

**Reentry Council
City & County of San Francisco**

DRAFT MINUTES

Thursday, October 25th, 2019

10am- 12pm

St. Anthony's Foundation

150 Golden Gate Avenue

San Francisco, CA 94102

Member Present: Manohar Raju, Public Defender's Office (co-chair); Suzy Loftus, Interim District Attorney (co-chair); Jana Taylor, Adult Probation Department representing Karen Fletcher (co-chair); Matthew Freeman, San Francisco Sheriff Department representing Vicki Hennessy (co-chair); James Caldwell, representing Mayor Breed's Office (co-chair); Gary Levene, Juvenile Probation Department representing Allen Nance; Angela Coleman, Board Appointee; Aspen Marshall, California Department of Corrections & Rehabilitation, Division of Parole Operations; Jose Bernal, Board Appointee; Teddy Tolliver, Board Appointee; Sheryl Meyers, Department of Child Support Services; Jasmine Dawson, Department of Children, Youth & Their Families; Lisa Lightman, Superior Court of California, County of San Francisco; Malik Wade, Mayoral Appointee, Supervisor Sandra Lee Fewer of the Board of Supervisors; Susie Smith, Human Services Agency; Captain John Gemornin, San Francisco Police Department; Victoria Westbrook, Board Appointee; Amy Rizer, U.S. Probation Office; Sheenia Branner, Mayoral Appointee; Norma Ruiz, Mayoral Appointee, and Tajuana Gray representing; Office of Economic and Workforce Development

Members Absent: Angelica Almeida, Department of Public Health, Representative from Department of Homelessness & Supportive Housing; Teddy Tolliver, Board Appointee;

1. Call to Order and Introductions.

Public Defender Manohar Raju, chair of 10/25/2019 meeting, called the meeting to order at 10:05am. Manohar Raju thanked everyone for coming, acknowledged his co-chairs and welcomed the two newest members of the Reentry Council—James Caldwell and Malik Wade. The chair gave the new members an opportunity to introduce themselves to the Council.

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

There was no public comment for this agenda item.

3. Review and Adoption of Meeting Minutes of July 25th, 2019 (discussion & possible action).

Public Defender Manohar Raju asked the Council to review the minutes of the July 25, 2019 meeting. Suzy Loftus motioned to adopt the amended minutes. Sheenia Branner seconded the motion. The vote was unanimous and the minutes were adopted.

4. Staff Report on Activities of the Reentry Council and its Subcommittees (discussion & possible action).

Lauren Bell, Director of the Reentry Division and Geoffrea Morris, Reentry Policy Planner, provided the staff report on activities of the Reentry Council. Lauren welcomed the new members and acknowledged the contribution of current and former council members like former District Attorney, George Gascon, and Sherriff Vicki Hennessey. In light of Lisa Lightman's upcoming retirement as the Director of Collaborative Courts, Lauren took a moment to express gratitude for Lisa Lightman's contributions and help in reshaping San Francisco's criminal justice system with Collaborative Courts.

a. Staff Updates

i. Racial Equity Work-Criminal Justice Work Group/Police Commission Diversity, Inclusion, Bias Inventory

Geoffrea Morris, Reentry Planner, and Tara Anderson, Director of Policy for the District Attorney's Office, announced the Police Commission's adoption of the Criminal Justice Racial Equity Statement (page 10 in the public packet). Geoffrea informed the Council that in December 2020, all City departments will need to present a Racial Equity Action Plan to the Mayor, Board of Supervisors and Office of Racial Equity. The equity statement developed by the Criminal Justice Work Group and adopted by all of San Francisco Criminal Justice agencies will tie individual departments together in this endeavor.

Geoffrea thanked all the criminal justice partners for complying with the Council's request for their Diversity, Inclusion, Bias inventory trainings list. Tara informed the body of the next steps after reviewing the inventories. Tara Anderson shared the concept of having a collective learning experience through opportunities via the Safety and Justice Challenge grant fund; whereby all criminal justice partners, staff-law enforcement, Public Defender's Office, District Attorney and Courts come together for a daylong learning experience on the topics of structural racism, implicit bias and procedural justice. Tara stated there will be many challenges to make this idea a reality in 2020, however Tara shared the examples of Houston, Texas and Milwaukee, Wisconsin where local criminal justice partners had come together for one day out of the year for this effort. Tara also stated court's calendar in those jurisdictions had "gone dark" in order to ensure racial equity subject matter was discussed. From these efforts, an ongoing book group comprised of staff across criminal justice agencies meets quarterly for continued discussion. She hopes these examples serve as inspiration for San Francisco to continue the momentum around this work. Tara thanked all the departments who contributed to the inventory. Additionally, she shared that GARE-the Government Alliance on Racial Equity has expressed interest in having Tara and Geoffrea share their experience in Washington D.C. and North Carolina.

Women's Gender Responsive Work

Victoria Westbrook, Women's Gender Responsive Coordinator for the Adult Probation Department provided updates on the Women's Gender Responsive work happening at Adult Probation since taking the role in July 2019. The role is charged with developing, implementing and advancing a clear and actionable path in helping justice involved cis/trans women and gender non-conforming individuals. Victoria stated that she facilitated a panel at the Reentry Conference and Resource Fair called "Women Getting Out and Staying Out Together", launched a quarterly newsletter (pg. 11-15 packet), participated in the Cis and Trans Women's Working Group and LGBTQ youth initiative focused on homelessness and criminal justice contact with the TAY trans/GNC community. Additionally, in partnership with the Sheriff's department, Victoria stated has strategized ways to support safe, specific and successful reentry efforts. Victoria went on to say she has met with community leaders and trans/GNC individuals currently incarcerated in the Reentry Pod and wants to ensure their participation in the development of strategies.

Upon Victoria's conclusion, Geoffrea Morris brought the Council's attention to page 16 of the public packet; which was an announcement of the Human Rights

Commission's meeting regarding the "State of LGBTQ Youth Homelessness" on Wednesday, November 6th, 2019.

ii. Report on Newest Mayoral Appointment

Malik Wade introduced himself to the Council under agenda item # 1.

iii. Updated Members Roster

Geoffrea Morris noted that the Reentry Council member roster has been updated to reflect the current membership of the Council (pg.17).

iv. Reentry Council Calendar for 2020

Geoffrea Morris shared the 2020 meeting calendar (pg.23).

v. 2020 New Criminal Justice Laws

Geoffrea Morris shared status updates for legislation the Reentry Council had endorsed (pg. 24-25). AB 1076 Automatic Relief of Criminal Records, AB 1331 Data Quality in Criminal Records, SB 136 One Year Enhancement Repeal, SB 310 Jury Service were all signed into law. SB 42, Getting Home Safe Act, was vetoed after being passed in both houses. Geoffrea shared the Governor's veto message, which supported the legislation in spirit, but due to costs accrued by the state for local jail operations, the governor felt the law would be too costly and that he could not be passed in its current form.

vi. Fair Chance Five Year Commemoration

Geoffrea informed the Council that on November 7th, 2019, there would be a Five Year Commemoration of the Fair Chance Ordinance on the steps of City Hall. She stated we will be celebrating the leaders who made the legislation possible followed by a Job Fair at the Market on Market with 15 employers. She encouraged all Council members to attend (pg.26). She stated HSA had assisted with the outreach and that over 80,000 SF residents living in identified system impacted zip codes were invited to come to the rally and job fair.

b. Subcommittee Updates

i. Roster for Direct Services and Legislative, Policy, and Practices

Geoffrea Morris directed the council's attention to the most recent roster of members of the Reentry Council's subcommittees (pg. 27).

ii. 8/22/2019 Reentry Council District Attorney Candidate Forum

The District Candidate Forum was reported by Geoffrea Morris to be a phenomenal success with over 175 people in attendance. Jose Bernal moderated the panel. He asked important questions reflecting the issue areas of the reentry community. Geoffrea also recognized Council members: Sheenia Branner and Norma Ruiz for their assistance during the event.

iii. 10/10/2019 Voter Registration Drive

On October 10th, 2019 the Reentry Council and its subcommittees held a voter registration drive in partnership with the Office of Elections. 3 individuals were registered to vote and a lot of voter informational material was disseminated into the community.

iv. 12/2/2019 Reentry Council Subcommittees Retreat

Geoffrea announced the 2019 Reentry Council retreat will be held on December 2nd, 2019 at the Port's Pier 1. All departments are encouraged to send at least one representative to attend. Geoffrea informed the council that this meeting usually drives the work of the Reentry Council and its subcommittees for the following year, 2020.

5. Regular Update on Activities of the Juvenile Justice Coordinating Council, Sentencing Commission, Collaborative Courts, and Community Corrections Partnership, LEAD, Prop 47 (discussion only).

Jana Taylor reported on the annual Community Corrections Partnership (CCP). She informed the Council that the annual CCP meeting was held on August 15th, 2019 and that the following items were discussed at this meeting, which were:

1) The CCP adopted the Criminal Justice Racial Equity Statement 2) The partnership decided to facilitate a more robust convening with the CCP's Executive Committee in November to discuss the potential of doing AB109 funds and programs evaluation in order to create a Five Year Report. 3) Lastly, Jana informed the Council that the CCP would be discussing the Innovation Fund at its November Executive Committee meeting. She also noted that, Geoffrea Morris would be scheduling the November's meeting in the near future.

Angelica Almeida presented on the Prop 47 grant and the Law Enforcement Assisted Diversion (LEAD) Program provide general updates.

Lisa Lightman provided updates from the Collaborative Courts. The Young Adult Court (YAC) started an evaluation with the National Institute of Justice and Young Adult Court of Orange County. Lisa stated the results of this evaluation would be shared once it is completed and available in a few years. Lisa Lightman announced that her successor, Alyson West will be the new Director of Collaborative Courts, leaving a vacancy in the role of Collaborative Justice/Behavioral Justice Courts Coordinator.

Sheryl Myers representing Karen Roye, Child Support Services Director, reported on the activities of the Sentencing Commission, which was held on October 18th, 2019. In addition to the staffing report of the Sentencing Commission's activities, updates from the Racial Equity workgroup, Safety and Justice Challenge grant, Sheryl stated there was also a presentation on milestone credits given at the Sentencing Commission by Nick Gregoratos from the Sheriff's Department, Prisoner Legal Services. Sheryl stated as of the meeting's date, the Sheriff had awarded 55 milestone translating into 113 credited days. Sheryl informed the Council that the next Sentencing Commission meeting is scheduled for December 4, 2019.

After a request for comments by Public Defender Manohar Raju, Jose Bernal stated that he was pleased that the CCP will be assessing AB109 program funding as there is a vague public understanding of how those funds are used. After making a public information request, he has a better understanding of how San Francisco allocates its AB109 funding, however, Council member Jose Bernal called for more transparency and the opportunity for the reentry community to have an input on the funds are used.

There was no public comment for this agenda item.

6. Review the Ordinance Clean Up and the Inclusion of Reentry Council Co-Chair from the Previously Incarcerated Community

At the July 25th, 2019 Reentry Council meeting, the Council unanimously passed a motion expanding the number of co-chairs, from 5 to 6, to include a member representing the formerly

incarcerated community. The council reviewed the changes to the ordinance (pg. 30-34), after which Public Defender Manohar Raju called for a discussion of the language prior to final adoption. Geoffrea Morris also noted that the language had been edited to be humanizing and other minor updates to reflect the current status of the Council. Upon review and adoption, Supervisor Fewer would introduce the ordinance.

Victoria Westbrook suggested that Page 32 Line 23 replace the words “have been” to “be” a formerly incarcerated person. There was a request to change Page 32 Line 19, which uses “former inmates” to another term. Susie Smith asked how or if the changes would impact recruitment or retention of appointed members. Geoffrea Morris clarified that the difficulty in recruiting Council members pertained to the Transitional Age Youth seat, which recently Mayor London Breed amended the language to include anyone under 35 who was incarcerated before the age of 24, which is now the seat council member Sheenia Branner holds.

Victoria Westbrook motioned to adopt the ordinance as amended. Seconded by Susie Smith.

Upon public request for comment, Simin Shamji, the Public Defender’s Office recommended to include language, which states Mayoral, and Board appointees should also not be employees of agencies represented on the Reentry Council, so that ideas brought to the Council remain independent from the departments. Sheenia Branner asked if this would also include nonprofits who are contracted through a represented agency. Simin further clarified that, her recommendation to the Council is really a matter for discussion for the Council, but the goal of the recommendation is to prevent any potential conflicts of interest. Victoria, stated that as an employee of the Adult Probation Department and as a formerly incarcerated person appointed to the Council that her position as an employee would not interfere with the Reentry Council, however could see how it could be a potential concern, but not a given. Jose Bernal acknowledged Victoria’s commitment, but also could see how this could be a potential conflict of interest and stated how autonomy and the ability to speak freely outside of your employed organization can be important. Jose was supportive of language stating that Mayoral and Board appointees may not also be employed by any of the agencies represented on the Council, however in consideration of Victoria’s membership, Jose stated he believes that this should become effective until after her tenure. Lauren Bell asked that the Council to consider that similar to unbiased decision making on a jury, that members of the Council representing departments have the ability to have their own ideas that don’t necessarily conflict with a department as a whole.

After this discussion, the council clarified the motion, the motion to adopt the ordinance as amended by earlier comments stands.

Susie Loftus stated that the recommendation by Simin Shamji is an important. Suzy also shared concerns of excluding membership to individuals working for City funded non-profit organizations, as many reentry related work by nonprofit partners is supported by the city qualified applicants.

Geoffrea Morris added again that the motion for the Councils consideration was adopting the ordinance as amended and that as Chair, Public Defender Manohar Raju can table the matter. Public Defender Manohar Raju called for a vote, the vote was unanimous and the motions passed.

Jose Bernal made a motion for the subcommittees to further discuss the potential conflicts of mayoral and board appointees. Suzy Loftus seconded the motion.

Public Comment: A member of the public asked if this language would affect someone with a more extensive criminal record. Geoffrea Morris, as the Reentry Council Planner, answered the

member of the public's clarifying question. She informed the member of the public that the Reentry Council's membership does not have criminal history criteria. She stated the only criteria is that the appointed members be justice involved.

Public Defender Manohar Raju called for a vote, the vote was unanimous and the motions passed.

It was decided that Sandra Fewer would introduce the ordinance pending the subcommittees discussion and recommendation for additional language.

7. Presentation on the Census 2020 by Office of Civic Engagement and Immigrant Affairs

Robert Clinton, Office of Civic Engagement and Immigrant Affairs presented on the upcoming 2020 census (pg. 35). Robert explained to the Council that the Census determines funding for critical social programs and it determines our representation in Congress, House of Representatives and Electoral College. All people, regardless of citizenship, system involvement is meant to participate. Only 9 questions will be on the census, none will contain questions related to citizenship or justice involvement. Robert emphasized the importance of everyone completing the census as it greatly influences funding decisions. The data collected by the census is not shared by other government agencies. This motive is to encourage people to complete the census. He encouraged the Council to share the word with system-impacted communities about the 2020 census. He stated California struggles to count certain populations, such as homeless, minorities, etc. If someone is in jail outside the county they reside, then they will be counted in the county they are currently incarcerated in. Robert stated that census workers can make up to \$30 an hour and that the Census Bureau is looking for applicants. The Census begins March 30, 2020.

8. Presentation on Hepatitis C management in San Francisco County Jails by Jail Health Services (pg. 41-45)

Dr. Clemenzi-Allen from Jail Health Services presented on how Hep C is treated and managed while in custody (pg. 41). There's been strides in Hep C treatment over the past few years, however there are limitations of the reach of the interventions. For example, it's believed that 17-35% of people in custody will test positive for Hep C, compared to 1% of the general population. It costs \$400-\$1200 per pill per day, with treatment taking 8-12 weeks. STD testing is being done in jail, with ability to provide immediate test results for some test types, increasing the opportunity for education and post-release connection to community treatment options. While in custody testing is steadily increasing, only 11% of in custody intakes resulted in Hep C testing. Dr. Clemenzi-Allen stated that there were further opportunities to increase those receiving tests, the perception of testing and the linkages to aftercare treatment. He shared the success of having peer navigators who can assist individuals with aftercare treatment post-release. Due to the cost of treatment, connection to post-release services is greatest opportunity for coordinated Hep C treatment, along with minimizing barriers to providing treatment while incarcerated.

Victoria Westbrook inquired if the number of those participating in Hep C testing were connected to the jail operations. Dr. Clemenzi-Allen explained limited staffing can contribute, however a main driver as to why so few of the jails population participated in Hep C testing is that 50% of those going through medical intake actually accept testing. Victoria asked if any medical tests were mandated, to which Dr. Clemenzi-Allen responded that patients can refuse any test-none are mandated. Victoria asked if there were an educational materials disseminated during medical intake. Dr. Clemenzi-Allen stated that educational programs take place while in-custody.

Tara Anderson asked if there was any information from the study regarding individuals released from custody who were from out of county. Dr. Clemenzi-Allen responded that he would need to check with evaluators.

Sheenia Branner asked for clarification on the cost of treatment. The cost of treatment is \$1000 per pill, per day multiplied by the weeks of treatment it may take each individual (8-12).

Public Comment: A member of the public asked information regarding the treatment of Hepatitis A. Dr. Clemenzi-Allen responded that there is not a rapid testing platform for Hepatitis A, however last year there was a known outbreak of Hep A and Jail Health Services expanded testing and immunizations. He did not have the exact numbers.

9. Closure of 850 Bryant's CJ4 introduced by Council Member Jose Bernal

Public Defender Manohar Raju directed the council's attention to Mayor Breed's October 17, 2019 press release regarding her plans to close Hall of Justice to make way for a future Justice Campus (pg. 46). She announced that all incarcerated people would be moving out of the seismically unsafe Bryant Street Wing of the building no later than July 2021, to coincide with the previously announce administrative exit. On October 18th, 2019 Supervisor Haney held a hearing during the Board of Supervisors' Public Safety and Neighborhood Services Committee on the plans to close 850 Bryant Street-County Jail 4. Over 100 people spoke during public comment on this matter.

Council member, Jose Bernal, asked that the Reentry Council have a discussion on this matter and possible action. He stated that as the only official body tasked to help individuals exiting out of jails and prisons and returning to San Francisco, which has formally incarcerated people as members that is important for the Reentry Council to weigh in on this matter. Jose stated that he recognizes that the Reentry Council will not solely solve this issue, but can ensure that those with lived experience can help advice elected officials in the interest of the reentry community. Jose stated he was against any plans of sending San Francisco incarcerated people to Alameda.

Victoria Westbrook shared her experience at Santa Rita Jail and expressed how strong of a contrast San Francisco County Jail is to Santa Rita-staff, layout, programming. Recognizing all the work that has been done to date by all involved justice partners, she hopes that other options are considered rather than Santa Rita.

Undersheriff Matt Freeman provided some background leading to the current situation. In 2006, San Francisco passed a 10-year capital plan with a priority of replacement of the Hall of Justice and in concert with city partners began planning what that it was to look like. The project was advanced with AB109 fund initiatives. \$80 million dollars was awarded to San Francisco for the construction of a replacement of County Jail #3 & Jail #4, representing 858 jails beds. The redesign included 384, representing a significant bed decrease and designed with treatment and care in mind. In 2015, the Board of Supervisors rejected the money and the project died. A group called the Re-envisioning the Jail was formed and many initiatives, ideas and concepts came out of the workgroup to form a new criminal justice framework. Many of the initiatives were put into place, including milestone credits, robust pretrial diversion programming, however the average daily population has not dropped significantly to close the Hall of Justice Jails without replacement. While the Sherriff supports the continued efforts of reducing the jail population. With the Mayor's proclamation, there are however realties, to which the Sheriff has provided 3 proposals 1) Replacement 384 bed detention and rehabilitation facility at the Hall of Justice site. 2) Renovate the existing small jail at San Bruno 3) Reconfigured criminal justice campus in the 2028 plan. The July 2021 deadline is fast approaching and a decision will need to be made soon. The Sheriff's Department researched jail beds to lease across Bay Area Counties; the only county that has the capacity to lease is Alameda County. There are two options for consideration; Santa Rita Jail which utilizes Alameda Sherriff's department staff or Glen Dire Jail. Undersheriff stated the Glen Dire Jail is completely vacate and the operations could be ran by SF County Sheriff and

Department of Public Health completely. The Glen Dire option is extremely expensive in comparison to leasing beds at Santa Rita.

Sheenia Branner commented that families also need to be considered in making any decision and she expressed how visitation between family members is severely limited at Santa Rita Jail.

Public Comment: Simin Shamji stressed that there is a public health crisis affecting poor predominately black and brown people in which San Francisco relies on the criminal justice system (jails, probation etc) to solve. Simin challenged the assumption that all individuals incarcerated are dangerous. She cited that only a few individuals actually go to state prison each year and that the District Attorney releases almost half of the people without any charges and for those that do get charged, the time is done in county jail she add that most of those in SF County Jail cycle are in and out of the system. Simin stated that rather than considering Santa Rita as an option, Simin stated the right option would be to properly implement 36 suggested strategies (as document from Re-envisioning the Jail workgroup) along closely examining the use of funds can help reinvest in housing, supportive treatment, medical and mental health and vocational training

A member of the public asked if there were jobs. Geoffrea Morris responded that there is a robust employment efforts and cited that as a whole the city has a 2% unemployment rate, but there remains challenges to serve black and brown population. The Office of Economic and Workforce Development employs various strategies to engage communities that are often underserved. Geoffrea also mentioned the Reentry Council would be hosting a Fair Chance Job fair was scheduled for November 7th.

Jose Bernal motioned that the Council table this matter until the January 2020 council meeting and have the Reentry Council subcommittees further discuss it. The motion was seconded by Sheenia Branner. There was no further public comment. Public Defender Manohar Raju called for a vote, the vote was unanimous and the motions passed.

10. Council Members' Comments, Questions, and Requests for Future Agenda Items

No Comment

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

Geoffrea Morris circled back to Agenda Item #4 Staff report on 2020 Criminal Justice laws (pg. 24-25).

Geoffrea also shared that due to in large part Council member's Jose Bernal's efforts, gang injunctions are no longer in effect in San Francisco. She stated a press conference will be held with the City Attorney organized by Supervisor Sandra Fewer Office.

12. Adjournment

Public Defender Manohar Raju thanked everyone for a great meeting and expressed a pleasure to be sitting on the Reentry Council. The next meeting is scheduled for January 23, 2020 at 10am at St. Anthony Foundation, located at 150 Golden Gate Avenue.

Sheenia Branner motioned to adjourn the meeting; which was seconded by Norma Ruiz. The vote was unanimous and the motion passed. The meeting was adjourned at 12:07pm.