presentation by Lore Joplin of the Crime and Justice Institute (discussion only).

Paul Henderson welcomed Lore Joplin of the Crime and Justice Institute to provide an update on San Francisco's Justice Reinvestment Initiative (JRI). The Reentry Council prioritized three strategies to focus on in partnership with the JRI team. Lore presented an update on the status of the Phase II application, and a summary of the interviews she conducted with Council members over the last few months.

Joplin explained that on page 43 of the packet is a report that provides a summary of the information that came out of the interviews with members of the Reentry Council of San Francisco. She explained that although the Council submitted its Phase II to the BJA, they are still awaiting a response. She said that the purpose of these interviews was to prepare for the completion of BJA's JRI Phase II Checklist in anticipation of the approval of the proposal. She followed by stating that the implementation plan and budget will follow.

Sixteen people were interviewed (individually and in groups) and asked about hopes, strengths, barriers, and challenges regarding the three strategies identified in the proposal:

Strategy A: Eliminate disproportionality of people of color in the San Francisco criminal justice system

Strategy B: Shorten the standard length of probation sentences

Strategy C: Maintain and expand pretrial alternatives to sentences

Joplin concluded by stating the next steps need to be as follows:

- Receive the letter of approval from BJA
- Develop and implementation plan and budget proposal
- Reconvene at August Reentry Council meeting

Chief Nance asked if items are listed in order of priority and Joplin responded that they are not. Joplin explained that the current thought is that BJA will give approval on Strategies B and C and will want more information regarding Strategy A. She explained the reason for this being that the BJA sees Strategy A as involving a data collection piece. Jennifer Scaife added that the BJA will most likely ask us to conduct a decision point analysis before approving Strategy A and eventually granting approval to move forward.

Jeff Adachi questioned why Strategy B has not already happened considering it seems straightforward and it is something that has been discussed extensively. Martin Krizay responded that Chief Still has been working with the judicial oversight committee and will need to meet with the District Attorney and Public Defender in order to discuss certain eligibility criteria surrounding those individuals who will be considered for a two year term of probation.

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10. Presentation by Whitney Tymas, Director of the Prosecution and Racial Justice Program, Vera Institute of Justice (discussion only).

Jennifer Scaife introduced Whitney Tymas, Director of the Prosecution and Racial Justice Program (PRJ) at the Vera Institute of Justice who currently is working with the San Francisco District Attorney's Office to analyze data about the exercise and impacts of prosecutorial discretion, to assist in developing routine policies and practices to promote fairness, efficiency and professionalism in prosecution, and to provide technical assistance to help the department implement those measures.

Tymas provided an overview of the Vera Institute of Justice and acknowledged the need for research to advance racial equity in prosecution. She reiterated the mission of PRJ and explained its methodology.

Jeff Adachi applauded their effort at examining how race impacts the decisions made in the DA's office but asked if they looked to see how the individuals themselves are affected by it – the Public Defender's Office, the Client, the families, the Probation Department, etc. He acknowledged being fearful that there might be implicit bias and suspected it possible that even some defense attorneys may be unconsciously racist. He suggested that it be important to start thinking about how to integrate other stakeholders' perceptions into this work or community. An idea he proposed was to create a community investment group in order to get additional context. He stated that the context could be critical in understanding the data and that it would be important to have conversations and not just run numbers.

Chief Nance followed by stating that early decisions impact later decisions down the road. He asked Tymas how receptive individuals were to talking about race in the criminal justice systems. She responded that it had been challenging to ask people to do something they are not used to doing but she sees that things are beginning to change, as the Vera Institute is still receiving invitations, so clearly, this signal a shift and a willingness to be transparent and open.

Cristine DeBerry pointed out that the San Francisco District Attorney's Office sought out Vera to look specifically at the DA's office in an in depth way and acknowledged that there are other phases of bias that the DA inherits. She again pointed out that this effort is only looking at the DA's specific decisions in order to create additional information. DeBerry concluded by encouraging every agency to make similar investigations into themselves. She stated that there is great value in taking a look individually and collectively (through JRI process) but also thought there needs to be a better system for collecting and examining data and each Department should consider having a budget in order to provide for analysts who could produce this information.

11. Regular Update on Activities of the Juvenile Justice Coordinating Council, Sentencing Commission, Workforce Investment Community Advisory Committee, Community Corrections Partnership and Collaborative Courts (discussion only).

This agenda item was postponed until the August Reentry Council meeting.

12. Regular Update on the Implementation of Public Safety Realignment (discussion only).

Chief Still reported that since October 2011, APD has supervised 980 clients under AB109, about two-thirds of whom were PRCS clients and one-third Mandatory Supervision. Almost half (47%) of all AB109 clients to date have completed their supervision terms and of those, 67% completed successfully. She followed by acknowledging that 86% of active AB109 clients have been assessed as high risk so this number is outstanding. Chief Still also reported that San Francisco uses split sentences under 1170h at a rate that is twice the statewide average rate. Of all 1170h sentences given since October 2011, 54% have

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been split sentences. Finally, Chief Still announced that SFAPD received a high performance grant 1.6 million dollars and that 100% of this allocation will be reinvested back in services. She is convinced that intensive supervision court is something worth investing in and expanding.

13. Council Members' Comments, Questions, and Requests for Future Agenda Items (discussion only).

Ernest Kirkwood expressed his concern with prison resources prior to release and wanted clarification on page 26 of the packet as to the population actually being served by the grant. Jennifer Scaife responded to Ernest's question and clarified that it is the local population.

14. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.

Paul Henderson invited the public to comment.

Jess Taylor, CEO of the Smart Reentry Technology Initiative, introduced himself. He spoke about garnering support from the Reentry Council for the work that his organization is doing. He explained that SRTI's main goal is to generate data and information and use this to better serve those individuals involved in reentry. He said that they have already identified over 1600 data points and a partnership with the Council and the work that it is doing, seems natural. He invited 2 members of the Council to sit of the Smart Reentry Technology Initiative's board as indication of the mutual commitment.

15. Adjournment.

Paul Henderson thanked everyone and reminded members and the public of the next meeting. She asked for a motion to adjourn. The meeting adjourned at 12:16.