

BOARD of SUPERVISORS



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MEMORANDUM

TO: All City Department Heads via Sophia Kittler, Mayor's Office
Chief William Scott, Police Department
Manohar Raju, Public Defender
George Gascon, District Attorney

FROM: Victor Young, Assistant Clerk
Rules Committee

A handwritten signature in cursive script that reads "Victor Young".

DATE: August 8, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation on July 30, 2019:

File No. 190840

Ordinance amending the Administrative Code to establish the Street-Level Drug Dealing Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies to eliminate street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the membership and duties of the Task Force.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Kanishka Karunaratne Cheng, Mayor's Office
Andres Powers, Mayors, Office
Rowena Carr, Police Department
Asja Steeves, Police Department
Deirdre Hussey, Police Department
Christine Soto DeBerry, Office of the District Attorney
Maxwell Szabo, Office of the District Attorney

1 [Administrative Code - Street-Level Drug Dealing Task Force]

2
3 **Ordinance amending the Administrative Code to establish the Street-Level Drug**
4 **Dealing Task Force to advise the Board of Supervisors, the Mayor, and City**
5 **departments regarding policies to eliminate street-level drug dealing in the Tenderloin,**
6 **Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the**
7 **membership and duties of the Task Force.**

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9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

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

17
18 Section 1. The Administrative Code is hereby amended by adding Article XXII,
19 consisting of Sections 5.22-1 through 5.22-6, to Chapter 5, to read as follows:

20 **ARTICLE XXII: STREET-LEVEL DRUG DISTRIBUTION TASK FORCE**

21 **SEC. 5.22-1. CREATION OF TASK FORCE.**

22 *The Board of Supervisors hereby establishes the Street-Level Drug Dealing Task Force (the*
23 *“Task Force”) of the City and County of San Francisco.*

24 **SEC. 5.22-2. MEMBERSHIP.**

25 *The Task Force shall consist of the following 12 voting members.*

1 (a) Seats 1, 2, and 3 shall be held by persons with experience or expertise relevant to
2 multifaceted approaches to eliminating street-level drug dealing, and shall have a background in law
3 enforcement, reentry, public health, harm reduction, community-based accountability, and/or
4 restorative justice, nominated by the District 6 Supervisor and appointed by the Board of Supervisors.

5 (b) Seats 4, 5 and 6 shall be held by persons directly impacted by street-level drug dealing,
6 including persons at-risk for experiencing crime, formerly incarcerated people or their family
7 members, individuals with past experiences of substance addiction, and/or members of other vulnerable
8 communities, nominated by the District 6 Supervisor and appointed by the Board of Supervisors.

9 (c) Seat 7 shall be held by a person with experience or expertise relevant to street-level
10 drug dealing, including people with experience as or with former street-level drug distributors,
11 economics of street-level drug distribution, and/or local drug distribution practices, nominated by the
12 District 6 Supervisor and appointed by the Board of Supervisors.

13 (d) Seats 8 and 9 shall be held by persons who are directly impacted by street-level drug
14 dealing in the neighborhoods of the Tenderloin, Mid-Market, South of Market, and/or Civic Center,
15 including residents, small business owners, nominated by the District 6 Supervisor and appointed by
22 the Board of Supervisors.

17 (e) Seat 10 shall be held by an employee of the San Francisco Police Department who shall
18 assist in providing data and statistics to the Task Force, appointed by the Chief of Police.

19 (f) Seat 11 shall be held by an employee of the Public Defender's Office, appointed by the
20 Public Defender.

21 (g) Seat 12 shall be held by an employee of the District Attorney's Office, appointed by the
22 District Attorney.

23 Seats 1, 2, 4, 5, 7, 8 and 9 shall not be held by employees of the City and County of San
24 Francisco. Seats 3 and 6 may but need not be held by employees of the City.

1 In making appointments to the Task Force, the appointing authorities shall give preference to
2 residents of the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

3
4 **SEC. 5.22-3. ORGANIZATION AND TERMS OF OFFICE.**

5 (a) Members of the Task Force shall serve at the pleasure of their respective appointing
6 authorities and may be removed by the member's appointing authority at any time. Each member may
7 remain on the Task Force until the termination of the Task Force under Section 5.22-6, unless removed
8 by the member's appointing authority. A seat that is vacant on the Task Force shall be filled by the
9 appointing authority for that seat as provided in Section 5.22-2.

10 (b) Members of the Task Force shall receive no compensation from the City, except that the
11 members in Seats 10, 11, and 12 may receive their regular City salaries for time spent on the Task
12 Force, and if members in Seats 3 and 6 are City employees, they also may receive their regular City
13 salaries for time spent on the Task Force.

14 (c) Any member who misses three regular meetings of the Task Force within a six-month
15 period without the express approval of the Task Force at or before each missed meeting shall be
22 deemed to have resigned from the Task Force 10 days after the third unapproved absence. The Task
17 Force shall inform the appointing authority and the Clerk of the Board of Supervisors of any such
18 resignation.

19 (d) The Office of Economic and Workforce Development shall provide administrative and
20 clerical support for the Task Force. All City officials and agencies shall cooperate with the Task Force
21 in the performance of its functions.

22
23 **SEC. 5.22-4. POWERS AND DUTIES.**

24 (a) The Task Force shall identify and assess the nature and magnitude of harms associated
25 with street-level drug distribution, including the costs and benefits of criminalization and its

1 alternatives, and shall evaluate options for effectively addressing negative impacts of street-level drug
2 distribution in the Tenderloin, South of Market, Civic Center, and Mid-Market neighborhoods. The
3 Task Force shall make public recommendations to the Board of Supervisors, the Mayor, and
4 appropriate City departments, commissions, boards, and agencies regarding:

5 (1) Programs and policies focused on combatting and eliminating street-level drug
6 dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods;

7 (2) Safety, crime prevention, recidivism, outreach programs, and alternatives to
8 incarceration in those neighborhoods; and

9 (3) The development of a Citywide, coordinated evidence-based strategy to combat and
10 reduce street-level drug dealing.

11 (b) Beginning March 31, 2020 and every six months thereafter, the Task Force shall submit
12 to the Board of Supervisors and the Mayor a report summarizing data regarding street-level drug
13 dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods, and making
14 recommendations regarding policies, funding levels, enforcement strategies, and other pertinent
15 matters, with the goal of combatting and eliminating street-level drug dealing in those neighborhoods.

16 (c) In collaboration with City departments and taking into account community input at
17 public meetings, the Task Force shall prepare and submit to the Board of Supervisors and the Mayor
18 by December 2, 2020, a Vision Zero Plan for the Tenderloin, Civic Center, Mid-Market, and South of
19 Market neighborhoods. The Plan shall include a comprehensive review of the City's policies,
20 procedures, and practices that involve street-level drug dealing, and recommendations on options to
21 eliminate the prevalence of street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and
22 South of Market neighborhoods.

23 (d) In conducting the assessments and making the recommendations required under this
24 Section 5.22-4, the Task Force shall consider best practices and approaches from other jurisdictions.
25 The Task Force shall also consider the perspectives of neighborhood residents (housed and unhoused),

1 business owners, youth, families, seniors, pedestrians, commuters, service providers, and service
2 consumers. The Task Force shall seek to recommend achievable, systems-level, trauma-informed,
3 data- and evidence-based policy and administrative solutions through a racial and economic equity
4 lens that will have a short-term and long-term impact on the community.

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6 **SEC. 5.22-5. MEETINGS AND PROCEDURES.**

7 (a) The Task Force shall hold its inaugural meeting not more than 90 days after the
8 effective date of the ordinance in Board File No. _____ enacting this Article XXII. There shall be at
9 least 10 days' notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall
10 hold a regular meeting not less than once each month until the sunset date set forth in Section 5.22-6.

11 (b) The Task Force shall elect its officers and may establish bylaws and rules for its
12 organization and procedures.

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14 **SEC. 5.22-6. SUNSET.**

15 Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article
22 XXII shall expire by operation of law, and the Task Force shall terminate, three years after the effective
17 date of the ordinance in Board File No. _____ enacting this Article. After that date, the City Attorney
18 shall cause this Article XXII to be removed from the Administrative Code.

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20 Section 2. Effective Date. This ordinance shall become effective 30 days after
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

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ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: 

JON GIVNER
Deputy City Attorney

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