

Reentry Council

City & County of San Francisco

MINUTES

Thursday, November 10, 2016

10:00 a.m.

Milton Marks Auditorium, California State Building
455 Golden Gate Ave.
San Francisco, CA

Members in Attendance: Public Defender Jeff Adachi (co-chair), Cristine DeBerry (alternate for District Attorney George Gascón) (co-chair), Chief Karen Fletcher, co-chair, Ali Riker (alternate for Sheriff Vicki Hennessy) (co-chair), Supervisor John Avalos, Angela Coleman, Captain Michael Connolly (alternate for Acting Chief Toney Chaplin), Mark Culkins, Martin Figueroa (alternate for Steve Lin), Ernest Kirkwood, Leslie Levitas, Jeffrey Mori (alternate for Michael Carr), Chief Allen Nance, Veronica Ramirez (alternate for Yador Harrell), Karen Roye, Maria Su, James Whelley (alternate for Trent Rhorer)

Members Absent: Paul Henderson, (alternate for Mayor Edward Lee) (co-chair), Joseph Calderon, Kimberli Courtney, Omoredede Rico Hamilton, Craig Murdock

1. **Call to Order and Introductions**

Jeff Adachi called the meeting to order at 10:08am and welcomed the public and the Council. He acknowledged new members John Avalos and Mark Culkins. He then introduced the co-chairs and asked the other members to introduce themselves.

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

Mr. Adachi invited members of the public to review the agenda and speak on any agenda item. There was no comment.

3. **Review and Adoption of Meeting Minutes of June 30, 2016 (discussion & possible action).**

Mr. Adachi asked members to review the minutes from the last meeting. He asked for any comments from Council members. Upon hearing no comments, he asked for a motion to approve the minutes. There was no public comment and motion passed.

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

a. Staff updates

Karen Shain reported that the Rules Committee of the Board of Supervisors met to determine board appointees of the Reentry Council on October 27, 2016. As a result, Joe Calderon and Ernest Kirkwood will be retiring from the council after serving their terms. Jose Bernal and James Lowden are expected to join the council following their appointment by the Board of Supervisors meeting on Tuesday, November 15th. The Reentry Council would like to thank Ernest Kirkwood and Joe Calderon for their years of service to the Reentry Council. Ernest Kirkwood was presented a rose. Council members thanked Ernest for his service and expressed their appreciation for his knowledge, lived experience and passion brought to the council. It was expressed that the council and their respective departments would like to continue to remain in partnership with Ernest Kirkwood through upcoming opportunities.

Introduction of new Reentry Division staff member

Lauren Bell introduced Adult Probation’s Reentry Research Director, Tara Agnese. Tara comes to the department with a wealth of criminal justice knowledge and connections. Previous to this role, Tara worked at the Judicial Council of California. Her skillset

Reentry Council

City & County of San Francisco

includes research design and she is anticipated to be an amazing asset to the Reentry Division of the Adult Probation Department and the Reentry Council.

Steve Adami, Reentry Resources Coordinator updated the council on the publication of *Getting Out and Staying Out: A Guide to San Francisco Resources for People Leaving Jails and Prisons*. In partnership with the Our Children Our Families Council, guide has been selected to be digitized. The conversations are at a preliminary stage and more updates will be presented to the council at future meetings. Steve Adami also reported on the current distribution of the guides, where they are making their way to county jails, local organization and individuals incarcerated in prisons throughout the greater state. It was suggested by Steve Lin that the guides be made available to the monthly lifer meetings. John Avalos also asked for a copy for his office.

b. Subcommittee updates

The Policy and Operational Practices Subcommittee has been focused on the Re-Envisioning the Jails dialogue. The Re-Envisioning the Jail report will be sent out to council members.

The Assessment and Connections Subcommittee is working on a plan to create stronger access to services and basic necessities upon release from local county jail.

The update on the Support and Opportunities Subcommittee was presented by the chair, Ernest Kirkwood. The Subcommittee, in partnership with the Archdiocese of San Francisco, plans to host a dinner event for families of the incarcerated. The aim of the event is to build community and connections to families of individuals incarcerated, as part of a continued effort. Financial support was requested from the Co-Chairs of the Reentry Council to account for a \$5,000 deficit. The council asked questions regarding the proposed event, such as event goals, outreach plan, and contribution collection responsibility. Partnerships with San Francisco Children of Incarcerated Parents Partnership and Community Works West were given as suggestions. The Department of Children, Youth and Families also agreed to participate in the event as a partner. Ernest Kirkwood was open to suggestions and collaborations to help plan the event, which is aimed to better understand how to best support families. The Reentry Division was asked to help coordinate event and brainstorm long term goals. Julio Escobar from the San Francisco Archdiocese will retain fiscal sponsorship responsibilities. Karen Fletcher moved to partner, seconded by Ernest Kirkwood. With no public comment, cosponsorship of this event was approved by the Council.

5. **Regular Update on Legislation and Funding Related to Reentry** (discussion and possible action)

a. Final Update on 2016 Legislation

Karen pointed members to Page 9 of the supporting materials. Of the bills that the Reentry Council forwarded to the Mayor for support and which the City agreed to support, three were passed and signed by the Governor. The video visitation bill was vetoed. a

b. Update on Funding. Members were asked to look at the funding pages in the supporting materials at their leisure.

c. Update on MIOCR Grant from Sheriff's Department

Ali Riker provided the following summary of the work done through the MIOCR grant:

Reentry Council

City & County of San Francisco

The MIOCRG grant awarded to the SFSD is focused on providing housing and peer support for clients of the Misdemeanor Behavioral Health Court.

Over the first year, 36 clients have been enrolled. A review of the incarceration history in San Francisco for these 36 individuals reveals that in the 12 months prior to their enrollment, these 36 individuals utilized a combined total of 4,407 jail bed days, and represented 113 psych emergency room visits, which includes both Police and Sheriff's department transfers and self-referrals. These numbers highlight that the new court is taking on some very challenging clients. An additional 14 clients were enrolled over the past quarter ending Sept. 30.

The Grant Objectives are to:

- **Increase engagement with mental health treatment providers**

18 or 50% of the Misdemeanor Behavioral Health Court participants were previously unlinked with mental health treatment. These clients were assessed and linked with the appropriate level of care, whether that was outpatient treatment, intensive case management or residential care.

- **Increase compliance with court ordered treatment plan**

On May 19, the Court celebrated its first graduation with 2 clients successfully completing the program. In addition to following through on their mental health treatment, both of these clients participated in residential treatment and have been linked with ongoing case management. It's been almost six months since their graduation and neither has returned to jail or the psych emergency room.

- **Reduce criminal justice system involvement as measured by arraignments for new offenses in San Francisco.**

Prior to their involvement with the Misdemeanor Behavioral Health Court, these 36 individuals had significant histories of criminal justice contact, yet only four of these court participants have been arraigned for new offenses in San Francisco.

Finally, Ali extended an invitation to members to attend the next graduation of the Behavioral Health Court and the Misdemeanor Behavioral Health Court, scheduled for December 8, 2016, 10am, in Department 15 of the Superior Court.

Jeff Adachi responded to the update with the reminder that the participants of the program wait lengthy periods, almost as much as if they had received the maximum sentence. He suggested looking for solutions to expedite the waiting process. Christine DeBerry also recognized the challenge, and asked the council to focus on citywide solutions outside of jail beds, as there remains a shortage of residential mental health treatment beds. Continuing to operate without a solution, she expressed, is to continue to use the least effective and most expensive method.

6. Regular Update on Activities of the Juvenile Justice Coordinating Council, Sentencing Commission, Collaborative Courts, and Community Corrections Partnership, Reenvisioning the Jail Working Group (discussion only).

Chief Nance reported on the Juvenile Justice Coordinating Council, which last met on September 13th. The key item on the meeting's agenda was the presentation by Circle One. Circle One's gender responsive models are being adopted by the Log Cabin Ranch and the Juvenile Justice

Reentry Council

City & County of San Francisco

Center. The goal is to develop local action plan in which the community sentiments are reflected. The next meeting will be held on December 13th, 2016. Chief Nance reported that the new Recreational Merit Center is expected to open next week. The Center will serve as an alternative to room confinement, as envisioned by Senate Bill 1143 which aims to transform youth confinement.

The Sentencing Commission was held on September 14th, 2016. Two presentations were given, including Risk/Needs Assessment 101 by Michael Thompson, and Risk, Race and Recidivism: Predictive Bias and Desperate Impact by Jennifer Skeem. The next Sentencing Commission meeting will be held on December 14th at 10am. A guest speaker, a Judge from Dade County will share a report on the Mental Health Diversion Project that seeks to divert those affected with mental health issues from the criminal justice system.

The Community Corrections Partnership was held in September. The Community Corrections Executive Partnership will be meeting in December to discuss how AB109 funding is disseminated across criminal justice partners, in an effort to have a greater impact on the conversation with the Board of Supervisors and the Mayor's office going into budget discussions.

7. Possible By-Laws Changes: Add Department of Homelessness and Supportive Housing; increase timeframe for Board Appointment seat (discussion & possible action)

Karen reported that the Department of Homelessness and Supportive Housing has expressed interest in joining the Reentry Council. She also said that it is difficult to find qualified applicants to the Reentry Council who have been released a maximum of two years prior to joining the Council (a requirement for one of the Board-appointed seats).

It was moved and seconded that the number of Reentry Council members be increased to 24, that the Department of Homelessness and Supportive Housing be invited to join the Council, and that the number of years prior to joining the Council be increased from two to three.

John Avalos proposed that he can bring this agenda item up at the Tuesday November 15th, Board of Supervisors meeting if this item is ready.

As there was no public comment, the motion passed unanimously.

8. Report on Racial Disparity Data Analysis by Joy Bonaguro, Mayor's Chief Data Officer (discussion only)

Joy Bonaguro presented the results of her survey regarding race and ethnicity data, particularly in terms of determining racial and ethnic categories. She stated that all departments surveyed capture race categories but they are not consistent in terms of categories used. However, all departments stated that it would be feasible to change the way they are capturing race and ethnicity. She proposed a three-step process to developing consistency: (1) map existing requirements and best practices; (2) develop a standard (cross walked to existing reporting requirements); (3) implementation. She suggested that all partners examine the US Census proposal for classification, with the hope of bringing San Francisco into alignment with this national standard.

It was agreed that this is an urgent matter and must be addressed quickly in order to move forward with reducing disparities. Joy agreed to convene the criminal justice partners before the New Year in order to make some decisions that can be acted upon.

Reentry Council

City & County of San Francisco

9. Comments from Sheryl Davis, Executive Director, Human Rights Commission (discussion only)

Jeff Adachi welcomed Sheryl Davis, the new Executive Director of San Francisco's Human Rights Coalition to the meeting.

Sheryl stated that the HRC is working to develop a collaborative approach to building equity and reducing racial and ethnic disparities across San Francisco. She said that the Commission will continue to work on racial and gender equity. She said that there will be a commitment to collaborate across the City/County to build racial equity, and she pointed to the work of Black to the Future, which will be presenting its report on November 22nd. There will be formal invitations to Reentry Council members. She also stated that there will be a continued commitment on the part of the Commission to lead on gender issues.

Members stated their support for the work of the Human Rights Commission and their desire to partner with the Commission when possible.

10. Report from Co-Chairs on Departmental Decision Point Analysis Process (discussion & possible action)

Mr. Adachi called up on the criminal justice partners to present their departmental strategies to develop a decision point analysis regarding racial and ethnic disparities.

Karen Fletcher stated that the Adult Probation Department has identified the following areas for analysis: (1) overall demographics of probation clients; (2) risk-based sentencing recommendations; (3) motions to revoke probation; (4) flash incarcerations ; (4) early terminations. The goal is to determine whether or not there are areas of decision-making biases, and what areas those are. If bias is substantiated, APD will explore steps to address and mitigate any potential bias.

Christine DeBerry identified the following decision points: (1) charging decisions, (2) pre-trial detention, (3) what cases go to trial vs. plea bargains, (4) likelihood of conviction and sentencing outcomes for those convicted, (5) impact of race of victim on decisions.

Ali Riker reported for the Sheriff's Department. The Department will be investigating the newly-implemented Public Safety Assessment tool, alternatives to incarceration and NoVA admission decision processes. The goal is to inform policy decisions and potentially effect changes in practices, taking into account factors such as severity of offense, criminal history, in-custody and post release conduct, and/or criminal behavior.

Michael Connolly reported that San Francisco Police Department has undergone extensive investigations. There were some 479 recommendations given to the Department by the U.S. Department of Justice to combat identified existing issues including; use of force, community policing, accountability in hiring and training. The Department has agreed that these areas will be addressed and rectified within 18 month timeframe. Many of these recommendations intersect with decision making points that work to eliminate racial and ethnic disparities. The Department is moving aggressively and will share its decision points with the Council.

Jeff Adachi reported that the San Francisco Public Defender's Office is examining racial disparities when it comes to plea bargains vs trials. They are also looking at outcomes of bail

Reentry Council

City & County of San Francisco

motions, including racial/ethnic information about clients, judges, DAs and Deputy Public Defenders. The Public Defender's Office will continue to participate in annual implicit bias trainings. A policy analyst will be hired to analyze data and coordinate around racial and ethnic disparities. The Office will also continue to identify other unfair practices that disproportionately affect individuals through the Criminal Justice system and identify solutions.

Karen thanked the departments for the work they have done so far and asked the four departments to continue their examination process. She asked that all be prepared to provide a preliminary report at the April meeting of the Council, which a final report at the July meeting. In the meantime, she will contact other members of the Council to see if their departments will be able to provide a report on their work at the January meeting of the Council.

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

Ernest Kirkwood would like to thank the council once again for all the support.

Jeff Mori from the Office of Economic and Workforce Development shared the following department news; 1) OEWD is reporting realignment employment and will be prepared to share their analysis at an upcoming meeting. 2) OWED is preparing a 5 year plan-which has made efforts to be inclusive of the reentry population.

Karen Roye asked that Hope SF be invited to present to the council at an upcoming meeting. Chief Allen Nance concurs.

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

Pheobe Vanderhorst stated that it is taking way too long to eliminate disparities in San Francisco's criminal justice system. She stated that SFPD is racist and corrupt and needs to be addressed. She said that she believes the Reentry Council should fund other community housing programs and domestic violence programs. She also said that she believes restitution fines should be eliminated.

Jose Bernal-Program introduced himself and expressed gratitude that he will be sitting on the Council. He would like to take the opportunity to talk about the influence of the private prison industry. He believes this is a particularly timely topic since the stock market announced huge gains for the private prison industry following the announcement of the president of elect. He has learned that LCA-Reentry Services has been acquired by a private company, Supercom, and he wonders if San Francisco wants to have business ties with an international corporation. He hopes that the Reentry Council will address this important question.

Mark Walsh is a member of the Policy and Operational Practices Subcommittee. He stated that he is encouraged to hear the discussion that happened at the meeting today. He stated that he would like to hear from speakers that represent families. He then spoke about the importance of addressing the needs of people who are on California's sexual offender registration list. He said that California is one of only 4 states remaining that does not use a tiered registration system and that he hopes that the Council will take actions in recommending to the state to change this. He said that the California Sex Offender Management Board is planning to sponsor legislation that will create a tiered registration system.

13. Adjournment. Jeff Adachi thanked the public for its comments and asked for a motion to adjourn the meeting. It was moved and seconded, and the meeting was adjourned at 12:30 pm.