

BOARD of SUPERVISORS



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MEMORANDUM

Date: May 15, 2015
To: The Honorable Members, Board of Supervisors
From: *AC* Angela Calvillo, Clerk of the Board
Subject: San Francisco Sentencing Commission

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 150332 Administrative Code - Reauthorizing the San Francisco Sentencing Commission

The proposed Ordinance reauthorizes the existing San Francisco Sentencing Commission, which is set to expire on June 1, 2015. The Commission was established on February 2, 2012, to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices, and efficiently utilize criminal justice resources.

- Does a current body address the same or similar subject matter?

No, there is not a current body that addresses the same subject matter; although, the Sentencing Commission does collaborate with the Reentry Council, which was created to coordinate support for those exiting a correctional institution.

- Language requiring the body to meet at least once every four months

Section 5.250-1(e) states, "The Commission shall meet at least three times a year."



- Language indicating members serve at the pleasure of the appointing authority

The proposed legislation adds Section 5.250-1(f), which states that members serve at the pleasure of the appointing authority and can be removed at any time, with or without cause.

- Language establishing attendance requirements

The proposed legislation adds Section 5.250-1(g), which establishes membership requirements for members and provides a process to remove members for unapproved non-attendance.

- Number of seats and qualifications

The Commission consists of 12 members, or 13 if the Superior Court agrees to participate and provides one member, as follows:

- *Head or Chair of each of the following agencies/bodies shall serve, or assign one staff member to serve, as a voting member:*
 - District Attorney;*
 - Public Defender;*
 - Adult Probation;*
 - Juvenile Probation;*
 - Sheriff;*
 - Police;*
 - Department of Public Health;*
 - Reentry Council; and*
 - Superior Court, if they agree to participate on the Commission.*
- *One voting member of a nonprofit organization that works with victims, appointed by the Family Violence Council.*
- *One voting member of a non-profit organization that works with ex-offenders, appointed by the Reentry Council.*
- *One voting member who is a sentencing expert, appointed by the Board of Supervisors.*
- *One voting member who is an academic researcher with expertise in data analysis, appointed by the Mayor.*

- Term limits (i.e., commencement date? staggered terms?)

There are no term limits established for members. The intent is for all members to serve the life of the Commission, which will expire on December 31, 2017, upon passage of the proposed legislation.



- Administering department

The District Attorney's Office shall provide staff support and administrative assistance to the Commission.

- Reporting requirements

The Commission shall submit a report to the Mayor and Board of Supervisors in December every year summarizing the findings of the Commission and making recommendations based on their powers and duties. The Commission shall also report to the Board of Supervisors by June 30, 2017, recommending whether the Commission should continue to operate and whether legislative changes should be made to enhance the capacity of the Commission to achieve their goals.

- Sunset date

The Ordinance extends the sunset date of the Commission to December 31, 2017, unless the Board of Supervisors adopts an Ordinance continuing its existence based on the Commission's report due on June 30, 2017.