

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date: December 13, 2011

Cmte	Board	
<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form (for hearings)
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER:

Completed by: Annette Lonich

Date: December 8, 2011

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file.

**INTRODUCTION FORM**

By a member of the Board of Supervisors or the Mayor

Time Stamp or  
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee: \_\_\_\_\_  
An ordinance, resolution, motion, or charter amendment
- 2. Request for next printed agenda without reference to Committee
- 3. Request for hearing on a subject matter at Committee: \_\_\_\_\_
- 4. Request for letter beginning "Supervisor \_\_\_\_\_ inquires..."
- 5. City Attorney request
- 6. Call file from Committee
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole
- 11. Question(s) submitted for Mayoral Appearance before the BOS on \_\_\_\_\_

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

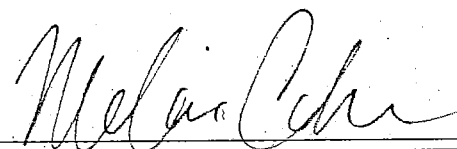
- Small Business Commission
- Ethics Commission
- Building Inspection Commission
- Youth Commission
- Planning Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]**

**Sponsor(s):** Cohen

**Subject:** Accept and expend technical assistance grant in the amount of \$100,000 from the US Department of Justice for the Justice Reinvestment Initiative.

The text is listed below or attached:

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**

1 [Accept and Expend Grant - Justice Reinvestment Initiative - \$100,000]

2  
3 **Resolution authorizing the Adult Probation Department as lead staff to the Reentry**  
4 **Council of San Francisco to accept and expend a technical assistance grant with a**  
5 **cash value of \$100,000 from the United States Department of Justice, awarded to the**  
6 **Reentry Council, for activities related to the Justice Reinvestment Initiative.**

7  
8 WHEREAS, The purpose of the Reentry Council of the City & County of San Francisco  
9 is to coordinate local efforts to support adults exiting local, state, and federal institutions; and

10 WHEREAS, The Reentry Council includes members from local, state, and federal  
11 criminal justice agencies, the City's human services and health agencies, and seven formerly  
12 incarcerated members; and

13 WHEREAS, The Reentry Council provides recommendations to the Board of  
14 Supervisors and the Mayor of San Francisco; and

15 WHEREAS, The purpose of justice reinvestment is to manage and allocate criminal  
16 justice populations more cost-effectively, generating savings that can be reinvested in  
17 evidence-based strategies that increase public safety while holding offenders accountable;  
18 and

19 WHEREAS, The City would benefit from a comprehensive examination of its criminal  
20 justice expenditures in order to identify opportunities for justice reinvestment; and

21 WHEREAS, Reentry Council of San Francisco has been selected to receive a  
22 technical assistance grant with a cash value of \$100,000 from the United States Department  
23 of Justice for the purposes of engaging in justice reinvestment activities; and

24 WHEREAS, That no actual funds are associated with this award; and

25 WHEREAS, The grant does not require an ASO amendment; and

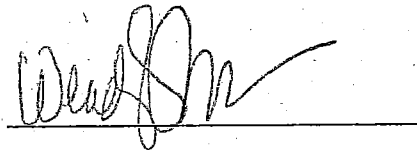
WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; now, therefore, be

RESOLVED, That the Adult Probation Department as lead staff to the Reentry Council of the City and County of San Francisco is authorized to accept the grant described in the award letter on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, which is hereby declared to be part of this resolution as if set forth fully herein; and

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and

FURTHER RESOLVED, That the Adult Probation Department is authorized to accept and expend a grant of technical assistance with a cash value of \$100,000 for the purpose of engaging in the Justice Reinvestment Initiative.

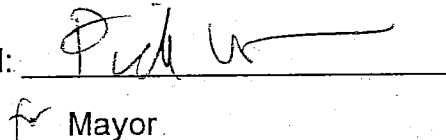
Recommended: \_\_\_\_\_



Wendy Still

Chief Adult Probation Officer

Approved: \_\_\_\_\_

  
for Mayor

Approved: \_\_\_\_\_



Controller



*Protecting the Community, Serving Justice and  
Changing Lives*

WENDY S. STILL  
Chief Adult Probation Officer

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Chief Wendy Still, Adult Probation Department

**DATE:** November 4, 2011

**SUBJECT:** Ordinance for Subject Grant

**GRANT TITLE:** Justice Reinvestment Initiative

Attached please find the original and 4 copies of each of the following:

X Proposed grant ordinance; original signed by Department, Mayor, Controller

X Grant information form, including disability checklist

X Grant application

X Grant award letter from funding agency

N/A Budget

**Special Timeline Requirements:**

Expedited scheduling for hearing date.

**Departmental representative to receive a copy of the adopted ordinance:**

Name: Diane Lim, Director of Finance and Administration

Phone: 553-1058

Interoffice Mail Address: Adult Probation Department  
880 Bryant Street, Room 200, SF, CA 94103

Certified copy required Yes  No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

File Number: 111321  
(Provided by Clerk of Board of Supervisors)

**Grant Information Form**  
(Effective January 2000)

Purpose: Accompanies proposed Board of Supervisors ordinance authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying ordinance:

- 1. Grant Title: Justice Reinvestment Initiative
- 2. Department: Adult Probation
- 3. Contact Person: Diane Lim Telephone: 553-1058
- 4. Grant Approval Status (check one):  
 Approved by funding agency  Not yet approved
- 5. Amount of Grant Funding Approved or Applied for: Technical assistance with an in-kind value of \$100,000
- 6a. Matching Funds Required: None
- b. Source(s) of matching funds (if applicable):
- 7a. Grant Source Agency: United States Department of Justice, Office of Justice Programs
- b. Grant Pass-Through Agency (if applicable):
- 8. Proposed Grant Project Summary:

The technical assistance provided to San Francisco through the Justice Reinvestment Initiative will assist the city and county in identifying opportunities for cost savings in the criminal justice system and developing policy recommendations for reinvesting those savings in prevention and public safety.

- 9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: April 13, 2011 End-Date: September 30, 2012

- 10. Number of new positions created and funded: None
- 11. If new positions are created, explain the disposition of employees once the grant ends?
- 12a. Amount budgeted for contractual services: N/A
- b. Will contractual services be put out to bid?
- c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? N/A
- d. Is this likely to be a one-time or ongoing request for contracting out?

- 13a. Does the budget include indirect costs?  Yes  No

b1. If yes, how much?

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency

To maximize use of grant funds on direct services

Other (please explain):

14. Any other significant grant requirements or comments: None

**\*\*Disability Access Checklist\*\***

15. This Grant is intended for activities at (check all that apply):

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

New Program(s) or Service(s)

New Site(s)

New Structure(s)

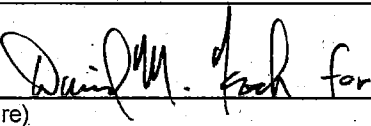
16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer: Kristin Kogure  
(Name)

Date Reviewed: November 1, 2011

Department Approval: Wendy S. Still Chief Adult Probation Officer  
(Name) (Title)

  
(Signature)

### San Francisco's Interest in Participating in the Justice Reinvestment Initiative

The City and County of San Francisco bears a rich history of commitment to criminal justice reform and progressive criminal justice policy, evidenced by a number of features unique to this jurisdiction which are described in detail below. However, in spite of the many strides made locally toward a more humane, cost-effective system, data reveal several troubling trends, namely: a recidivism rate that is higher than the statewide average (77% in San Francisco versus 58% statewide for first-time releases); disproportionate incarceration of African Americans, where African Americans comprise 59.8% of prison admissions but only 6.8% of San Francisco's adult population; and a significant number of individuals in state prison for non-serious, non-violent offenses who would be served better locally (see discussion below for statistics).

The population of San Francisco is 2.2% of the total California population. In 2009, the number of offenders in state prison from San Francisco was less than 0.9% of the total prison population and the number of individuals on parole in San Francisco was 1.3% of the total parolee population in California. In 2009, there were 632 felon admissions to state prison from San Francisco, up from 478 in 2007. The parole population in San Francisco in 2009 was 1,379. During that same year, 2,304 individuals were released from prison to parole; 655 of these were first-time releases and 1,649 were re-paroles.

San Francisco stands to benefit from a comprehensive justice reinvestment effort for three key reasons:

➤ *High Rates of Recidivism*

California is known for high recidivism rates, and the recidivism rate for individuals on parole in San Francisco is higher than the statewide average. The San Francisco recidivism rate has been calculated in several ways.

For first-time releases, the recidivism rate is 77% versus a statewide average of 58%. When that number includes re-paroles, the recidivism rate is 78.3% versus a statewide average of 67.5%. For person, property, and drug offenses, the San Francisco three-year follow-up recidivism rate ranges from 70% to 95%, as compared to a statewide range of 49% to 71%.

In 2009, a total of 1,403 offenders from San Francisco spent 119 or fewer days in state prison. Of these, 904 were returned to custody as a result of a parole violation and served fewer than 59 days in prison. When an individual returns to prison for such short periods, s/he most likely spends the entire time in the Reception Center, where conditions are particularly overcrowded, under-resourced, and counter-productive to recovery.

➤ *Disproportionate Incarceration of African Americans*

Of the 1,565 offenders from San Francisco in state prison as of June 2010, 936 or 59.8% were African American, 268 or 17.1% were white, 185 or 11.8% were Hispanic, and 176 or 11.2% were classified as Other (according to the California Department of Corrections and Rehabilitation (CDCR) racial/ethnic classification system). According to 2008 figures provided by the US Census Bureau, blacks/African Americans make up 6.8% of San Francisco's population.



State level data reveal a correlation between race and likelihood of recidivism for first-time releases, where 69.7% of African Americans are returned to custody either for a technical parole violation or a new offense. Race seems to influence the parole board's decision-making: African Americans, Hispanics, and males generally are more likely to be returned to custody when their parole violation includes a new offense.

The San Francisco Sheriff's Department provides a point in time snapshot of jail demographics from April 2008, which shows similar disproportionality: of the 1,875 men in custody on a given day, 56% were African American, 20% White, 16% Hispanic, 4% Asian, and 4% classified as Other. Of the 282 women in custody on that same day, 67% were African American, 10% Hispanic, 11% White, 4% Asian, and 8% classified as Other.

➤ *Significant Proportion of Non-Violent, Non-Serious Offenders in State Prison*

Of the 448 offenders in state prison from San Francisco with a release date between April 1, 2010 and March 31, 2011, 41% were incarcerated for a non-serious, non-violent offense, 24% had a prior serious or violent offense, and 35% had a current serious or violent offense. In other words, 65% of offenders from San Francisco were incarcerated for a current offense which was neither serious nor violent.

### **System-Wide Partnerships and Current Justice Reinvestment Work**

The Reentry Council of the City and County of San Francisco – the applicant for this Justice Reinvestment Initiative technical assistance grant – is an advisory/policy body established by Chapter 5.1 of the San Francisco Administrative Code which enjoys the membership and active participation of San Francisco's criminal justice leadership, department heads from a variety of city/county departments providing social services to the community, and seven formerly incarcerated members. The Reentry Council, which is the only government body of its kind in California, coordinates local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice out-of-home placements, the CDCR facilities, and the United States Federal Bureau of Prison facilities. The Council coordinates information sharing, planning, and engagement among all interested private and public stakeholders.

The Reentry Council makes recommendations to the Mayor and Board of Supervisors of San Francisco on matters relevant to the reentering criminal justice population, supports and informs local departments in applying for federal and state funding for local reentry-related efforts, and to date has produced and distributed more than 13,000 copies of *Getting Out and Staying Out: A Guide to San Francisco Resources for People Leaving Jails and Prisons*.

In addition to the infrastructure for oversight and coordination of justice reinvestment activities provided by the Reentry Council, the following features place San Francisco in an ideal position for receiving technical assistance under the Justice Reinvestment Initiative.

✓ *Five Second Chance Act Grants in Progress*

San Francisco has been awarded five Second Chance Act grants: a Juvenile Demonstration Grant (FY09) received by the Juvenile Probation Department; an Adult Demonstration Grant (FY09) received by the Department of Public Health; a Family-Based Substance Abuse Treatment Grant (FY10) and an Offender Reentry Substance Abuse

Collaboration Grant (FY10) received by the Sheriff's Department; and a Reentry Court Grant (FY10) received by the Adult Probation Department (APD). This high concentration of federal reentry funding in San Francisco indicates not only remarkable commitment to the population on the part of local leadership, but also a national recognition of San Francisco as a leader in the effort to improve services and policies affecting people leaving jails and prisons.

✓ *Array of Alternatives to Incarceration*

At a recent point in time, the San Francisco jails held 1,653 people in custody; supervised 121 under alternative sentencing (including county parole, electronic monitoring, and the Sheriff's Work Alternative Program/Post Release Educational Program [SWAP/PREP]); and accounted for another 1,671 people in Community Programs (including No Violence Alliance [NoVA], domestic violence programs, Treatment on Demand; Women's Reentry Center, Pretrial Homeless Release Project, Own Recognizance Project, Pretrial Diversion Program, and Supervised Pretrial Release Program). Inmates enrolled in the 5 Keys Charter School totaled 309. (Susan Fahey, Public Information Officer, SF Sheriff's Department, Phone, July 14, 2010). Thus, more than half of the individuals under the supervision of the Sheriff's Department were serving their sentences in the community rather than in custody.

✓ *Progressive Jail Operations*

San Francisco County Jails have been recognized for innovative practices and humanizing rehabilitative programs for decades. Jail Health Services is an arm of the San Francisco Department of Public Health, in contrast to most jurisdictions where medical services are provided through private contracts. Inmates may attend 5 Keys Charter School to earn their high school diploma while in custody, and are able to continue out of custody. Children and family members may have contact visits on multiple days of the week through the Sisters Program. Restorative justice programming is a key component of in-custody and post-release programming.

✓ *Evidence Based Probation Practices*

The San Francisco APD is continuing its comprehensive and aggressive efforts to implement evidence based practices throughout probation's operations. The Department is implementing COMPAS, the validated dynamic risk-needs assessment tool currently being used by the CDCR. Once fully implemented, current and complete offender information will be available at all times. The APD has also embarked on initiatives with the State's Judicial Council to implement evidence-based sentencing, as well as a statewide initiative to reduce the number of probationers who are sent to state prison by providing appropriate alternatives.

✓ *Strong Public Health System*

San Francisco is committed to providing accessible and affordable health care to uninsured residents. Healthy San Francisco provides a health care safety net which encourages residents to access primary and preventive care. It provides a Medical Home and primary physician to each program participant, allowing a greater focus on preventive care, as well as specialty care, urgent and emergency care, laboratory, inpatient hospitalization, radiology, and pharmaceuticals. Given that involvement in criminal activity has a demonstrated connection to

one's level of access quality primary and behavioral health care, San Francisco's commitment to the provision of comprehensive health care to its most vulnerable residents is also a commitment to public safety.

### **Commitment of Key Leadership**

Co-chairs of the Reentry Council—who are the Mayor, the state's only elected Public Defender, the District Attorney, the Chief Adult Probation Officer, and the Sheriff—are the jurisdictional champions supporting this application. In addition, the Secretary of the CDCR has expressed his strong support for this application.

### **Point of Contact for Data-Related Questions**

Data representing San Francisco's criminal justice system lie in several different agencies: the Sheriff's Department, the APD, and the CDCR. The Reentry Council, in partnership with the APD, facilitates contact with each of these departments for access to data sets.

### **What We Hope to Accomplish**

Through technical assistance provided by the Justice Reinvestment Initiative, the City and County of San Francisco hopes to develop a comprehensive community corrections model which includes expanded alternatives to incarceration, case management of offenders, and improved services to communities most impacted by crime and incarceration. We believe that through justice reinvestment efforts, that we can improve public safety and public health outcomes, reduce costs, reduce recidivism, reduce racial disparities, and begin to break the intergenerational cycle of incarceration.

### **Commitment of In-Kind Resources**

Reentry Council staff are available to provide ongoing coordination for this effort. The APD is currently transitioning to COMPAS, an advanced risk and needs instrument. The cost of the new data system is estimated at \$450,000 and will be applied as in-kind resources.

### **Previous work with the Council of State Governments Justice Center**

San Francisco's Second Chance Act grantees have been supported by the National Reentry Resource Center, a project of the Council of State Governments Justice Center. Further, the Behavioral Health Court of the Superior Court of California, County of San Francisco has a rich history of working with the Council's Consensus Project.



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Office of the Director

Washington, D.C. 20531

April 13, 2011

The Honorable Edwin M. Lee  
Mayor of the City and County of San Francisco  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Mayor Lee:

Thank you for submitting a letter of interest to participate in the Bureau of Justice Assistance's (BJA's) Justice Reinvestment Initiative (JRI). BJA, in partnership with the JRI Steering Committee, which includes our technical assistance providers as well as our partners at the Pew Center on the States, carefully reviewed your letter of interest and conducted a detailed assessment of your jurisdiction's readiness to engage in justice reinvestment.

We are pleased to inform you that San Francisco has been accepted into the next stage of Phase I JRI during which your site will receive targeted technical assistance. As a Phase I site, San Francisco must complete the next step in this process: establishing a foundation for your justice reinvestment strategy and agreeing on specific milestones to measure your progress. This initial step includes: identifying the participants in your jurisdiction's justice reinvestment working group or task force; developing an agreement on the milestones which you commit to pursue regarding your data collection and analysis strategy; and planning for any announcement or roll out of the Justice Reinvestment Initiative. These steps will be critical to your ability to continue with JRI throughout Phase I. Your technical assistance provider will help with the development of the strategy and BJA will review it for approval by July 31, 2011. You will also be asked to report periodically on your attainment of the established milestones. Meghan Guevara from the Crime and Justice Institute of Community Resources for Justice is the technical assistance provider who will work with you and members of your justice reinvestment team. She can be reached at [mguevara@crjustice.org](mailto:mguevara@crjustice.org) or 303-975-6801.

Congratulations, and thank you for your interest in justice reinvestment. I wish you all the best as you pursue this important work.

Sincerely,

James H. Burch, II  
Acting Director

CC: Public Defender Jeff Adachi; District Attorney George Gascón; Sheriff Michael Hennessey; Ms. Wendy Still.