

May 26, 2026

The Honorable Daniel Lurie  
Mayor of the City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 200  
San Francisco, CA 94102

**RE: Strong Opposition to Adult Probation Department Request to Absorb Pretrial Services**

Dear Mayor Lurie:

The San Francisco Public Defender’s Office writes to urge you to reject the Adult Probation Department’s (APD) \$13 million funding request to take over pretrial release services. We stand in support of maintaining the San Francisco Pretrial Diversion Project (SF Pretrial) as our city’s independent, neutral, and non-law-enforcement pretrial service provider.

For 50 years, SF Pretrial has operated an efficient, community-based, award-winning, and nationally recognized system that currently supervises approximately 70% of individuals released pre-trial from County Jail who are presumed innocent. Replacing a successful, community-based non-profit with a post-conviction law enforcement agency that is a central component of the carceral system threatens the core of our legal system, compromises public safety, and is fiscally irresponsible during a significant city budget deficit.

We urge you to reject APD’s overreaching proposal based on the following reasons:

- **Systemic Chaos and Instability:** Replacing an established 50-year organization and model overnight will inject severe chaos into our criminal legal system. APD has no operational experience in complex pretrial mechanics and does not currently have the staffing needed to effectively supervise those released from custody. Their entry will inevitably trigger operational failure, administrative gridlock, and severe court delays.
- **Kowalczyk Makes Experienced Pretrial Services More Critical Than Ever:** On April 30, 2026, the California Supreme Court issued its unanimous decision in *In re Kowalczyk*, establishing two landmark constitutional rules for pretrial proceedings in California: (1) no one may be detained pretrial unless they are charged with a qualifying violent felony, felony sexual assault, or a felony involving violent threats, and (2) unaffordable money bail is unconstitutional in all cases. In addition to substantially increasing the workload for public defenders, this decision makes effective pretrial services more critical than ever. Courts will now need individualized, attainable, and less restrictive alternatives to detention in far more cases, requiring both defense attorneys who can litigate these issues and experienced pretrial providers who can quickly assess clients, develop release plans, connect people to treatment and services, support court appearance, and help clients comply with conditions of release. That is precisely the work SF Pretrial has performed for

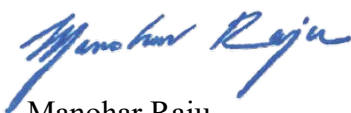
decades, and precisely the kind of community-based expertise that should be strengthened, not displaced, at this moment.

- **Complete Breakdown of Client Trust:** Successful pretrial supervision relies entirely on trust to create client engagement. In our experience, many clients deeply distrust APD because it is a law enforcement agency and they have had past negative experiences with probation officers. Our staff has witnessed firsthand the systemic harm often caused by probation supervision. Forcing our pre-trial clients to engage with Probation instead of a community-based organization will destroy the cooperation and trust required for safe and effective pretrial services.
- **Severe Fiscal Irresponsibility:** APD is requesting nearly \$13 million—almost double what SF Pretrial costs the City—for half the staffing resources. SF Pretrial operates successfully on a \$12.8 million budget with 96 dedicated, full-time staff, but the City only covers roughly half of that budget. SF Pretrial successfully leverages private philanthropy, including a recent \$7 million from a local private funder. These vital private dollars will likely cease if services shift to APD, placing an even greater financial burden on the City's general fund.
- **Incompatibility of Law Enforcement in Pretrial Case Management:** Pretrial case management is a social work function for clients who are presumptively innocent requiring clinical, supportive assessments, cultural competency, and connection to community to help these clients return to court and get the services they need. To that end, SF Pretrial has developed over 150 community partnerships to best serve our clients. Embedding pretrial services within Probation risks transforming pretrial release from a system designed to support court appearance and stability into one that treats a person's performance on release as a basis for surveillance and punishment before guilt has been established. APD is structurally designed for monitoring, enforcement, and sanctions of post-conviction clients. Merging these conflicting roles compromises the integrity and quality of care that our clients receive pretrial.

Dismantling this trusted program that is functioning well to fund a far more expensive, punitive agency with zero experience in this complex space serves no rational city interest. We expect APD would only demand greater public funding in future years to scale up its workforce to match what SF Pretrial already delivers.

We urge you to reject this proposal and secure the long-term independence of SF Pretrial's community-based model.

Sincerely,



Manohar Raju  
San Francisco Public Defender