

BOARD of SUPERVISORS



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DATE: August 17, 2021

TO: Members of the Board of Supervisors

FROM: *J* for Angela Calvillo, Clerk of the Board

SUBJECT: 2020-2021 Civil Grand Jury report, entitled
"Continuity Report"

We are in receipt of the following required responses to the San Francisco Civil Grand Jury report released June 15, 2021, entitled: "Continuity Report." Pursuant to California Penal Code, Sections 933 and 933.05, named City Departments shall respond to the report within 60 days of receipt, or no later than August 15, 2021.

For each finding the Department response shall:

- 1) agree with the finding; or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation the Department shall report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

The Civil Grand Jury Report identified the following City Department to submit responses (attached):

- Office of the Mayor:
Received August 12, 2021;

This department response is being provided for your information, as received, and may not conform to the parameters stated in California Penal Code, Section 933.05 et seq. The Government Audit and Oversight Committee will consider the subject report, along with the responses, at a hearing in September of 2021.

jec:vy:

c:

Sophia Kittler, Mayor's Office
Andres Power, Mayor's Office
Sally Ma, Mayor's Office
Rebecca Peacock, Mayor's Office
Anne Pearson, Office of the City Attorney
Ben Rosenfield, City Controller
Todd Rydstrom, Office of the Controller
Peg Stevenson, Office of the Controller
Mark de la Rosa, Office of the Controller
Alisa Somera, Office of the Clerk of the Board
Debra Newman, Office of the Budget and Legislative Analyst
Severin Campbell, Office of the Budget and Legislative Analyst
Reuben Holober, Office of the Budget and Legislative Analyst
Ellie Schafer, 2020-2021 Foreperson, San Francisco Civil Grand Jury
Jaime Guandique, 2019-2020 Foreperson, San Francisco Civil Grand Jury
Donna Hurowitz, 2019-2020, Member, San Francisco Civil Grand Jury
Rick Crane, 2021-2022 Foreperson, San Francisco Civil Grand Jury



August 12, 2021

The Honorable Samuel K. Feng
Presiding Judge, Superior Court of California, County of San Francisco
400 McAllister Street, Room 008
San Francisco, CA 94102-4512

Dear Judge Feng,

In accordance with Penal Code 933 and 933.05, the following is in response to the 2020-2021 Civil Grand Jury Report, *Continuity Report*. We would like to thank the members of the 2020-2021 Civil Grand Jury for their thorough review in prior year responses to Civil Grand Jury findings and recommendations to ensure the responses follow statutory requirements. Also, we commend the Office of the Controller for their annual report informing the City officials and the public on updates to outstanding recommendations and collecting updated responses from City agencies.

During the annual Civil Grand Jury response process, the Mayor's Office coordinates with executive departments to respond to findings and recommendations to ensure required responses meet California Penal Code Section 933.05. The Mayor's Office evaluates the feasibility of implementing recommendations outlined in the reports with executive departments and provides summary action, timeframe, and scope of analysis in our responses if recommendations have been implemented or require further analysis. In addition, the Mayor's Office reviews all executive departments' responses to findings and recommendations to ensure the City's response is consistent and addresses the intent of the findings and recommendations. In order to be effective, we acknowledge that responses to recommendations should be annually updated until they have reached a final status, and City agencies will continue to provide a timeframe in responses, comply with statutory requirements, and provide updates to outstanding recommendations.

A detailed response from the Mayor's Office is attached.

Thank you again for the opportunity to comment on this Civil Grand Jury report.

Sincerely,

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor

2020-21 CIVIL GRAND JURY FINDINGS, RECOMMENDATIONS, AND RESPONSES TO FINDINGS AND RECOMMENDATIONS

Report Title [Publication Date]	F#	Finding (text may be duplicated due to spanning and multiple respondent effects)	Respondent Assigned by CGJ [Response Due Date]	Finding Response (Agree/ Disagree)	Finding Response Text
Continuity Report [June 15, 2021]	F1	Eleven percent of the required responses over the past three years were not compliant with California Penal Code Section 933.05 because they did not include a timeframe for implementation.	Mayor [August 14, 2021]	Disagree partially	The Mayor’s Office coordinates with executive departments to ensure that responses comply with statutory requirements. In some instances, responses over the past three years did not include a clearly articulated timeline. In other instances, the timeline was implied based on the fact that the department or agency said the recommendation will be implemented, and the recommendation included a clear timeline. Lastly, in other cases, the recommendation would have budget or legislative requirement that prevent a clear timeline from being articulated.
Continuity Report [June 15, 2021]	F2	In some cases where more than one agency is required to respond to a finding and recommendation, the responses were conflicting.	Mayor [August 14, 2021]	Disagree partially	The Mayor’s Office coordinates with executive departments to ensure that responses as a City are consistent and comply with statutory requirements. Executive departments are departments that report to the Mayor. Commissions are oversight bodies and do not report directly to the Mayor; therefore, as independent bodies their responses may differ. The Mayor’s Office and executive departments’ responses seek to be consistent and not conflicting, but may conflict with the commission’s response.
Continuity Report [June 15, 2021]	F3	The Office of the Controller’s annual report on the status of responses to previous year’s Civil Grand Jury reports is extremely helpful.	Mayor [August 14, 2021]	Agree	

2020-21 CIVIL GRAND JURY FINDINGS, RECOMMENDATIONS, AND RESPONSES TO FINDINGS AND RECOMMENDATIONS

Report Title [Publication Date]	R# [for F#]	Recommendation (text may be duplicated due to spanning and multiple respondent effects)	Respondent Assigned by CGJ [Response Due Date]	Recommendation Response (Implementation)	Recommendation Response Text
Continuity Report [June 15, 2021]	R1 [for F1]	Beginning with the required responses to the 2020-21 Civil Grand Jury recommendations, the Board of Supervisors and the Mayor should direct responding agencies to include timeframes for implementation or completion of further analysis as required by California Penal Code Section 933.05(b).	Mayor [August 14, 2021]	Has been implemented	The Mayor's Office coordinates with executive departments to respond to Civil Grand Jury findings and recommendations annually. The Mayor's Office works with executive departments to ensure the City's response is consistent and complies with California Penal Code Section 933.05(b) statutory requirements, which includes providing a timeframe for implementation or completion or an explanation of why a recommended timeframe is unattainable.
Continuity Report [June 15, 2021]	R2 [for F2]	Beginning with the required responses to the 2020-21 Civil Grand Jury recommendations, the Board of Supervisors and the Mayor should direct responding agencies to coordinate their responses to the same recommendation to ensure they do not conflict.	Mayor [August 14, 2021]	Has been implemented	During the annual Civil Grand Jury response process, the Mayor's Office coordinates with executive departments on responses to findings and recommendations to ensure the City's response is consistent, complies with statutory requirements, and addresses the intent of the findings and recommendations.
Continuity Report [June 15, 2021]		Not applicable			