

1 [Reorganization of the Family Violence Council to concentrate on child abuse and elder abuse
2 in addition to domestic violence.]

3 **Ordinance amending Article XIX of the San Francisco Administrative Code to change**
4 **the focus of the Family Violence Council to include child abuse and senior/adult**
5 **dependent abuse in addition to domestic violence; reducing the membership of the**
6 **Council's steering committee from ten members to three members (the three co-chairs**
7 **of the Council); reducing the membership of the Council from 45 members (35 of whom**
8 **are selected by the Steering Committee and 10 of whom are specified public officials or**
9 **directors of nonprofit agencies, or their designees) to 19 members (17 required**
10 **members who are specified public officials or directors of nonprofit agencies, or their**
11 **designees, and 2 of whom are optional, at-large members appointed by the Steering**
12 **Committee); eliminating the advisory committee to the Council and assigning the**
13 **duties currently performed by the advisory committee to the Council as a whole; and**
14 **deleting that portion of the Ordinance that allows the Council to establish an**
15 **Interagency Domestic Violence Death Review Team.**

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19 Note: Additions are *single-underline italics Times New Roman*;
20 deletions are *strikethrough italics Times New Roman*.
21 Board amendment additions are double underlined.
22 Board amendment deletions are ~~strikethrough normal~~.

23 Be it ordained by the People of the City and County of San Francisco:

24 Section 1. FINDINGS. The Board of Supervisors hereby finds and determines the following:

25 1. Family violence can be defined as a pattern of behavior in any relationship that is used to
isolate, neglect, or gain/maintain power and control over an intimate partner, child, elder,

1 and/or dependent adult. Abuse is physical, sexual, emotional, economic or psychological
2 actions or threats of action that influence another person. This includes any behaviors that
3 frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone.

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5 2. Family violence is a serious and widespread social problem in the United States. Family
6 violence in all of its iterations: child abuse, domestic violence, and elder/dependent adult
7 abuse, is a leading cause of serious injury to women. A woman is beaten every nine seconds
8 in the United States. Over 500,000 elders and adults with disabilities are victims of abuse
9 each year. Three million reports of child abuse and neglect are made each year in the United
10 States, though experts estimate that the actual number of incidents is as much as 3 times
11 greater.

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13 3. Family violence is a serious and widespread social problem in San Francisco. Every year,
14 over 11,000 individuals receive domestic violence services from community-based
15 organizations in San Francisco. Almost half of all incidents of domestic violence against
16 women are not reported to the police. Over 4,000 reports of abuse of elders and adults with
17 disabilities are made to San Francisco Adult Protective Services each year. Over 6,000
18 children are referred one or more times to San Francisco Child Protective Services each year.
19 For every incidence of elder/dependent adult or child abuse that is reported to the authorities,
20 it is believed that four incidents are not reported.

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23 4. Family violence services in our City are not adequate to serve the growing numbers of
24 victims. For example: there are only three domestic violence shelters in San Francisco

1 offering fewer than 100 beds. In San Francisco, 66% of battered women and children seeking
2 shelter are turned away for lack of space. There is one shelter for abused seniors in the City;
3 it has a capacity of two people at one time. Other vital services, including legal assistance,
4 counseling, transitional housing, are also not able to meet the demand. With limited funding,
5 and in spite of threatened and actual funding cutbacks, agencies have been serving more and
6 more victims of family violence, stretching public and private resources as far as possible.
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8 5. The Board of Supervisors finds that the reduction of all types of family violence is a critical
9 societal goal. The strategy for change must be carefully planned, as an effective response
10 cannot be accomplished piecemeal.
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12 Therefore, it is the intent of the Board of Supervisors in 2007 to create the Family Violence
13 Council to address the problems of family violence with recommendations for a strategy that
14 includes all part of the justice system. The Board of Supervisors finds and declares that the
15 Family Violence Council is a framework in which the community and justice system could
16 study the response by public and private agencies and recommend programs, policies, and
17 procedures for those agencies to more effectively respond to and prevent incidents of family
18 violence.
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20 Section 2. Article XIX of the San Francisco Administrative Code is hereby amended by
21 amending Sections, 5.190 – 5.190-5 to read as follows:

22 **SEC. 5.190. ESTABLISHMENT AND PURPOSE--FAMILY VIOLENCE ~~ADVISORY~~**
23 **COUNCIL.**
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1 (a) **Establishment.** A Family Violence Council for the City and County of San Francisco
2 (referred to hereafter in this Chapter as "Council") is hereby established as an advisory body
3 to the Board of Supervisors. The Council shall consist of representatives from City agencies,
4 community-based organizations, academia, and the medical and business communities ~~a steering~~
5 committee of 10 members and an advisory committee of 35 members. The Council may create working
6 groups of its membership to facilitate the activities of the Council. All City departments,
7 commissions, boards and agencies shall cooperate with the Council in conducting its
8 business.

9 The composition of the Council shall broadly represent the ethnic, racial, gender, age
10 and sexual orientation diversity of the City and County.

11 (b) **Purpose.** The Council is established to advise and submit recommendations to the
12 Board of Supervisors that address the problems of family violence. Family violence includes
13 child abuse, domestic violence, and elder/dependent adult abuse. The Council may also advise the
14 courts of the City and County and the Mayor by submitting recommendations to improve the
15 response by these departments to family violence and abuse. The general purpose of the
16 Council shall be the following:

17 (1) Increase the awareness and understanding of ~~domestic and~~ family violence (and its
18 consequences) by establishing a series of roundtables, forums, meetings, or summits that identify,
19 highlight, and discuss critical issues pertaining to family violence so as to broaden understanding of
20 family violence and its causes and consequences among the public, governmental agencies, courts, and
21 community organizations;

22 (2) Recommend programs and policies that promote communication and coordination of City
23 and community-based organizations' services relating to child abuse, domestic violence, and
24 elder/dependent adult abuse.

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1 (2~~3~~) Recommend programs, policies and coordination of City services *to the Board of*
2 *Supervisors and Mayor* that may reduce the incidence of ~~domestic and~~ family violence in San
3 Francisco.

4 **SEC. 5.190-1. ~~ADVISORY~~ FAMILY VIOLENCE COUNCIL--DUTIES.**

5 The duties of the Council shall be the following:

6 (1) Recommend effective strategies through which public and private agencies that
7 serve victims of domestic or family violence can identify the existence of *domestic and/or* family
8 violence;

9 (2) Recommend methods of providing public education about family violence *and*
10 *abuse*;

11 (3) Facilitate communication between public and private agencies that provide
12 programs for victims of *domestic and* family violence and programs of family violence
13 intervention;

14 (4) Recommend procedures to improve the cooperation and coordination of public and
15 private agencies with all participants in the justice system who deal with family *and domestic*
16 violence, including procedures for reviewing fatalities resulting from family violence;

17 (5) Recommend a comprehensive and coordinated plan to collect data about *domestic*
18 *and* family violence in a manner that protects the identity of victims of *domestic and* family
19 violence, *and* that would make the data available to the courts, prosecutors, law enforcement
20 officers, and health care practitioners;

21 (6) Recommend ways of responding in a coordinated manner to family *and domestic*
22 violence by City departments, boards, commissions, agencies, and the courts that would
23 improve responsiveness by the City and prevent family *and domestic* violence.

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1 (7) Collect, compile and analyze public information regarding arrest and restraining order
2 enforcement policies; screening and prosecution of cases; issuances of protective orders; identifying
3 family violence in other legal proceedings; and monitoring offenders after judgment; and other
4 relevant data as needed;

5 (8) Collect, compile and analyze public information relating to programs for victims of family
6 violence and services provided for abusers on probation;

7 (9) Analyze current and projected revenue and funding sources and recommend other
8 prospective revenue sources for response to family violence; and

9 (10) Respond to inquiries of the Board of Supervisors made consistent with the duties imposed
10 by this Ordinance.

11 **SEC. 5.190-2. STEERING COMMITTEE--COMPOSITION--TERMS OF OFFICE.**

12 (a) **Composition of Steering Committee.** The members of the Steering Committee shall
13 be the three co-chairs of the Family Violence Council, who shall be selected from among the members
14 of the Family Violence Council. One co-chair will be selected from an agency or organization that
15 specializes in domestic violence; one co-chair shall be selected from an agency or organization that
16 specializes in child abuse; and one co-chair shall be selected from an agency or organization that
17 specializes in elder/dependent adult abuse. A representative from the Department on the Status of
18 Women shall provide support to the Steering Committee in scheduling meetings, developing meeting
19 agendas, and performing such other functions as are necessary to promote the work of the Family
20 Violence Council. The Steering Committee shall consist of the following:

21 ~~(1) Presiding Judge of the Superior Court or his or her designee;~~

22 ~~(2) A second designee of the Presiding Judge of the Superior Court;~~

23 ~~(3) Presiding Judge, Superior Court, Family Law Department, or his or her designee;~~

24 ~~(4) Chair of the Domestic Violence Advisory Committee;~~

1 ~~(5) President of the Board of Supervisors, or his or her designee;~~

2 ~~(6) District Attorney, or his or her designee;~~

3 ~~(7) Chief of Police, or his or her designee;~~

4 ~~(8) President, Commission on the Status of Women, or his or her designee;~~

5 ~~(9) Chief Adult Probation Officer, or his or her designee;~~

6 ~~(10) Chair of the San Francisco Domestic Violence Consortium.~~

7 ~~_____ (b) Steering Committee Chair. The Presiding Judge of the Superior Court or his or her~~
8 ~~designee representing the Superior Court shall serve as chair of the Steering Committee.~~

9 ~~(e**b**) Meetings.~~ The Steering Committee shall meet regularly at such times and places
10 ~~as the members whenever the chair~~ of the Committee shall determine.

11 ~~(e**c**) Rules and Regulations.~~ The Steering Committee may adopt reasonable rules
12 and regulations not inconsistent with the Charter or this ~~e~~Ordinance for the conduct of its
13 affairs and for the distribution and performance of its business.

14 **SEC. 5.190-3. STEERING COMMITTEE--DUTIES.**

15 The Steering Committee shall serve as the policy setting body of the Council. Duties of the
16 Steering Committee shall include the establishment of the organization and structure of the
17 Council, ~~appointment of members to the Advisory Committee and assignment of the Advisory~~
18 ~~Committee's duties,~~ creation of working groups when necessary to implement the objectives of
19 the Council, and ~~to oversee~~ oversight of the operations of the Council.

20 **SEC. 5.190-4. ADVISORY COMMITTEE FAMILY VIOLENCE COUNCIL --COMPOSITION --**
21 **TERMS OF OFFICE.**

22 (a) Composition. ~~The Advisory Committee shall consist of 35 members who shall be~~
23 ~~appointed by and serve at the pleasure of the Steering Committee. The Steering Committee shall make~~
24 ~~one appointment from each of the below enumerated entities. Where the entity is a City officer,~~

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1 ~~department, commission or agency, the Steering Committee shall make the appointment from nominees~~
2 ~~submitted by that officer, department, commission or agency~~ The Family Violence Council shall consist
3 of the following individuals:-

4 (1) Presiding Judge of the Superior Court, or his/her designee

5 (2) Mayor, or his or her designee

6 (3) President of the Board of Supervisors, or his/her designee

7 (4) District Attorney, or his/her designee

8 (5) Chief of Police, or his/her designee

9 (6) Sheriff, or his or her designee

10 (7) President of the Commission on the Status of Women, or his/her designee

11 (8) Chief of Adult Probation, or his/her designee

12 (9) Chief of Department of Emergency Management, or his/her designee

13 (10) Executive Director of the Domestic Violence Consortium, or his/her designee

14 (11) Executive Director of Human Service Agency, or his or her designee

15 (12) Executive Director of the Consortium for Elder Abuse Prevention, or his/her designee

16 (13) Executive Director of the San Francisco Child Abuse Council, or his/her designee

17 (14) Director of the Department of Public Health, or his/her designee

18 (15) Director of the Department of Adult and Aging Services, or his/her designee

19 (16) Director of the Department of Children, Youth, and Their Families, or his/her designee

20 (17) Chair of the Consortium of Batterer's Intervention Programs, or his/her designee

21 (18) Director of Child Support Services, or his or her designee

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1 The Steering Committee shall have the authority to appoint up to three at-large members to the Family
2 Violence Council. Each of these members shall serve for a term of one-year at the pleasure of the
3 Steering Committee.

4 ~~(1) Mayor, or his or her designee;~~

5 ~~(2) District Attorney, or his or her designee;~~

6 ~~(3) Public Defender, or his or her designee;~~

7 ~~(4) Police Chief, or his or her designee;~~

8 ~~(5) Sheriff, or his or her designee;~~

9 ~~(6) Chief Adult Probation Officer, or his or her designee;~~

10 ~~(7) Director, Department of Human Services or his or her designee;~~

11 ~~(8) Director, Department of Public Health or his or her designee;~~

12 ~~(9) President, Commission on the Status of Women, or his or her designee;~~

13 ~~(10) Superior Court, civil division;~~

14 ~~(11) Superior Court, criminal division;~~

15 ~~(12) Battered women's shelters;~~

16 ~~(13) Treatment programs for batterers;~~

17 ~~(14) Pretrial Release Services;~~

18 ~~(15) San Francisco Women Lawyers Alliance;~~

19 ~~(16) San Francisco Bar Association;~~

20 ~~(17) Queen's Bench;~~

21 ~~(18) Legal Aid of San Francisco;~~

22 ~~(19) Social Services Agencies;~~

23 ~~(20) Educational Institutions;~~

24 ~~(21) Medical Institutions;~~

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- 1 ~~(22) African American community;~~
2 ~~(23) Asian Pacific Islander community;~~
3 ~~(24) Latino community;~~
4 ~~(25) Other communities of color;~~
5 ~~(26) Elder community;~~
6 ~~(27) Gay and lesbian community;~~
7 ~~(28) Immigrant Services;~~
8 ~~(29) Minority Services;~~
9 ~~(30) Disabled Services;~~
10 ~~(31) Youth Services;~~
11 ~~(32) Media;~~
12 ~~(33) Religious community;~~
13 ~~(34) Business community;~~
14 ~~(35) Domestic violence survivor.~~

15 ~~The Advisory Committee may create working groups of its membership to facilitate the activities of the~~
16 ~~Committee.~~

17 (b) **Assistance of the City Attorney.** The City Attorney or his or her designee may
18 be requested to provide advice and legal counsel to the Council.

19 ~~—— (c) Terms of Office. The term of each member of the Advisory Committee shall be two years. In~~
20 ~~the event a vacancy occurs during the term of office of any member, a successor shall be appointed to~~
21 ~~complete the unexpired term of the office vacated in a manner similar to that which governed the initial~~
22 ~~appointment of the member.~~

23 (d) Meetings. The ~~Advisory Committee~~ Family Violence Council shall meet at least once
24 a quarter at such times and places as the Council Chair of the Committee shall designate.

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1 ~~SEC. 5.190-5. ADVISORY COMMITTEE DUTIES.~~

2 *The duties of the Advisory Committee shall be as follows:*

3 ~~(1) Collect and compile public information regarding arrest and restraining order enforcement~~
4 ~~policies; screening and prosecution of cases; issuances of protective orders; identifying family violence~~
5 ~~in other legal proceedings; and monitoring offenders after judgment;~~

6 ~~(2) Collect and analyze public information relating to programs for victims of family violence and~~
7 ~~services provided for abusers on probation;~~

8 ~~(3) Analyze current and projected revenue and funding sources, and recommend other prospective~~
9 ~~revenue sources for response to family and domestic violence;~~

10 ~~(4) Respond to inquiries of the Board of Supervisors made consistent with the duties imposed by this~~
11 ~~ordinance.~~

12 **SEC. 5.190-65. FAMILY VIOLENCE ADVISORY COUNCIL--ORGANIZATION.**

13 (a) Removal of Council Members. ~~If an at-large Any~~ member of the Council ~~who~~ misses
14 three regularly scheduled meetings of the Council in any 12-month period without the express
15 approval of ~~51 percent of the members of the Council,~~ given at a regularly scheduled meeting the
16 Steering Committee may appoint a new at-large member to fill his/her seat on shall be deemed to have
17 resigned from the Council. If a public or private official, or his or her designee, who occupies an ex-
18 officio seat on the Council misses three regularly scheduled meetings of the Council in any 12-month
19 period without the express approval of the Council, the Steering Committee may ask the ex-officio
20 member to designate another individual to occupy that ex-officio seat.

21 (b) Compensation. Members of the Council shall not be compensated, nor shall they
22 be reimbursed for expenses.

23 (c) Annual Report. The Council ~~shall~~may submit an annual report of its
24 recommendations to the Board of Supervisors and may submit recommendations to the
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1 courts and the Mayor. *The first report shall be issued no later than one year following the date of the*
2 *first meeting of the Council and not less often than once yearly thereafter. The Council shall annually*
3 *propose goals to be undertaken and report the accomplishment of those goals at the end of each 12-*
4 *month period. Such goals shall seek to improve coordination, response, and prevention related to*
5 *family and domestic violence.* The Council may conclude that the work of the Council has been
6 completed and request the Board of Supervisors to abolish the Council.

7 ***SEC. 5.190 7. INTERAGENCY DOMESTIC VIOLENCE DEATH REVIEW TEAM.***

8 *The San Francisco Family Violence Council may establish an Interagency Domestic Violence Death*
9 *Review Team, pursuant to and consistent with the provisions of Penal Code Section 11163.4. The*
10 *Council shall include in its annual report to the Board of Supervisors information regarding the work*
11 *of the Interagency Domestic Violence Death Review Team.*

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

15 By: _____
16 Mariam Morley
17 Deputy City Attorney

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