

1 [Administrative Code - Reentry Council; Reporting Duties, Sunset Date]

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3 **Ordinance amending the Administrative Code to revise the reporting duties of the**
4 **Reentry Council, and extend the sunset date of the Reentry Council by five years, to**
5 **June 1, 2029.**

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

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

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13 Section 1. The Administrative Code is hereby amended by revising Sections 5.1-4 and
14 5.1-6 of Chapter 5, Article I, to read as follows:

15 **SEC. 5.1-4. POWERS AND DUTIES.**

16 The Council shall have the following powers and duties:

17 (a) **Identifying Funding Streams.** The Council shall identify funding at the local,
18 State, and Federal level that is earmarked or available for services or programs designed to
19 serve individuals exiting the criminal justice system. In addition, the Council shall identify
20 conditions, restrictions, or limitations on each funding stream, and shall document these
21 findings in its reports to the Mayor, the Board of Supervisors, and other appropriate entities
22 consistent with subsection (e) below.

23 (b) **Identifying Programs Serving Individuals Exiting the Criminal Justice**
24 **System.** The Council shall identify programs serving individuals exiting the criminal justice
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1 system who reside in San Francisco or who will be released to San Francisco, including
2 program capacity.

3 (c) **Identifying Needs of Reentry Population.** The Council shall identify any unmet
4 needs of this population, and propose ways to meet those needs based on existing research
5 and best practices.

6 (d) **Identifying Barriers.** The Council shall also identify barriers to safe and successful
7 re- entry presented by local, State, and Federal law, and propose ways to reduce the impact
8 of these barriers.

9 (e) **Reports.** Biennially the Council shall prepare and submit a report that shall include
10 but not be limited to information required under subsections (a), (b), (c), and (d) above.

11 *Following enactment of the ordinance in Board File No. 231081, ~~the first next~~ biennial report shall*
12 *be due ~~December 31, 2024~~ June 30, 2019.* City departments shall respond within 30 days to
13 reasonable requests for information submitted by the Council relevant to its ability to
14 discharge its powers and duties under this Article I, provided that the disclosure of such
15 information shall not be required where it would violate Federal or State law. *At least 30 days*
16 *prior to the due date for the report, the Council shall provide City Departments identified in the report*
17 *an opportunity to provide a response. The Council shall include any response from a City Department*
18 *received at least 10 days prior to the due date for the report as an addendum to the final report.* The
19 Council shall provide the *final reports, including any addenda,* to: 1) the Mayor, 2) the Board of
20 Supervisors, 3) any City department or program identified by the Council in a report, and 4)
21 the public. These reports shall be public documents. *Any City department identified in a report*
22 *may provide a response, within 30 days of issuance of the report, for inclusion into the final report*
23 *submitted to the Mayor and the Board of Supervisors, among others, consistent with this subsection (e).*

24 (f) The Council shall share information and work in collaboration with the San
25 Francisco Community Corrections Partnership, as established by the California Community

1 Corrections Performance Incentives Act of 2009 (~~CA~~California Penal Code Section 1228-
2 1233.8).

3 (g) **Retaliation Prohibited.** No City officer or employee may retaliate against other
4 City staff or the staff of programs identified by the Council for cooperating with the Council or
5 for participating in any activity involving the Council. This section is not intended to create a
6 private right of action against the City and County of San Francisco.

7 (h) The Council shall share information and work in collaboration with the San
8 Francisco Juvenile Justice Coordinating Council, as required by the Juvenile Crime
9 Enforcement and Accountability Challenge Grant Program (~~CA~~ California Welfare and
10 Institutions Code Section 749.2-749.27).

11 (i) The Council shall share information and work in collaboration with the San
12 Francisco Sentencing Commission.

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14 **SEC. 5.1-6. SUNSET CLAUSE.**

15 Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides
16 that advisory bodies created by the Board should sunset within three years, this Article I shall
17 expire June 1, ~~2029~~2024, unless the Board of Supervisors adopts an ordinance continuing its
18 existence. In the event of its expiration, the City Attorney is ~~directed~~ authorized to take steps to
19 remove this Article I from the Administrative Code. The Council shall submit a report to the
20 Board of Supervisors by ~~August 15, 2028~~July 1, 2023 recommending whether the Council should
21 continue to operate, and if so, whether the Board of Supervisors should consider legislative
22 changes that would enhance the capacity of the Council to achieve its goals. The Council's
23 recommendations shall include drafts of ordinances that would implement its
24 recommendations.

1 Section 2. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

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6 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

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14 APPROVED AS TO FORM:
15 DAVID CHIU, City Attorney

16 By: /s/ Jana Clark
17 JANA CLARK
18 Deputy City Attorney

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