

[Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs.]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional \$20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 6, 2006, a proposal to amend the Charter of the City and County by adding Section 16.126 to read as follows:

Note: Additions are *single-underline italics Times New Roman font*.
Deletions are ~~*strikethrough italics Times New Roman font*~~.

SEC. 16.126. HOMICIDE PREVENTION PLAN, SURVIVOR ASSISTANCE AND VIOLENCE PREVENTION.

The City and County of San Francisco recognizes the high homicide rate as a symptom of economic disparities and social inequities and acknowledges and wishes to remedy the tremendous loss to families, friends and loved ones caused by homicide, attempted homicide and other violent crimes. The City and County of San Francisco also recognizes the need for violence prevention programs that are culturally competent in their design, effective in their implementation, and targeted to communities with limited access to opportunity and institutional power where violent crimes most often occurs. Accordingly, the City and County of San

Francisco will take the following actions to create employment opportunities, invest in violence prevention programs, and assist victims of homicide, attempted homicide, and death by gunfire:

(a) **Homicide Prevention Plan.**

(1) **Homicide Prevention Planning Council.** There is hereby established a Homicide Prevention Planning Council.

(A) **Public Members.** The Planning Council shall include eleven voting members selected from the public and communities affected by the homicide epidemic, including youth, people of color, and members of the lesbian/gay/bisexual/transgender community. The Mayor shall appoint five public members to the Council and the Board of Supervisors shall appoint six members. Public members must be residents of San Francisco. Public members shall have four-year terms and shall serve at the pleasure of the appointing authorities, who shall fill any subsequent vacancies in the seats they originally appointed.

(B) **City Official Members.** The following officials, or their designees, shall serve as non-voting members of the Planning Council: the Mayor; the President of the Board of Supervisors or another Supervisor designated by the President of the Board; the City Attorney; the District Attorney; the Public Defender; the Sheriff; the President of the Police Commission; the Chief of Police; the Chief of Adult Probation; the President of the Juvenile Probation Commission; the Chief of Juvenile Probation; the Director of Public Health; the Director of Human Services; the Director of the Department of Children, Youth, and Their Families; the Director of the Department of Economic and Workforce Development; a representative from the Youth Commission; a representative from the Mayor's Office of Community Development; and a representative from the Mayor's Office of Criminal Justice. The Presiding Judge of the San Francisco Trial Court, ~~and~~ the Superintendent of Schools of the San Francisco Unified School District, and the Executive Director of the San Francisco Housing Authority shall each be invited to send a representative to sit as an official member of the Council.

(2) **Homicide Prevention Plan.** By November 1, 2006, the Homicide Prevention Planning Council shall develop a draft Homicide Prevention Plan. Components shall include, but not be limited to: job creation and workforce training; public education efforts; community capacity building; conflict resolution and mediation between disputing parties; substance abuse treatment; mental health services and family support programs; data on homicides in San Francisco; an evaluation of existing efforts to investigate, prosecute and prevent homicides and attempted homicides; evaluation of witness protection programs; information about violence prevention and job creation programs targeted at those at highest risk; and, reports from individual City departments and agencies, as needed. Public agencies shall not be required to disclose information to the Planning Council that would compromise investigations, investigative methods, or the safety of persons. The Plan shall also be based on input gathered from communities affected by the homicide epidemic. The Mayor's Office shall provide staffing and assistance to the Planning Council

(3) **Public Hearings.** By February 1, 2007, the Police Commission, Youth Commission, Health Commission, and Juvenile Probation Commission shall hold hearings on the draft Plan and offer recommendations. The Board of Supervisors shall consider those recommendations, and any other changes to the draft Plan that it deems appropriate, as part of its own review of the Plan.

(4) **Adoption of Plan.** By April 1, 2007, the Board of Supervisors shall adopt an ordinance establishing a final Homicide Prevention Plan for the 2007-2008 fiscal year. The activities outlined in the Plan and approved by the Mayor and Board of Supervisors shall be funded using existing resources and new resources as provided in this Section. As part of the Mayor's budget submission required by Article IX of this Charter, the Controller shall certify that funding has been provided for these activities, and provide the amount per activity. The Board of Supervisors may adjust or increase this funding as part of the budget process, but may not reduce it.

(5) **Annual Updates.** The Plan shall be updated annually, following the process set out above, for the Fiscal Years 2008-2009 through 2010-2011.

(b) **Survivors' Advocate; Survivors' Fund.** There is hereby established a Survivors' Advocate in the Office of the District Attorney. The Advocate shall provide assistance to survivors of homicide victims, including referrals to appropriate agencies and departments, advocacy and information gathering, tracking of the progress of individual cases, and such additional assistance as determined by the Homicide Prevention Plan.

There is hereby established a Survivors' Fund to help defray the cost of expenses incurred by survivors, including but not limited to, burial and expenses, counseling for family, co-workers, schoolmates and friends, and other costs as may be specified in the Homicide Prevention Plan. The Survivors' Fund may include contributions from private individuals and organizations as well as public funds, and shall be audited regularly by the Controller.

(c) **Violence Prevention Programs.** Pursuant to the Homicide Prevention Plan, the City Budget for Fiscal Years 2007-2008 through 2010-2011 shall include an additional \$20 million per year, beyond amounts appropriated for such purposes in the City Budget for Fiscal Year 2004-2005, to be expended solely for violence prevention programs, including, but not limited to, job creation and workforce training, public education, community capacity building, conflict resolution, mediation, substance abuse treatment, and mental health services. These programs shall be targeted at those populations determined to be at highest risk of violence in our community.

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(d) **Expiration Date.** This Section shall expire by operation of law on June 30, 2011, and the City Attorney shall cause its provisions to be removed from future editions of the Charter.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
THOMAS J. OWEN
Deputy City Attorney