

File No. 121166

Committee Item No. 4  
Board Item No. 3

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date 02/06/2013

Board of Supervisors Meeting

Date FEBRUARY 26, 2013

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" 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                                 |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
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Completed by: Victor Young Date February 1, 2013  
Completed by: Victor Young Date 2-7-13

AMENDED IN COMMITTEE

2/6/12

FILE NO. 121166

ORDINANCE NO. \_\_\_\_\_

[Appropriating ~~\$750,000~~ \$631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]

Ordinance appropriating ~~\$304,412~~ \$278,973 to the San Francisco Department on the Status of Women and ~~\$445,588~~ \$352,920 to the District Attorney's Office for FY2012-2013.

8105 SJ YSTACRST

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available in Fiscal Year 2012-13.

**SOURCES Appropriation**

Fund	Index/Project Code	Subobject	Description	Amount
1G AGF AAA	*CON1GAGFAAA	098GR	General Fund	\$750,000
GF-Non-Project- Controlled			Reserve	<u>\$631,893</u>
<b>Total Sources Appropriation</b>				<u>\$750,000</u>
				<u>\$631,893</u>

Supervisors Chiu, Cohen, Kim, Mar, Farrell, Avalos, Weiner, and Campos

BOARD OF SUPERVISORS

Section 2. The uses of funding outlined below are herein appropriated in FY 2012-2013 in Subobject 03800 (Community Based Organization Services).

**USES Appropriation**

Fund	Index/Project Code	Subobject	Description	Amount
1GAGFAAA (GF-NON-PROJECT-CONTROLLED)	485003	00101 03800	Civil Legal Services to Survivors of Domestic Violence and their Children	\$178,096
1GAGFAAA (GF-NON-PROJECT-CONTROLLED)	485003	03500	Domestic Violence Outreach Campaign	\$50,000
1GAGFAAA (GF-NON-PROJECT-CONTROLLED)	625002	00101	Principal Administrative Analyst – Job Class 1824 - .5 <u>0.33</u> FTE	\$55,354 <u>\$36,903</u>
1GAGFAAA (GF-NON-PROJECT-CONTROLLED)	625002	01300	Fringe Benefits	\$20,962 <u>\$13,975</u>

Supervisors Chiu, Cohen, Kim, Mar, Farrell, Avalos, Weiner, and Campos

**BOARD OF SUPERVISORS**

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Department on the Status of Women Subtotal \$304,412  
\$278,973

Fund	Index/Project Code	Subobject	Description	Amount
1GAGFAAA	045007	00101	Attorneys	\$131,352
(GF-NON-PROJECT-CONTROLLED)			(Civil/Criminal) – Job Class 8177 – <del>1.33</del> <u>0.99</u> FTEs	<u>\$98,514</u>
1GAGFAAA	045007	01300	Fringe Benefits for Job Class 8177	\$43,357
(GF-NON-PROJECT-CONTROLLED)				<u>\$32,518</u>
1GAGFAAA	045007	00101	District Attorney's Investigator – Job Class 8550 – <u>4 0.66</u> FTE	\$111,296
(GF-NON-PROJECT-CONTROLLED)				<u>\$73,455</u>
1GAGFAAA	045007	01300	Fringe Benefits for Job Class 8550	\$32,794
(GF-NON-PROJECT-CONTROLLED)				<u>\$21,644</u>

Supervisors Chiu, Cohen, Kim, Mar, Farrell, Avalos, Weiner, and Campos



1	1G AGF ACP	040119/PDA075	00101	Victim/Witness	\$67,496
2	(GF-CONTINUING			Investigator 1 – Job	
3	PROJECTS)			Class 8129 – 1 FTE	
4					
5					
6	<b>Fund</b>	<b>Index/Project Code</b>	<b>Subobject</b>	<b>Description</b>	<b>Amount</b>
7					
8					
9	1G AGF ACP	040119/PDA075	01300	Fringe Benefits for	\$30,615
10	(GF-CONTINUING			Job Class 8129	
11	PROJECTS)				
12					
13	1GAGFAAA	040425	00101	District Attorney's	\$19,821
14	(GF-NON-			Investigating	
15	PROJECT-			Assistant – Job	
16	CONTROLLED)			Class 8132 - .33	
17				FTE	
18	1GAGFAAA	040425	01300	Fringe Benefits for	\$8,857
19	(GF-NON-			Job Class 8132	
20	PROJECT-				
21	CONTROLLED)				
22	District Attorney Subtotal				\$445,588
23					<u>\$352,920</u>
24					
25					

Supervisors Chiu, Cohen, Kim, Mar, Farrell, Avalos, Weiner, and Campos

BOARD OF SUPERVISORS

1  
2 **Total USES Appropriation**

\_\_\_\_\_ \$750,000

3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \$631,893

8 Section 3. The Controller is authorized to record transfers between funds and adjust  
9 the accounting treatment of sources and uses appropriated in this ordinance as necessary to  
10 conform with Generally Accepted Accounting Principles.

11 APPROVED AS TO FORM:

FUNDS AVAILABLE

12 DENNIS J. HERRERA, City Attorney

Ben Rosenfield, Controller

13 By: \_\_\_\_\_

14 By: \_\_\_\_\_

15 Deputy City Attorney

16 Date: December 4, 2012

<p><b>Items 4 &amp; 5</b>  <b>Files 12-1166 &amp; 12-1165</b></p>	<p><b>Departments:</b>                  Department on the Status of Women                  District Attorney's Office</p>
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**EXECUTIVE SUMMARY**

**Legislative Objective**

- File 12-1166: Ordinance appropriating \$750,000, including (a) \$304,412 to the Department on the Status of Women, and (b) \$445,588 to the District Attorney's Office, for FY 2012-13.
- File 12-1165: Ordinance amending the FY 2012-13 Annual Salary Ordinance to reflect the addition of (a) 1.0 position (0.5 FTE) in the Department of the Status of Women and (b) 11.0 positions (3.63 FTE) in the District Attorney's Office.

**Key Points**

- The proposed ordinances would fund (a) one new FTE 1824 Principal Administrative Analyst for the Department on the Status of Women to replace a previously eliminated lower-level position, to be responsible for domestic violence policy analysis, (b) \$50,000 of one-time funding for a domestic violence outreach and awareness campaign, and (c) \$178,096 for existing nonprofit organizations to provide (i) \$120,000 to increase domestic violence civil legal needs, (ii) \$30,000 for Spanish language legal services, (iii) \$20,000 for telephone hotline, and (d) \$8,096 for training 911 and 311 telephone operators in the City.
- The proposed ordinances would create 11 FTE new permanent positions in the District Attorney's Office, including (a) four 8177 Attorneys, (b) three 8550 Investigators, (c) three 8129 Victim/Witness Investigators, and (d) one 8132 Investigative Assistant to specifically address domestic violence caseloads. The District Attorney currently has a total of 11.0 FTE positions assigned to their domestic violence unit, such that the proposed ordinances would increase this staff to 22 FTEs, a 100% increase.

**Fiscal Impacts**

- The requested FY 2012-13 General Fund costs of \$304,412 for the Status of Women would be annualized at \$508,824 General Fund cost in FY 2013-14. The requested FY 2012-13 General Fund cost of \$445,588 for the District Attorney would be annualized at \$1,238,290 General Fund costs in FY 2013-14

**Policy Considerations**

- Domestic violence cases referred by the Police Department to the District Attorney's Office decreased 40% over the last five years and there was a reduction of 18.5% in domestic violence cases charged by the District Attorney's Office between 2010 and 2012. However, the District Attorney advises that their caseloads are increasing, primarily due to increased number of trials, particularly misdemeanor domestic violence trials.

### Recommendations

- Amend the proposed Annual Salary Ordinance (File 12-1165) for FY 2012-13 to reflect (a) the one new permanent Department on the Status of Women 1824 Principal Administrative Analyst position at .33 FTE instead of .50 FTE, (b) identify all of the District Attorney positions as Limited Tenure (LT), and (c) the 5.0 FTE District Attorney positions as outlined in Table 12.
- Amend the proposed supplemental appropriation ordinance (File 12-1166) as summarized in Table 12 above, for a FY 2012-13 General Fund savings of \$258,933.
- Approval of the (a) balance of six requested District Attorney positions, with FY 2012-13 salary and fringe benefit costs of \$233,495, (b) \$50,000 one-time Status of Women outreach and awareness funding, and (c) \$178,000 (annualized at \$356,192) for the Status of Women professional services contracts in the proposed supplemental appropriation ordinance (File 12-1166), as amended, are policy decisions for the Board of Supervisors.

## MANDATE STATEMENT / BACKGROUND

### Mandate Statement

Charter Section 9.105 requires that amendments to the Annual Appropriation Ordinance be approved by ordinance of the Board of Supervisors, subject to the Controller certifying the availability of funds. Charter Section 2.105 requires that all legislative acts by the Board of Supervisors be by ordinance, subject to approval by a majority vote of the members of the Board.

### Background

Based on the 2011 Comprehensive Report on Family Violence in San Francisco<sup>1</sup>, between FY 2009-10 and FY 2010-11, the number of domestic violence cases (a) received and assessed by the District Attorney increased 10%, (b) supervised by Adult Probation Department increased 17%, (c) shelter beds needed increased 29%, (d) crisis hotline calls increased 47%, and (e) child support services cases increased 202%.

#### Department on the Status of Women

The Department on the Status of Women's FY 2012-13 budget totals \$3,819,856, with the General Fund comprising \$3,609,856 or 95% of the budget and includes 4.7 full-time equivalent (FTE) staff, as shown in Table 1 below. According to Dr. Emily Murase, Executive Director of the Status of Women, most of the Department on the Status of Women programs and services are directed to domestic violence prevention and related programs and services.

As also shown in Table 1 below, City Grant Programs are receiving \$3,028,924 of funding in FY 2012-13, or 79% of the Department's budget. Attachment I provided by Dr. Murase, identifies the total \$3,028,924 City Grant Program funding, the specific nonprofit organizations and the amount of funding received by each nonprofit organization. According to Dr. Murase, these

<sup>1</sup> 2011 Comprehensive Report on Family Violence in San Francisco was issued by Department on the Status of Women's Family Violence Council in November 2012.  
SAN FRANCISCO BOARD OF SUPERVISORS

nonprofit organizations were selected to receive three years of City grant funds through a Request for Proposals (RFP) process conducted by the Department on the Status of Women in 2011. These current nonprofit organization's grants extend from July 1, 2011 through June 30, 2014.

Dr. Murase also advises that the Department had an additional 1.0 FTE 1823 Senior Administrative Analyst position, which was originally funded with a three-year Federal grant which commenced in 2002. After the grant funds expired in 2005, this position was continued with General Fund revenues from FY 2005-06 through FY 2008-09. However, Dr. Murase advises that this 1.0 FTE 1823 Senior Administrative Analyst position was eliminated in the Department on Status of Women's FY 2009-10 budget, due to General Fund reductions.

**Table 1: Department of the Status of Women  
FY 2012-13 Budget and Staff**

Budget	FY 2012-13
<b>Sources of Funds</b>	
General Fund	\$3,609,856*
Marriage License Fees	210,000
<b>Total Sources</b>	<b>\$3,819,856</b>
<b>Uses of Funds</b>	
Salaries	\$450,740
Fringe Benefits	180,613
City Grant Programs	3,028,924*
Services of Other Departments	119,004
Non-personnel/Materials & Supplies	40,575
<b>Total Uses</b>	<b>\$3,819,856</b>
<b>Existing Staff</b>	
<b>FTEs</b>	
0961 Department Head I	1.0
1450 Executive Secretary I	1.0
1822 Administrative Analyst	.70
1824 Principal Administrative Analyst	.50
2998 Representatives	1.50
<b>Total</b>	<b>4.70</b>

\*Includes \$17,259 to be transferred by the Controller's Office from the General City Responsibility (GEN) budget for cost of living increases for nonprofit organizations in FY 2012-13.

Source: Annual Appropriation Ordinance and Annual Salary Ordinance

### District Attorney

The District Attorney's Office FY 2012-13 budget totals \$42,657,621, including 246 FTE positions, with the General Fund comprising \$38,516,212 or 90% of their budget. According to Mr. Eugene Clendinen, Chief Administrative and Financial Officer in the District Attorney's

Office, the District Attorney currently has 11 FTE positions at a FY 2012-13 General Fund cost of \$1,952,243 dedicated to domestic violence services, as shown in Table 2 below.

**Table 2: District Attorney's Office  
FY 2012-13 Budget and Staff Assigned to Domestic Violence**

<b>Classification and Title</b>	<b>FTE</b>	<b>Salary and Fringe Benefit Annual Cost</b>
8182 Head Attorney	1.0	\$229,772
8177 Felony Trial Attorneys	3.0	600,032
8177 Misdemeanor Trial Attorneys	3.0	170,504
8177 Stalking Trial Attorney	1.0	205,346
8177 Elder Abuse Trial Attorney	1.0	432,170
8177 MTR* Calendar Attorney	1.0	224,465
8132 Assistant Investigator Paralegal	1.0	89,954
<b>Total</b>	<b>11.0</b>	<b>\$1,952,243</b>

\*Motion to Revoke

Mr. Clendinen also advises that the Victim Services Division within the District Attorney's Office provides advocate services to victims of various crimes, including domestic violence, child abuse, murder, rape, robbery and burglary, which is comprised of 14 FTE Victim/Witness Investigator positions, 11 of which are 8129 Victim/Witness Investigator I positions. In addition, Mr. Clendinen advises that the District Attorney's Office provides follow-up investigations, with approximately 11 District Attorney Investigator positions specifically assigned to criminal cases, including domestic violence cases.

Based on data provided by Mr. Clendinen, Table 3 below identifies the number of domestic violence cases, number of attorneys assigned to these cases, the average caseloads per attorney, number of felony, misdemeanor and total jury trials over the past six years.

**Table 3: District Attorney Domestic Violence Cases, Attorneys Assigned and Trials from 2007-2012**

Years	2007	2008	2009	2010	2011	2012	Percent Change from 2007-2012
Average cases per month	155	154	139	143	228*	268	73%
Total attorneys assigned	8	8	6	8	8	9	13%
Average caseload per attorney	19	19	23	18	28.5*	30	58%
Felony Jury Trials per Year	11	5	3	9	10	13	18%
Misdemeanor Jury Trials per Year	16	9	8	21	19	36	125%
Total Jury Trials	27	14	11	30	29	49	81%

\*Based on information provided by the District Attorney's Office from May - December, 2011.

As shown in Table 3 above, although the District Attorney could not provide complete data for 2011, the District Attorney's data indicate that the average number of cases per month, average caseload per attorney and total jury trials per year increased significantly in 2012, particularly for misdemeanor jury trials, compared to the prior five years.

According to Ms. Cristine DeBerry, Chief of Staff for the District Attorney, all misdemeanor domestic violence police cases are forwarded by the Police Department directly to the District Attorney's Office. Felony cases are first investigated by the Police Department's Special Victims Unit for review of the facts and evidence, and then reviewed by the District Attorney to determine whether each case can be charged. While the District Attorney has discretion in how each case is handled, Mr. Clendinen advises that supporting facts and evidence determine whether the District Attorney discharges the case or whether the District Attorney deems the case to be charged as a felony or misdemeanor. In all cases, whether charged or discharged, the victim is referred to a victim advocate (District Attorney's Victim Services Division or La Casa de las Madres, a nonprofit organization); if the case is charged, the victim is referred for support and assistance throughout the term of the case.

According to Mr. Clendinen, all follow-up investigations are handled by District Attorney Investigators (currently the District Attorney has 30 Investigators and supervisory staff, with approximately 11 Investigators assigned to criminal cases, including domestic violence cases). Mr. Clendinen advises that the District Attorney currently provides vertical prosecution, in which the referred case is immediately assigned to the domestic violence unit and the same attorney handles individual cases from origination to conclusion. According to Mr. Clendinen, vertical prosecution is ideal for domestic violence cases, because domestic violence victims often recant their claims, minimize the severity of the evidence and become uncooperative victims for a variety of reasons.

### DETAILS OF PROPOSED LEGISLATION

The proposed ordinance (File 12-1165) would amend the FY 2012-13 Annual Salary Ordinance (Ordinance No. 165-12) to reflect the addition of (a) 1.0 new permanent position (0.5 FTE in FY 2012-13) in the Department on the Status of Women and (b) 11.0 new permanent positions (3.63 FTE in FY 2012-13) in the District Attorney's Office, or a total of 12.0 new permanent positions (4.13 FTE in FY 2012-13), as detailed below in Table 4.

**Table 4: Proposed Annual Salary Ordinance Amendment**

Department (Division)	Class	Title	FTEs in FY 2012- 13	FTEs in Future Years
Status of Women	1824	Principal Administrative Analyst	.50	1.0
District Attorney	8177	Attorney – Civil/Criminal	1.32	4.0
(Felony Prosecution)	8550	District Attorney Investigator	.99	3.0
(Family Violence)	8129	Victim/Witness Investigator	.99	3.0
(Support Services)	8132	DA Investigative Assistant	.33	1.0
<b>District Attorney Subtotal</b>			<b>3.63</b>	<b>11.0</b>
<b>Total New Permanent Positions Requested</b>			<b>4.13</b>	<b>12.0</b>

The requested 1.0 (0.5 FTE in FY 2012-13) new 1824 Principal Administrative Analyst position for the Department on the Status of Women would commence on January 1, 2013 (see discussion below). The requested 11.0 new positions (3.63 FTE in FY 2012-13) in the District Attorney's Office would commence March 1, 2013.



The proposed ordinance (File 12-1166) would appropriate \$750,000 of General Fund Reserve monies, including (a) \$304,412 to the Department on the Status of Women, and (b) \$445,588 to the District Attorney's Office, for FY 2012-13, as shown in Table 5 below.

**Table 5: Supplemental Appropriation from the General Fund Reserve for the Department of the Status of Women and the District Attorney's Office**

	FY 2012-13 Costs
Salaries	\$55,354
Fringe Benefits	20,962
City Grant Programs	178,096
Outreach & Awareness Campaign	50,000
<b>Subtotal for Status of Women</b>	<b>\$304,412</b>
Salaries	\$329,965
Fringe Benefits	115,623
<b>Subtotal for District Attorney</b>	<b>\$445,588</b>
<b>Total</b>	<b>\$750,000</b>

**Description of Uses of Funds for the Department on the Status of Women (\$304,412)**

According to Dr. Murase, the proposed ordinances would create and fund one new permanent FTE 1824 Principal Administrative Analyst position, which as discussed above, is a slightly higher-level analyst position than was previously eliminated from the Department's budget in FY 2009-10. Dr. Murase advises that this new higher-level position would be a Domestic Violence Policy Analyst specifically responsible for analytical work with the Family Violence Council<sup>2</sup>, tracking of the City's progress on implementing the recommendations from the Justice and Courage Report and policy reforms<sup>3</sup>, and other tasks related to domestic violence policy analysis and coordination in San Francisco. As shown in Tables 4 and 5 above, this 1.0 FTE new position would be funded for 0.5 FTE, at a cost of \$55,354 in salary and \$20,962 in fringe benefits, or a total cost of \$76,316 in FY 2012-13.

In addition, as shown in Table 5 above and Table 6 below, the proposed request includes \$50,000 of one-time funding for a domestic violence outreach and awareness campaign to provide domestic violence hotline phone numbers, and the City's 311 resources and 911 emergency lines, including (a) \$29,108 to La Casa de las Madres, a nonprofit organization, to

<sup>2</sup> In accordance with San Francisco Administrative Code Article XIX, Section 5.190, the Family Violence Council is an advisory body to the Board of Supervisors to address the problems of family violence, including child abuse, domestic violence and elder/dependent adult abuse. The Family Violence Council includes the following representatives: (a) Presiding Superior Court Judge, (b) Mayor's Office, (c) Board of Supervisors, (d) District Attorney, (e) Police, (f) Sheriff, (g) Status of Women, (h) Adult Probation, (i) Emergency Management, (j) Human Services Agency, (k) Consortium for Elder Abuse Prevention, (l) San Francisco Child Abuse Council, (m) Department of Public Health, (n) Adult and Aging Services, (o) Children, Youth and their Families, (p) Consortium of Batterer's Intervention Programs, and (q) Child Support Services.

<sup>3</sup> In 2002, the Commission on the Status of Women released a report entitled *Justice and Courage: A Blueprint for San Francisco's Response to Domestic Violence*. After the release of this report, the Commission on the Status of Women created the Justice and Courage Oversight Panel, to address the recommendations contained in the report and undertake new initiatives to address criminal justice's response to domestic violence in San Francisco.

provide discounted bus advertising services, (b) \$10,000 for the Department on the Status of Women to print "Peace at Home" postcards in three languages (English, Spanish and Chinese), which would be placed in City libraries, Health Centers, Recreation Centers, and public and private schools, and (c) \$10,892 to fund publicity, permits, staging and lighting for the One Billion Rising<sup>4</sup> event to be held on February 14, 2013. The impact of the proposed one-time outreach and awareness program is not yet known.

**Table 6: Domestic Violence Outreach & Awareness Campaign**

La Casa de las Madres Advertising Services	\$29,108
Status of Women - Postcards	10,000
One Billion Women Rising Campaign	10,892
<b>TOTAL</b>	<b>\$ 50,000</b>

As shown in Table 7 below, the proposed supplemental appropriation (File 12-1166) also includes \$178,096 to provide funding for seven existing nonprofit organization's programs to provide additional legal services, crisis telephone hotline services and training for City 911 and 311 telephone operators. Dr. Murase advises that these nonprofit organization's programs were selected based on public comments expressed at three community meetings, working with the Mayor's Office and the President of the Board of Supervisors (a) for additional domestic violence civil legal services, in cooperation with the District Attorney's Office request for additional staff, (b) because the proposed outreach and awareness campaign (see Table 6 above) is likely to generate additional calls to domestic violence hotline telephone services, and (c) due to an identified need for domestic violence training for 311 and 911 City telephone operators.

**Table 7: Requested Status of Women Funding in FY 2012-13**

1-Bar Association of SF - CROC*	\$ 30,000
2-Bar Association of SF - VLSP**	30,000
3-Asian Pacific Islander Legal Outreach	30,000
4-Bay Area Legal Aid	30,000
5-Mujeres Unidas y Activas	30,000
6-La Casa de las Madres (hotline)	10,000
7-WOMAN, Inc. (hotline)	10,000
8-DOSW - training 911 and 311 staff	8,096
<b>TOTAL</b>	<b>\$178,096</b>

\*Cooperative Restraining Order Clinic (CROC).

\*\* Volunteer Legal Services Program (VLSP).

According to Dr. Murase, the requested \$178,096 would specifically provide (a) \$30,000 to each of four domestic violence legal programs, or a total of \$120,000, to address civil legal needs, including obtaining restraining orders, child custody and immigration issues, (b) \$30,000 to Mujeres Unidas y Activas to specifically provide community-based Spanish language domestic violence legal services, (c) \$10,000 to increase two telephone hotline services related to domestic

<sup>4</sup>The One Billion Rising event is a global social action campaign targeted for Valentine's Day on February 14, 2013, and directed at one billion women and those who love them to rise up and demand an end to violence against women and girls.

violence, or a total of \$20,000, and (d) \$8,096 for the Department on Status of Women to hire a trainer to provide domestic violence education for 911 and 311 telephone operators in the City.

**Description of Uses of Funds for the District Attorney (\$445,588)**

According to Mr. Clendinen, the proposed amendment to the Annual Salary Ordinance, together with the proposed supplemental appropriation ordinance would create and fund 11 FTE new permanent positions for domestic violence prosecutions in the District Attorney's Office, as detailed above in Table 4, including their associated salaries and related fringe benefits for a General Fund cost of \$445,588 in FY 2012-13, as detailed in Table 5 above. As shown in Table 2 above, the domestic violence unit in the District Attorney's Office currently has 11 FTE positions, including 10 Attorneys. In addition, as discussed above, 11 Investigators in the District Attorney's Office provide follow-up investigative services for various criminal cases, including domestic violence cases, and 14 Victim/Witness Investigators in the District Attorney's Office provide advocate services to victims of various crimes, including domestic violence cases.

According to Ms. DeBerry, because Santa Clara County is the only Bay Area county that conducts vertical felony and misdemeanor prosecutions, the District Attorney's Office conducted a survey of the Santa Clara County District Attorney's Office, as shown in Attachment II, in order to determine the need for the requested 11 new positions. Ms. DeBerry advises that the requested 11 new dedicated domestic violence positions in the District Attorney's Office would be used to address the increased domestic violence caseloads, while improving the quality of domestic violence work provided by the District Attorney's Office.

**FISCAL IMPACTS**

**Department on the Status of Women**

Table 8 below identifies the Department on the Status of Women's FY 2012-13 General Fund costs of \$304,412 for the subject domestic violence supplemental appropriation as well as the anticipated annualized General Fund costs of \$508,824 that would be incurred in future years, based on current costs.

**Table 8: Requested Supplemental Appropriation Funding and Annualized Projections**

Department on Status of Women	FY2012-13	Annualized Projections
<b>1824 Principal Administrative Analyst</b>		
Salaries	\$ 55,354	\$ 110,708
Benefits	20,962	41,924
<b>TOTAL</b>	<b>\$ 76,316</b>	<b>\$ 152,632</b>
<b>City Grant Programs</b>		
Bar Association of SF - CROC	\$ 30,000	\$ 60,000
Bar Association of SF - VLSP	30,000	60,000
Asian Pacific Islander Legal Outreach	30,000	60,000
Bay Area Legal Aid	30,000	60,000
Mujeres Unidas y Activas	30,000	60,000
La Casa de las Madres (hotline)	10,000	20,000
WOMAN, Inc. (hotline)	10,000	20,000
DOSW - training 311 and 911 staff	8,096	16,192
<b>TOTAL</b>	<b>\$ 178,096</b>	<b>\$ 356,192</b>
<b>Outreach &amp; Awareness Campaign (One-Time)</b>		
La Casa de las Madres	\$ 29,108	
DOSW postcard printing	10,000	
Billion Women Rising Campaign	10,892	
<b>TOTAL</b>	<b>\$ 50,000</b>	
<b>Total for Status of Women</b>	<b>\$ 304,412</b>	<b>\$ 508,824</b>

As noted above, the proposed 1.0 (0.5 FTE in FY 2012-13) new 1824 Principal Administrative Analyst position for the Department of the Status of Women would commence on January 1, 2013. However, the earliest that this new position could be employed would be March 1, 2013. Therefore, the proposed Annual Salary Ordinance (File 12-1165) should be amended to reflect .33 FTE instead of .50 FTE. Similarly, the proposed supplemental appropriation ordinance (File 12-1166) should be amended to reduce the one 1824 Principal Administrative Analyst (a) requested salary funding from \$55,354 to \$36,903, a savings of \$18,451, and (b) the requested related fringe benefit funding from \$20,962 to \$13,975, a savings of \$6,987, for a total General Fund savings of \$25,438.

#### District Attorney's Office

Table 9 below identifies (a) the District Attorney's FY 2012-13 costs of \$445,588 for the subject General Fund supplemental appropriation for 3.63 FTE positions, (b) the anticipated annualized General Fund costs of \$1,238,390 for 11 FTE positions that would be incurred in FY 2013-14, based on current costs, and (c) the annualized General Fund costs of \$1,651,001 for 11 FTE positions at the top step based on current costs.

**Table 9: Annual Salary and Fringe Benefit Costs of the Proposed Domestic Violence Positions in FY 2012-13 and in Future Years**

Classifications and Titles	FTEs in FY 2012-13	Salary Cost in FY 2012-13	FTEs in Future Fiscal Years	Annualized Costs for Requested Positions	Annualized Costs for Requested Positions at Top Step
8177 Attorney Civil/Criminal*	1.33	\$131,352	4.0	\$394,056	\$690,352
Fringe Benefits		43,357		130,078	227,885
8550 District Attorney Investigator**	.99	111,296	3.0	333,888	333,888
Fringe Benefits		32,794			
8129 Victim/Witness Investigator**	.99	67,496	3.0	202,488	202,488
Fringe Benefits		30,615		91,845	91,845
8132 DA Investigative Assistant***	.33	19,821	1.0	59,462	72,254
Fringe Benefits		8,857		26,573	32,289
<b>Total Salary and Fringe Benefits</b>	<b>3.63</b>	<b>\$445,588</b>	<b>11.0</b>	<b>\$1,238,390</b>	<b>\$1,651,001</b>
<p>*Budgeted at step one for FY 2012-13 or \$98,514 for one position, although this 8177 Attorney classification has 16 salary steps up to a current top step annual salary of \$172,588 for one position.  ** Budgeted at top step for FY 2012-13. 8550 District Attorney Investigator salaries also include 6% Peace Officer Standards and Training (POST) premium.  *** Budgeted at step 2 for FY 2012-13.</p>					

As shown in Table 2 above, the District Attorney currently has a total of 11.0 FTE positions assigned to their domestic violence unit. Based on the requested 11.0 FTE new permanent positions detailed in Table 9 above, if approved, the proposed ordinances would increase the number of staff in the District Attorney's Office to 22 FTEs, a 100% increase in staff.

In addition, Mr. Clendinen advises that each of the 3 FTE (.99 FTE in FY 2012-13) new 8550 District Attorney Investigator positions would require the purchase of a new automobile such that, if the proposed ordinances are approved, the District Attorney will be requesting three new automobiles be added to the District Attorney's FY 2013-14 budget, at an additional General Fund cost of approximately \$75,000 (\$25,000 per vehicle x 3 automobiles).

According to Ms. Risa Sandler, Citywide Budget Manager for the Controller's Office, the City's General Fund Reserve will be \$29,595,855<sup>5</sup>. Therefore if the requested \$750,000 General Fund Reserve supplemental appropriation is approved, the General Fund Reserve would be reduced to \$28,845,855.

## **POLICY CONSIDERATIONS**

### **Public Defender's Office**

Mr. Jeff Adachi, the Public Defender, advises that prior to August 2012, the Public Defender's Office assigned two attorneys to exclusively handle misdemeanor domestic violence cases: However, beginning in August 2012, the Public Defender changed this approach and assigned all misdemeanor domestic violence cases to the 12 Public Defender attorneys who handle all types of misdemeanor cases for the Public Defender's Office, which has contributed to the increase in the number of misdemeanor domestic violence trials. Felony domestic violence cases are assigned to the 36 Public Defenders who handle all types of felony cases for the Public Defender's Office. Therefore, the Public Defender does not currently have specific staff dedicated to domestic violence cases.

Mr. Adachi advises that if the District Attorney receives the requested additional attorney positions and support staff, the number of domestic violence prosecutions and resulting trials will likely increase. Based on data provided by Mr. Adachi for 2012, the Public Defender's Office handles approximately 61% of the domestic violence prosecutions, with the remainder assigned to conflict attorneys or handled by private attorneys. Therefore, an increase in District Attorney staffing to prosecute domestic violence cases could result in a request for increased Public Defender staffing to defend these cases. In addition, Mr. Adachi notes that if more domestic violence prosecutions occur, it could result in additional staffing pressures on other City departments, such as the Adult Probation Department, which would need to supervise additional domestic violence probationers.

### **Domestic Violence Cases Referred by the Police Department**

As previously discussed and shown in Table 3 above, the District Attorney's data indicate that the average number of cases per month, average caseload per attorney and total jury trials increased significantly in 2012, as compared to the prior five years.

However, based on six years of data between 2007 and 2012 obtained by the Budget and Legislative Analyst's Office from the Police Department, the number of domestic violence misdemeanor and felony cases referred by the Police Department to the District Attorney's Office in San Francisco has actually declined by 870 cases (2,187 cases in 2007 less 1,317 cases in 2012) or 40%. As detailed in Table 10 below, based on this Police Department data, from 2011 to 2012, the number of misdemeanor and felony cases referred to the District Attorney's Office specifically declined by 32.1%.

<sup>5</sup> Current General Fund Reserve balance is \$32,162,000 less pending Treasurer's Office supplemental appropriation of \$2,566,145 currently pending, for net projected balance of \$29,595,855.  
SAN FRANCISCO BOARD OF SUPERVISORS

**Table 10: Police Department Data on Domestic Violence Cases from 2007-2012**

Year	Total Annual Police Cases	Police Follow-up with Victims	Misdemeanor Cases Directly Referred to District Attorney	Felony Cases Investigated by SFPD Before Referral to District Attorney	Total Misdemeanor and Felony Cases Referred to District Attorney	Annual Percent Change Misdemeanor and Felony Cases Referred to District Attorney
2012	2,705	1,370	361	956	1,317	(32.1)
2011	3,515	1,522	468	1,470	1,938	(5.5)
2010	4,115	1,973	512	1,538	2,050	2.3
2009	3,973	1,868	492	1,512	2,004	(4.3)
2008	4,450	2,114	516	1,577	2,093	(4.3)
2007	4,615	2,258	571	1,616	2,187	na

Source: Police Department Domestic Violence Monthly Statistics.

#### District Attorney's Response

In response, the District Attorney's Office provided Attachment III, which is summarized in Table 11 below, such that the District Attorney reports that from 2010 to 2012, there was (a) a total reduction of 13.7% domestic violence cases referred by the Police Department to the District Attorney's Office and (b) a total reduction of 18.5% in domestic violence cases charged by the District Attorney's Office.

**Table 11: District Attorney Data on Domestic Violence Cases from 2010-2012**

Year	Total Police Cases Referred to the District Attorney	Annual Percent Change in the Cases Referred to the District Attorney	Total Cases Charged by the District Attorney	Annual Percent Change in Cases Charged by the District Attorney
2012	1,693	(11.2)	705	(17.4)
2011	1,906	(2.9)	854	(1.3)
2010	1,962	na	865	na

As shown in Tables 10 and 11 above, both the Police Department and District Attorney data reflect reductions in domestic violence caseload referrals and cases charged in 2012. In addition, not only have domestic violence cases declined, but based on data provided by the District Attorney's Office during the FY 2012-13 budget review, the Budget and Legislative Analyst found that the total number of District Attorney criminal cases has declined by over 20% from 2008 through 2011.

However, the District Attorney's Office states in Attachment III, that the most compelling data is not the number of cases referred by the Police Department or the total number of cases charged, but rather is the number of cases resolved through settlements, which has declined significantly, while there has been a corresponding significant increase in the number of trials, particularly

misdemeanor trials, such that each District Attorney must now carry more cases and provide increased amounts of work per case, as summarized in Table 3 above.

### **Budget and Legislative Analyst Recommendations**

To address these additional caseload concerns, as shown in Table 12 below, the Budget and Legislative Analyst recommends:

- Two Limited Tenure 8177 Attorney positions. The addition of these two positions would reduce the (a) average caseload per attorney per month from 30 to 24, a 20% reduction, and (b) average number of trials (both felony and misdemeanor) per attorney per year from approximately five trials to four trials per year, a 20% reduction.
- Two Limited Tenure 8550 District Attorney Investigator positions. These positions would be the first District Attorney Investigator positions dedicated to the District Attorney's Office Domestic Violence Unit and would provide support to the attorneys in processing domestic violence cases, offsetting attorney workload.
- One Limited Tenure 8132 Investigative Assistant, increasing the number of Investigative Assistants dedicated to the Domestic Violence Unit to two. This position would provide paraprofessional investigative and legal support to the attorneys.

Limiting the tenure for the proposed two Attorneys, two District Attorney Investigators and one Investigative Assistant positions to two years, consistent with the City's two-year budget process, would allow the District Attorney to track Police Department domestic violence referrals and evaluate domestic violence caseloads to determine longer-term staffing needs.

The Budget and Legislative Analyst does not recommend additional 8129 Victim/Witness Investigator positions, given that the District Attorney's Office received an additional \$294,000 of General Fund revenues in the FY 2012-13 budget to fund three previously grant-funded 8129 Victim/Witness Investigator I positions. Therefore, the District Attorney could designate these additional General Fund Victim/Witness Investigator positions to the Domestic Violence unit, if necessary.

Table 12 below summarizes the Budget and Legislative Analyst staffing and position recommendations for the Department on the Status of Women and District Attorney's Office. As shown in Table 12 below, these recommendations would result in a General Fund savings of \$258,933 in FY 2012-13 and an estimated FY 2013-14 annualized savings of approximately \$449,466 (\$1,238,390 less \$788,924).



**Table 12: Budget Analyst Recommendations for Status of Women and District Attorney**

Classifications and Titles	FTEs in FY 2012-13	Salary and Fringe Benefit Costs in FY 2012-13	FTEs in Future Fiscal Years	Estimated FY 2013-14 Salary and Fringe Benefits Costs	General Fund Savings in Proposed Appropriation Ordinance
<b><u>Status of Women</u></b>					
1824 Principal Administrative Analyst	.33	\$36,903	1.0	\$110,708	\$18,451
Fringe Benefits		13,975		41,924	6,987
<b>Status of Women Subtotal</b>	<b>.33</b>	<b>\$50,878</b>	<b>1.0</b>	<b>\$152,632</b>	<b>\$25,438</b>
<b><u>District Attorney</u></b>					
8177 Attorney Civil/Criminal LT	.66	\$65,676	2.0	\$197,028	\$65,676
Fringe Benefits		21,679		65,039	21,678
8550 District Attorney Investigator LT	.66	74,197	2.0	222,592	37,099
Fringe Benefits		21,863		65,598	10,931
8129 Victim/Witness Investigator LT	0	0	0	0	67,496
Fringe Benefits		0		0	30,615
8132 DA Investigative Assistant LT	.33	19,821	1.0	59,462	0
Fringe Benefits		8,857		26,573	0
<b>District Attorney Subtotal</b>	<b>1.65</b>	<b>\$212,093</b>	<b>5.0</b>	<b>\$636,292</b>	<b>\$233,495</b>
<b>Total</b>	<b>1.98</b>	<b>\$262,971</b>	<b>6.0</b>	<b>\$788,924</b>	<b>\$258,933</b>

Overall, the Budget and Legislative Analyst is recommending approval of six of the requested 12 new positions, with FY 2012-13 salary and fringe benefit costs of \$262,971. Approval of the balance of six requested District Attorney positions, with FY 2012-13 salary and fringe benefit costs of \$233,495 and a total of \$228,096 to fund the Department on the Status of Women's professional services contracts (\$178,000) and one-time outreach and awareness funding (\$50,000) are policy decisions for the Board of Supervisors.

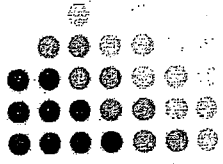
## RECOMMENDATIONS

1. Amend the proposed Annual Salary Ordinance (File 12-1165) for FY 2012-13 to reflect (a) the one new permanent Department on the Status of Women 1824 Principal Administrative Analyst position at .33 FTE instead of .50 FTE, (b) identify all of the District Attorney positions as Limited Tenure (LT), and (c) the 5.0 FTE District Attorney positions as outlined in Table 12 above.
2. Amend the proposed supplemental appropriation ordinance (File 12-1166) as summarized in Table 12 above, for a FY 2012-13 General Fund savings of \$258,933.
3. Approval of the (a) balance of six requested District Attorney positions, with FY 2012-13 salary and fringe benefit costs of \$233,495, (b) \$50,000 one-time Status of Women outreach and awareness funding, and (c) \$178,000 (annualized at \$356,192) for the Status of Women professional services contracts in the proposed supplemental appropriation ordinance (File 12-1166), as amended, are policy decisions for the Board of Supervisors.

San Francisco Department on the Status of Women  
VAW Partner Agency funding for Fiscal Year 2012-2013

Agency by Service Category	Programs	Marriage License Fees	General Fund	BOS New Initiative \$250K = 9.9%	FY12-13 w/ BOS 9.9%	Ratio of BOS 0.92% increase = 1.92%	TOTAL FY12-13 Allocation	Total Increase for FY12-13
Domestic Violence Shelter Programs								
Asian Women's Shelter	Domestic Violence Shelter Program	64,667	94,381	9,344	168,391	1.81%	170,204	11,156
La Casa de las Madres	Domestic Violence Shelter Services	64,667	271,304	26,859	362,828	5.20%	369,038	32,058
St. Vincent de Paul (Riley Ctr)	Domestic Violence Shelter Services	194,000	123,156	12,300	202,213	1.43%	204,816	14,793
	Subtotal for DV Shelters		490,840	48,693	793,433	5.42%	742,858	58,017
Crisis Line Services								
S.F. Women Against Rape	Sexual Assault Crisis Line		92,729	9,180	101,909	1.76%	103,690	10,857
W.O.M.A.N., Inc.	Domestic Violence Crisis Line		224,477	22,223	246,700	4.31%	251,010	26,633
	Subtotal for Crisis Line Services		317,206	31,403	348,609	6.09%	354,700	37,494
Legal Services								
Asian Pacific Islander Legal Outreach	Asian/Pacific Domestic Violence Project		130,229	12,893	143,122	2.50%	145,622	15,993
Bay Area Legal Aid	Domestic Violence Legal Services		71,791	7,107	78,898	3.78%	80,277	8,486
S.F. Bar Volunteer Legal Services	Cooperative Restraining Order Clinic (CROO)		74,837	7,409	82,246	4.47%	83,663	8,940
S.F. Bar Volunteer Legal Services	Domestic Violence Project (VSLP)		77,358	7,658	85,016	4.85%	86,502	9,144
	Subtotal for Legal Services		354,215	35,067	389,282	6.80%	396,063	41,868
Transitional Housing								
Gum Moon Women's Residence	Transitional Housing for Immigrant Domestic Violence Women		57,433	5,686	63,119	1.03%	64,222	6,789
Jewish Family and Children's Services	Dream House		46,950	4,648	51,598	1.91%	52,489	5,943
Manv Elizabeth Inn	JNNRoads		85,878	8,512	94,490	1.65%	95,141	10,163
St. Vincent de Paul (Riley Ctr)	Brennan House		95,064	9,411	104,475	1.27%	106,301	11,237
	Subtotal for Transitional Housing		285,425	28,257	313,682	5.48%	319,162	33,737
Intervention & Advocacy Programs								
APA Family Support Services	Home Visitation		71,393	7,065	78,428	1.30%	79,798	8,435
Donaldina Cameron House	Asian Domestic Violence Advocacy		121,907	12,069	133,975	2.34%	136,316	14,409
Mujeres Unidas y Activas	Sahando el Alma		42,255	4,183	46,438	1.11%	47,260	4,998
S.F. Women Against Rape	Sexual Assault Advocacy		125,722	12,446	138,168	2.41%	140,562	14,660
W.O.M.A.N., Inc.	Therapy and Latina Case Management Program		46,950	4,648	51,598	1.91%	52,489	5,548
	Subtotal for Intervention & Advocacy Programs		408,197	40,411	448,608	7.83%	456,445	48,749
Prevention/Educational/Outreach Programs								
Arab Cultural & Community Center	Arab Women's Program		65,879	6,522	72,401	1.26%	73,666	7,767
Asian Pacific Islander Legal Outreach	Asian Anti-Trafficking Collaborative		25,000	2,475	27,475	1.80%	27,955	2,955
Community United Against Violence	LBT Prevention and Education Services		50,000	4,950	54,950	9.90%	56,910	5,910
Community Youth Center - S.F.	Young Asian Women Against Violence		110,031	10,893	120,924	2.11%	123,036	13,006
Filipino Community Center	Babae Domestic Violence Program		42,255	4,183	46,438	1.11%	47,260	4,995
Glide Foundation	Glide Women's Center		42,255	4,183	46,438	1.11%	47,260	4,995
Horizons Unlimited of San Francisco, Inc.	Females Against Violence Peer Leadership and Education Program		28,170	2,789	30,958	5.41%	31,499	3,330
Insights on Aging	Preventing Domestic Violence Late in Life		25,000	2,475	27,475	1.80%	27,955	2,955
Lavender Youth Recreation & Information Center	Queer Young Women's Health & Safety Project		51,753	5,124	56,877	3.94%	57,870	6,117
Mission Neighborhood Centers, Inc.	Real Arising Issues Creating Empowered Students (RAICES)		114,866	11,372	126,237	2.05%	128,443	13,977
S.F. Women Against Rape	SA Education		29,625	2,933	32,558	1.69%	33,127	3,562
S.F. Women Against Rape	Students Talking About Non-Violent Dating (S.T.A.N.D.)		69,542	6,895	76,428	1.33%	77,161	8,220
Women in Dialogue	In Defense of Prostitute Women's Safety		25,000	2,475	27,475	1.80%	27,955	2,955
	Subtotal for Prevention, Education, & Training		679,375	67,268	746,633	13.04%	759,677	80,302
	TOTALS	1,944,000	2,380,257	230,590	2,610,847	4.87%	2,638,924	239,667

\*\* The 0.92% from the BOS is for August 1, 2012 - June 30, 2013. FY13-14 will be a combined total of 2%.



## Domestic Violence Units: San Francisco & Santa Clara Counties

	San Francisco	Santa Clara	Comparison
Dedicated DV Trial Attorneys	Felony: 3 <u>Misdemeanor: 3</u> <b>Total: 6</b>	Felony: 7 <u>Misdemeanor: 4</u> <b>Total: 11</b>	Santa Clara has 83% more attorneys
Dedicated Support Staff	Manager: 1 Charging: 0 Calendar: 1 Paralegal: 1 Advocate: 0 Support Staff: 0 <u>DAI: 0</u> <b>Total: 3</b>	Manager: 1 Charging: 1 Calendar: 0 Paralegal: 2 Advocate: 1 Support Staff: 5 <u>DAI: 4</u> <b>Total: 14</b>	Santa Clara has 367% more support staff
DV Trials (2012, Jan-October)	Felony: 12 <u>Misdemeanor: 28</u> <b>Total: 40</b>	Felony: 14 <u>Misdemeanor: 25</u> <b>Total: 39</b>	Santa Clara has 2.5% fewer trials

## Challenges facing San Francisco District Attorney's Domestic Violence Unit

Domestic violence is a notoriously difficult crime to prosecute. By definition the victim is in a relationship with the offender and it creates a whole range of complications for prosecutors. Over the last ten years, San Francisco has prided itself on taking a hard line to end violence in the home. After the death of Claire Joyce Temponkgo at the hands of her boyfriend, the City renewed its commitment to combatting the violence and protecting the lives of domestic violence victims. We have seen great success in these efforts through better collaborations and better communication.

This is not to say we cannot do more. We still have an unacceptably high rate of violence between intimate partners. According to the Family Violence Report for 2011, domestic violence crisis lines fielded 47% more calls and domestic violence shelters provided 29% more bed nights to survivors. There was also a 10% increase in the number of cases prosecuted by the District Attorney's Office, a 17% increase in Adult Probation matters and a 16% increase in victims of domestic violence victims served since 2010. There is more work in domestic violence than ever and we are understaffed to respond appropriately to it.

### Cases referred has remained constant

The San Francisco District Attorney's (SFDA) Domestic Violence Unit reviews all domestic violence reports brought to the office to determine whether charges should be filed. According to our data, the number of cases referred has remained relatively constant over the last three years. In 2010, SFPD brought 1,962 cases to the District Attorney for consideration. In 2011, they brought 1,906 and in 2012 they brought 1,693 cases for District Attorney review.

The SFPD data included in the Budget Analyst's report suggests a 32% drop in the number of cases referred in 2012. Our numbers do not show a similar drop. While it is best to explore this discrepancy with the SFPD, there are two plausible explanations. First, in 2012, the SFPD reorganized. Rather than having a stand-alone Domestic Violence Unit, they collapsed this into what is now called a Special Victims Unit which handles domestic violence as well as many other crimes. This shift in priorities may have led to a temporary drop in the number of cases investigated and referred. Second, in 2012, the SFPD started using a new data collection system, the Crime Warehouse. As with any switch in data collection systems, there are often changes in the data that are attributable to data collection and analysis rather than workload.

What SFDA data and workload show is that the number of cases being reviewed and charged has stayed relatively constant. We saw an 11% decline in the referrals from 2011 to 2012. This decline seems reasonable given the possible explanations of the changes within SFPD mentioned above.

Calendar Year	2010	2011	2012
Number of cases	1962	1906	1693

Either way, it is a one year anomaly and does not appear to be a multi-year trend from which one could determine a decline in work for the police department. Moreover, with a referral and charging rate that have stayed relatively constant and a settlement rate that has plummeted, our work is accumulating and creating extremely high caseloads.

**Cases charged has remained constant**

Consistent with the drop in referrals, there was slight decline in our charging. In 2010 and 2011 we charged 865 and 854 cases respectively. In 2012 we charged 705 cases. This is a 17% drop in cases charged since 2011 but only represents a 3% decrease in our charging rate. We do not believe it is a trend, as we are seeing increases to our workload on other metrics. For example, the number of victims seeking our assistance and the actual caseloads of our attorneys are both going up. The workload in the DA's office is really determined by the number of cases that are filed combined with the number of pending cases, not the number of cases we review.

Calendar Year	2010	2011	2012
# of cases charged	865	854	705

**Case settlement has dropped**

In our opinion, the most compelling number and the most relevant for the evaluation of our supplemental request is our caseload information. While the number of cases referred and charged has remained relatively constant with a slight decline in 2012, the number of cases resolved through settlements has dramatically declined. This has caused our caseloads to shoot up to numbers our attorneys simply cannot handle.

From 2010 to 2012, 83 felony pleas dropped to only 48 felony pleas. This is a 42% reduction in felony cases resolving through pleas since 2010. Similarly, from 2010 to 2012 misdemeanor pleas dropped 9% from 133 to 121. In addition, probation pleas dropped by 25%, from 230 to 173. If cases do not resolve they remain open cases and quickly start to compound as new cases come in. A manageable case filing rate is eviscerated when the cases do not settle and cases build up from month to month and year to year.

Unlike other units of the Department, the cases in the Domestic Violence Unit are not settling as they have in the past. In 2010, we had 1,583 total open cases. In 2012, this number shot up to 2,950, an 86% increase. As discussed above, this is not being driven by higher filing rates. The cases simply are not settling, leading to an explosion in our caseloads. We have not made any changes to how we charge or settle cases. It appears the change is being driven by changes within the Public Defender's Office.

Calendar Year	2010	2011	2012
Misdemeanor cases	133	162	121
Felony cases	83	97	48
Probation cases	230	247	173
Total cases settled	446	506	342

**Caseloads have spiked**

Manageable caseloads are dependent on prompt settlement of cases. Without being able to close out cases through pleas, the file cabinets overflow and the attorneys quickly get buried in work. In 2010, the SFDA's Domestic Violence Unit handled an average of 143 cases per month. This worked out to a per attorney caseload of 18. In 2012, the Unit averaged 270 cases per month. This is a caseload of 30 per attorney which is a 66% increase in caseload per attorney.

With caseloads that have nearly doubled, our attorneys simply cannot keep up with the work. As a result, cases are not receiving the amount of attention they need and victims are not receiving the assistance they deserve. In 2010 when the average caseload was 18, our attorneys were working at full capacity. With double the work, there is no doubt the quality of the Unit's work is suffering.

In addition to the pressure on the attorneys the support staff is drowning. The unit currently has only one paralegal supporting the ten attorneys in the unit. The paralegal is simply unable to keep up with the needs of all the attorneys and their cases. See Appendix A which contains a list of some of the most typical activities performed by the paralegal and attorney on a case once it has been filed.

**Trials have spiked**

Concomitant with a reduction in settlements, there has been a dramatic increase in the number of trials. Between 2009 and 2012, the percent of DV trials, both felony and misdemeanor, increased by 345%. Of all the work we do, the most time consuming is trial work. Once an attorney is sent out to trial it is incredibly difficult to keep up with other work. The average length of time for a misdemeanor domestic violence trial is between 7 - 8 days. The average length of time for a felony domestic violence trial is 10 - 15 days.

Table 4. Increase in Trial work					
Year	2009	2010	2011	2012	4 year % Change
Felony	3	9	10	13	333%
Misd	8	21	19	36	350%
Total	11	30	29	49	345%

Since last year we have felt the biggest impact in our misdemeanor trials. The Public Defender's Office shifted away from a stand-alone misdemeanor domestic violence unit to spreading the cases among all their misdemeanor attorneys. This raised their available attorneys from 2 to 12. Because of the nature of domestic violence prosecutions, we believe it is inappropriate to eliminate our vertical unit. As a result, we have 3 misdemeanor attorneys versus 12 Public Defenders plus all of the conflict attorneys and private attorneys. It has resulted in our attorneys being in back to back trials the entire year. For example, it is not uncommon for a prosecutor to finish closing arguments in a case, and while the jury is deliberating they will bring in a new panel of jurors to be sworn in for the next trial. The prosecutor has no time to prepare for the trial and has very limited contact with the victim and witnesses because of the time pressures. This crunch is not experienced by the defense because it is very likely a different defense attorney is on the second case. Not having the same time crunch, defense attorneys are preparing for their trials during the time the prosecutor was completing the first trial. The 89% increase in our misdemeanor trial workload in the last year has caused great stress on the unit's staff and is not a sustainable situation.

**Quality of our work is compromised**

Unfortunately, in the vast majority of domestic violence cases we have no additional witnesses or evidence beyond the victim. When a victim decides s/he does not want his/her loved one to suffer any consequences for the violence, we are often left without a prosecutable case. If the victim is unwilling to testify, often we are unable to put forward a case. For this reason, it is critically important that we have early and sustained contact with the victims in our cases. They need to understand that we will assist them through the process and get the support they need to make the difficult to decision to follow through with a prosecution. This engagement is critical to our success or failure in these cases.

Advocates typically perform the following duties on a daily basis for a multitude of victims:

- Prep witnesses/victims for prelims, trial or sentencing hearings
- Escort witness/victims to Court on day of hearing
- Contacting victims to follow-up on case status
- Prepping a newly assigned case
- Covering on duty schedule (11-13 days in a month)
- Documenting every interaction & services in DAMION whether advocates met client in person or by phone
- Make calls to community agencies and social service agencies on behalf of client
- Meet with Assistant District Attorneys regarding case status
- File victim compensation claims
- Appeal denied claims
- Preparing CR-110 for restitution

There are 12 Victim/Witness Advocates providing support services to victims of crime. Each Advocate assists approximately 444 victims a year. Domestic Violence victims make up 23% of all victims served by our office.

	2010	2011	2012
Cases Handled per Year per Advocate:	392	436	444
Avg. Caseload per Month:	33	36	37
Percentage Increase in Caseload:	12%		

The Department's Victim Services Unit has been understaffed for several years. This has only gotten worse as the State made further and further reductions in the funding available for this critical work. In the 2012-13 City & County of San Francisco annual budget process, we sought to increase our staffing in Victim Services. We submitted a budget proposal to increase victim services staffing by 3 new victim advocates. At the same time as we made this request to increase our staffing, reductions at the State and Federal level forced us to change our request to maintain the staffing we had. The City and County provided funding for the advocates that would have otherwise been lost, leaving the Department with the same staffing to deal with the increases in the workload.

Types of Crimes	Victim Served 2010	Victim Served 2011	Victim Served 2012
Assault	1,188	1,219	1,199
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Child Abuse	357	358	300
Vehicular	147	206	193
Elder Abuse	238	224	209
Property	297	179	239
Sexual Assault	160	178	147
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All Other	105	111	100
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Over the last two years, we have seen an increase in the number of victims receiving assistance from our office. The overall work of the unit has increased by 11% in the last two years. Within that same period, we have seen a 19% increase in the number of domestic violence victims seeking our assistance.

This increased workload has forced us to evaluate whether or not we should have dedicated Victim Advocates for domestic violence cases. After review, we believe more meaningful support to victims is possible if we have staff dedicated to the Domestic Violence Unit. Santa Clara County is organized this way and experiences great benefit from it. Just as we want attorneys to have a particular specialization and focus while in the DV unit, our victim advocates would benefit from a similar narrowing of their caseload.

Domestic violence victims need more support and assistance than many of our victims. They are in a precarious situation and need heavy support to follow through with a prosecution and accessing services. The advocates assigned to this unit would be able to work closely with the attorney and investigator to assure the victim is kept apprised of the case and is comfortable with our approach while making sure that their well-being is provided for. Specialization increases the chances that victims will stay on board with a prosecution and it will allow us to offer them support from a specialized and consistent advocate.

When we looked to simply dedicate existing advocates to this work, it left the unit too understaffed to complete the work on all of the other cases we have. The Domestic Violence work would require 3 advocates, leaving the unit with just 9 advocates to handle the rest of the offices cases, increasing their existing overwhelming caseloads in the process.

Similar to the Victim Advocates, our Investigators provide important support to our trial attorneys. The misdemeanor domestic violence cases receive no additional investigation by the SFPD. All of that work is done by our office. In addition, any extensive follow up investigation on felonies is generally handled by our investigators. On domestic violence cases there is a great need to secure additional witnesses and evidence because we are often dealing with a victim that is reluctant to testify. In these situations, we are seeking out witnesses, reviewing 911 calls, interviewing friends and family, looking for other reports of abuse and a whole range of other efforts to bolster the case.

Within our criminal division we have 10 investigators. They are charged with handling all investigations for the entire criminal division. This work resulted in 2,987 service requests in 2012. Many of these service requests include up to three or four separate tasks to be completed. These requests cover everything from subpoena service on witnesses to interviewing witnesses and ordering documents needed for court proceedings. This works out to at a minimum, 25 requests per month per investigator. It would be too detrimental to our homicide, sexual assault and other units to dedicate 3 investigators to solely cover domestic violence cases.

#### **Comparable County has dramatically more staff**

In trying to understand our workload and improve our operation on multiple fronts, we reached out to the surrounding counties to understand how they handle domestic violence cases. We learned there are a wide range of differences. It was difficult to compare ourselves to most of the counties because many do not have a vertical misdemeanor and felony unit. Many counties only handle felony domestic violence in a separate vertical unit. In our survey, we determined we were most akin to Santa Clara County.

Santa Clara handled roughly the same number of cases as our office. They file more cases initially, but end up dismissing the majority of them. This results in a similar volume of work for their domestic violence unit as our unit. However, with the same volume of work, they are staffed at a significantly higher ratio. This results in much lower caseloads for their attorneys and therefore the opportunity for higher quality work on the cases.

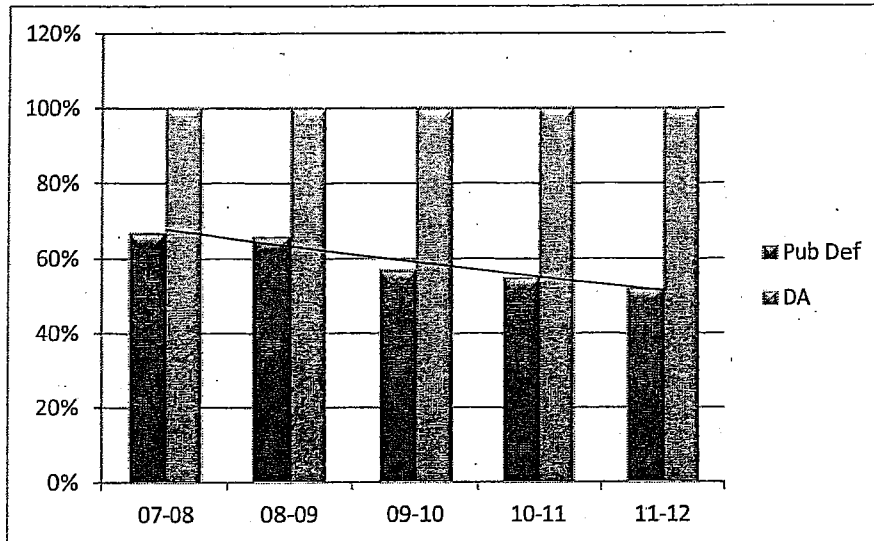
In addition to having 5 more attorneys than San Francisco, they have designated support staff assigned to the unit.

<b>Table 7. Bay Area County Comparison</b>		
<b>County</b>	<b>San Francisco</b>	<b>Santa Clara</b>
<b>Dedicated DV Trial Attorneys</b>	Felony: 3 <u>Misdemeanor: 3</u> <b>Total: 6</b>	Felony: 7 <u>Misdemeanor: 3</u> <b>Total: 10</b>
<b>Caseload per DV Attorney</b>	M/F Cases: 30 <u>MTRs: 20</u> <b>Total: 50</b>	M/F Cases: 30 <u>MTRs: 0</u> <b>Total: 20</b>
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**Public Defender overstaffed in all areas**

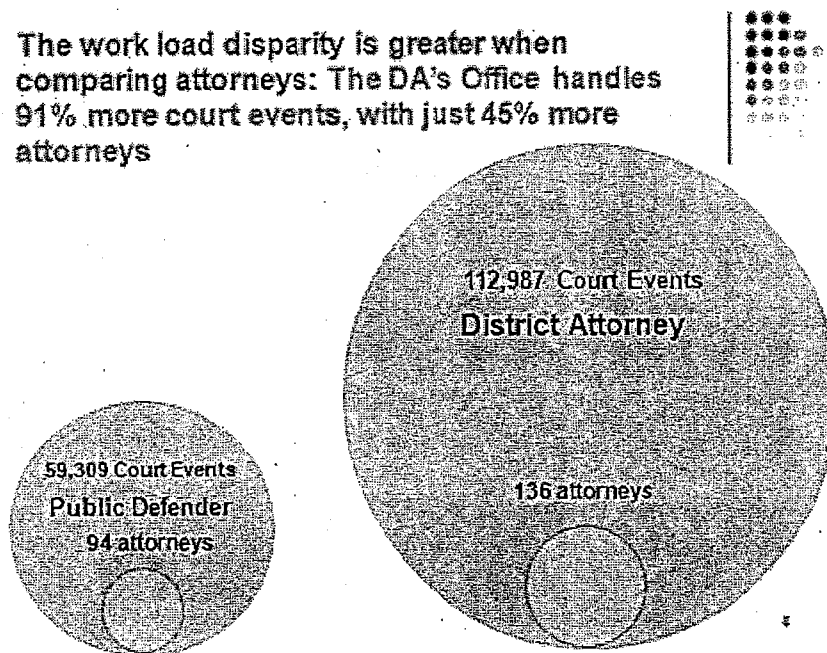
It is predictable that the Public Defender will request similar funding should our budget supplemental be granted. However, a comparison of our two offices shows that the Public Defender has a disproportionately large staff for the percentage of work handled. Any criminal case in San Francisco is by definition handled by the District Attorney's Office. No other agency has the authority to file a criminal case in our state courts. However, this is not so for the Public Defender's Office. They are appointed to represent people that are unable to pay for private representation. The remainder of the cases are handled by private attorneys and attorneys from the conflict panel. An evaluation of the court appearances made by both the District Attorney's Office and the Office of the Public Defender confirms that their caseload is approximately half of what is handled by the District Attorney.

**Chart 1. FY 07-12 Total Court Events with Proportional Workload by Department**



If the District Attorney and Public Defender were staffed equally according to the percentage of the work we handle, the District Attorney's Office would be funded for an additional 43 attorneys. Alternately, the Public Defender's Office would be reduced by 43 attorneys if staffing were determined based on workload. In addition to the attorney inequity, the District Attorney's Office is understaffed on support staff positions as well. If both offices were staffed based on workload there would be at least 13 additional support staff. Arguably, this number should be even higher since we handle a broad range of functions that are not part of the Public Defender's responsibilities or workload.

**The work load disparity is greater when comparing attorneys: The DA's Office handles 91% more court events, with just 45% more attorneys**

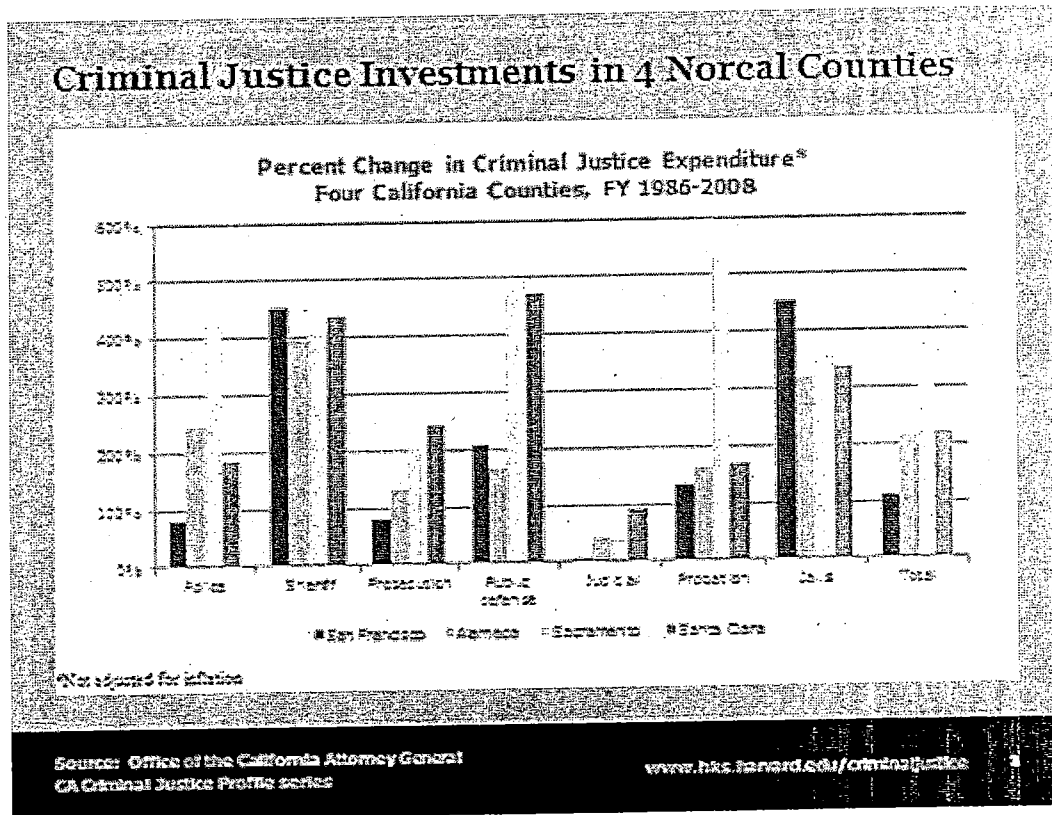


Based on the Court Management System data presented in the chart above, each Assistant District Attorney is appearing in court 200 more times a year than each Public Defender. This disproportionate workload compromises the quality of our work and exhausts our staff unfairly.

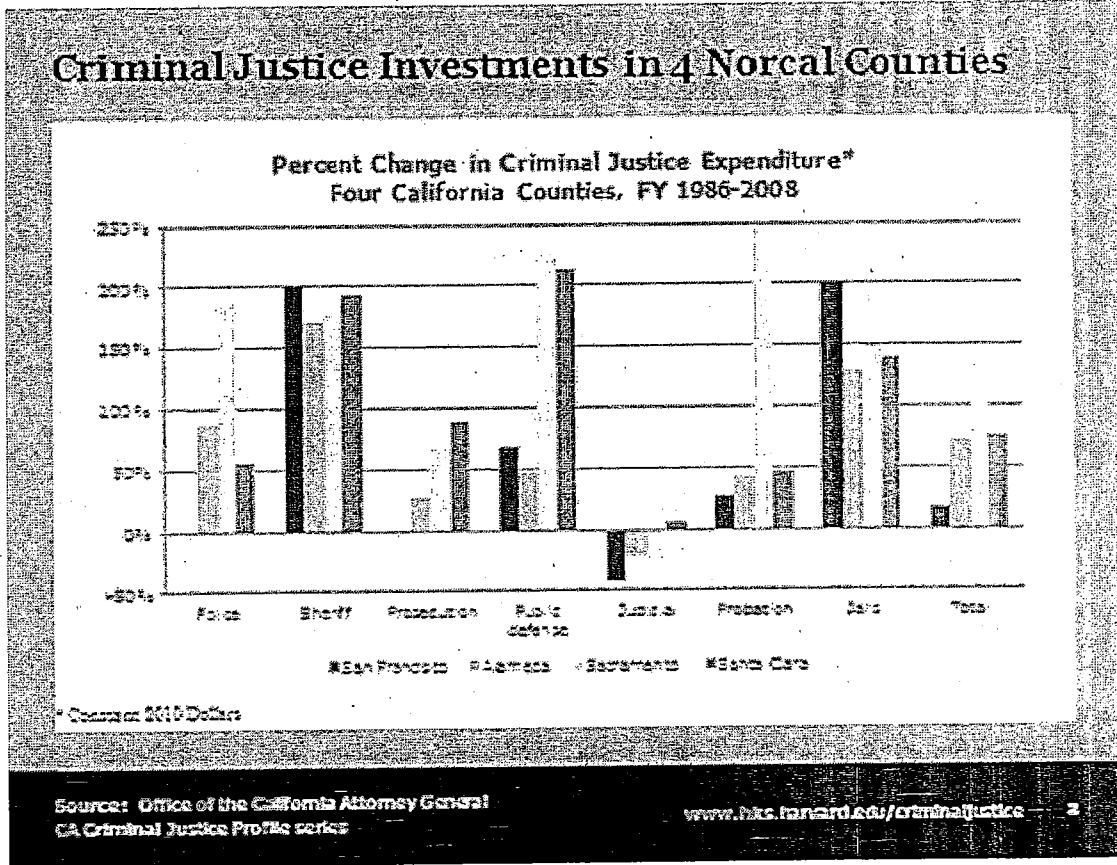
In addition to only handling only about half of all cases in the system, the District Attorney is charged with many other responsibilities that are not shared by the Public Defender. The District Attorney's Office is responsible for administering the Victim and Witness Assistance program which provides critical supports to victims of crime, including escorting them to court, connecting them with services, and helping them secure reimbursement from the state for their losses. The District Attorney is also responsible for the relocation of witnesses. This is an intensive program that requires relocating witnesses and their families and providing security when necessary. The District Attorney also conducts criminal investigations. While SFPD conducts many of the investigations, we have an entire universe of cases that are independently investigated by our own investigators. In addition to these independent investigations, our office also conducts a vast majority of follow up investigations, particularly on any misdemeanor case. The SFPD is not staffed to complete additional investigation and therefore, the responsibility falls to our office to gather the additional evidence needed to prove our cases. All of this work is being handled with a proportionately smaller staff than the Public Defender's Office staff when accounting for total workload.

**District Attorney's Office has been historically underfunded**

When compared with surround counties and when compared against City funding, the San Francisco District Attorney's Office has been underfunded for the core functions it is mandated to perform. The San Francisco District Attorney's Office has the slowest growth of the Bay Area counties.

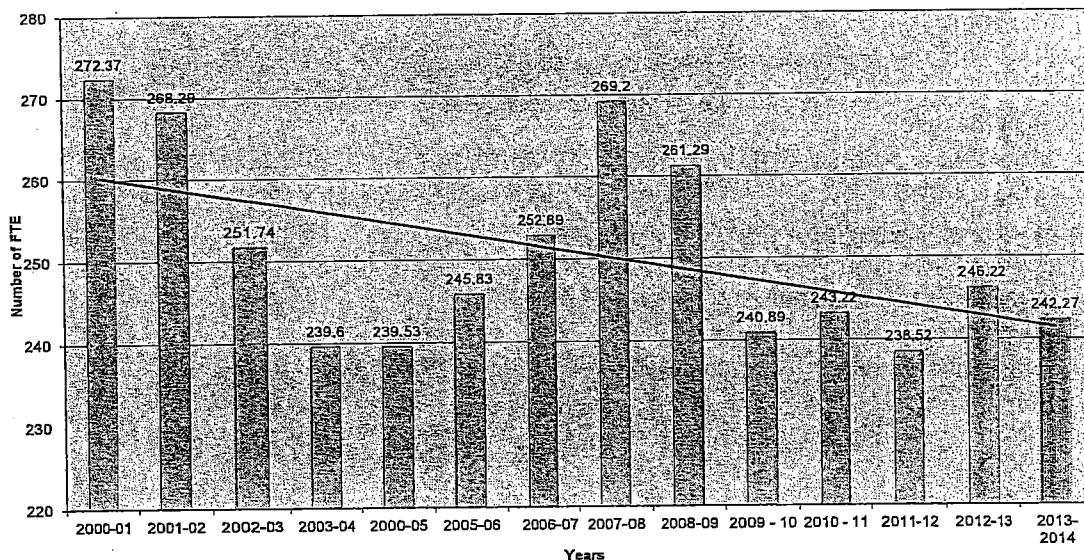


The DA's Office is also the least funded of the city's criminal justice agencies. When compared to the Sheriff, the Public Defender and the Police, the District Attorney's Office has been consistently underfunded.



Over 90% of the budget for the DA's Office is staff. The underfunding of the department has led to significant decline in our staff over the past fourteen years. We are operating with 30 fewer staff than we were in 2000. This 11% reduction in our staff comes at a time when our Domestic Violence unit is experiencing a 345% increase in its caseloads.

**District Attorney Budgeted FTE**  
2001 - 2014 Proposed



Appendix A

Work performed by Domestic Violence Unit once a case has been charged

- Case is assigned
- Advocate referral made
- Initial discovery is put together for defense with a discovery receipt
- Case file is reviewed
- Criminal protective Order is completed for filing
- ADA goes to court for arraignment
- Criminal Protective Order is filed and served
- MTR Motions are filed and served, if applicable
- Attempts made to contact Victim (within 24hrs of arraignment)
- CPO is mailed to Victim
- Generate Brady Letter to law enforcement
- Order 911 CD and certified CAD printout
- Order certified prior convictions, if applicable
- Order certified Restraining Order, if applicable
- Contact CROC for Civil RO narratives
- Research and print out any prior DV reports in this jurisdiction
- If DV prior arrests outside jurisdiction, make request to DAI to retrieve the reports
- Research CAD history for any other calls of DV to address
- Order Jail Calls
- SDT Fire & Paramedic, Hospital
- On felonies, request search warrants for emails, texts, phone
- Review search warrants
- Do Engstrom/Wheeler for all witnesses
- Discover EW to defense
- Get recorded interviews from Inspectors
- Listen to interviews
- Request interviews to be transcribed
- Listen to 911 CD
- Request 911 CD transcribed
- Listen to jail calls
- Transcribe jail calls
- Request video footage if any
- Review video footage
- For felony, subpoena case for Px hx
- Victims and witnesses are personally served by DAI
- Bring in victim to discuss case
- Call witnesses on phone and discuss testimony
- Review any brady disclosures
- File Motions regarding brady issues
- If prior DV incidents
  - Get report
  - Talk to prior victims
  - Locate and talk to witnesses
  - Check to see if evidence still in property
  - Retrieve evidence from property through DAI
  - Order 911 CD and CAD

- Bring in prior victims to establish relationship
  - Get advocate assigned if needed
  - Talk to witnesses to refresh on prior incident
- Maintain frequent contact with victim
- Jury Trial preparation
  - Bring in victim and witnesses to prep for trial
  - Organize documents for trials; exhibits
  - Prepare powerpoints
  - Reserve media equipment
  - Draft Motions in Limine
  - Draft Witness list
  - Draft any special motions for the court
  - Brief trial issues as they come up in court
  - Work with inspectors and DAI to rebut defense
  - Work with advocates to schedule victim and witness testimony
  - Work with victim services to arrange meals and transportation
  - Draft Jury Instructions
  - Draft Verdict Forms
- Monitor Defendant on Probation
  - Review progress reports
  - File MTRs when needed
  - Workup MTR cases (requires same amount of work as all of above)
  - Conduct MTR hearings
  - Negotiate settlements

# 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 (select only one):

- 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 No.  from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Request for Closed Session (attach written motion).
- 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       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

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

**Sponsor(s):**

Supervisors Chiu, Cohen, Kim, Mar, Farrell, Avalos, ~~and~~ Wiener, *Campas*

**Subject:**

Ordinance appropriating \$750,000 for the San Francisco Department on the Status of Women and the District Attorney's Office for FY 2012-2013.

**The text is listed below or attached:**

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only:



# Domestic Violence Needs Summary

Prepared for the San Francisco Board of Supervisors Budget  
Committee, February 6, 2013

2/5/2013

Office Of The District Attorney  
George Gascón

## Challenges facing San Francisco District Attorney's Domestic Violence Unit

Domestic violence is a notoriously difficult crime to prosecute. By definition the victim is in a relationship with the offender and it creates a whole range of complications for prosecutors. Over the last ten years, San Francisco has prided itself on taking a hard line to end violence in the home. After the death of Claire Joyce Temponkgo at the hands of her boyfriend, the City renewed its commitment to combat violence and protect the lives of victims. We have seen great success in these efforts through better collaborations and better communication.

This is not to say we cannot do more. We still have an unacceptably high rate of violence between intimate partners. According to the Family Violence Report for 2011, there was an increase in nearly every organization that responds to domestic violence. In 2011, domestic violence crisis lines fielded 47% more calls and domestic violence shelters provided 29% more deb nights to survivors. There was also a 10% increase in the number of cases prosecuted by the District Attorney's Office and a 17% increase in Adult Probation matters. There is more work in domestic violence than ever and we are understaffed to respond appropriately to it.

### Cases referred has remained constant

The San Francisco District Attorney's (SFDA) Domestic Violence Unit reviews all domestic violence reports brought to the office to determine whether charges should be filed. According to our data, the number of cases referred has remained relatively constant over the last three years. In 2010, SFPD brought 1,962 cases to us for consideration. In 2011, they brought 1,906 and in 2012 they brought 1,693 cases for our review.

The SFPD data included in the Budget Analyst's report suggests a 32% drop in the number of cases referred in 2012. Our numbers do not show a similar drop. While it is best to explore this discrepancy with the SFPD, there are two obvious possible explanations. First, in 2012, the SFPD reorganized. Rather than having a stand-alone Domestic Violence Unit, they collapsed this into what is now called a Special Victims Unit which handles domestic violence as well as many other crimes which may have led to a temporary drop in the number of cases investigated. Second, in 2012, the SFPD started using a new data collection system, the Crime Warehouse. As with any switch in data systems, there are often changes in the data that are attributable to data collection and analysis rather than workload.

What our data and workload show is that the number of cases being reviewed and charged has stayed relatively constant. We saw an 11% decline in the referrals from 2011 to 2012. This decline seems reasonable explained by the changes within SFPD mentioned above.

<b>Table 1. Cases presented by SFPD for charging consideration</b>			
<b>Calendar Year</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Number of cases</b>	1,962	1,906	1,693

This single year anomaly does not appear to be a trend from which one could determine a decline in work for the police department. Moreover, with a referral and charging rate that have stayed relatively constant and a settlement rate that has plummeted, our work is accumulating and creating extremely high caseloads.

### Number of cases charged has remained constant

Consistent with the drop in referrals, there was slight decline in our charging. However, the drop has not impacted the increases in workload for our prosecuting attorneys, our victim advocates and our investigators. In 2010 and 2011 we charged 865 and 854 cases respectively. In 2012 we charged 705 cases. This is a 17% drop in cases charged since 2011 but only represents a 3% decrease in our charging rate. We do not believe it is a trend, as we are seeing increases to our workload on other metrics. For example, the number of victims seeking our assistance and the actual caseloads of our attorneys are both going up. The workload in the DA's office is really determined by the number of cases that are filed combined with the number of pending cases, not the number of cases we review.

Calendar Year	2010	2011	2012
# of cases charged	865	854	705

### Case settlements have dropped dramatically

In our opinion, the most compelling number and the most relevant for the evaluation of our supplemental request is our caseload information. While the number of cases referred and charged has remained relatively constant with a slight decline in 2012, the number of cases resolved through settlements has dramatically declined. This has caused our caseloads to shoot up to numbers our attorneys simply cannot handle.

From 2010 to 2012, felony pleas dropped from 83 to only 48 felony pleas. This is a 42% reduction in felony cases resolving through pleas since 2010. Similarly, from 2010 to 2012 misdemeanor pleas dropped 9% from 133 to 121. In addition, probation pleas dropped by 25%, from 230 to 173. If cases do not resolve they remain open cases and quickly start to compound as new cases come in. A manageable case filing rate is eviscerated when the cases do not settle and cases build up from month to month and year to year.

Unlike other units of the Department, the cases in the Domestic Violence Unit are not settling as they have in the past. In 2010, we had 1,583 total open cases. In 2012, this number shot up to 2,950, an 86% increase. As discussed above, this is not being driven by higher filing rates. The cases simply are not settling, leading to an explosion in our caseloads. We have not made any changes to how we charge or settle cases. It appears the change is being driven by changes within the Public Defender's Office.

Calendar Year	2010	2011	2012
Misdemeanor cases	133	162	121
Felony cases	83	97	48
Probation cases	230	247	173
Total cases settled	446	506	342

### Caseloads have spiked

Manageable caseloads are dependent on prompt settlement of cases. Without being able to close out cases through pleas, the file cabinets overflow and the attorneys quickly get buried in work. In 2010, the SFDA's Domestic Violence

Unit handled an average of 143 cases per month. This worked out to a per attorney caseload of 18. In 2012, the Unit averaged 270 cases per month. This is an 88% increase in the domestic violence caseload.

With caseloads that have nearly doubled, our attorneys simply cannot keep up with the work. As a result, cases are not receiving the amount of attention they need and victims are not receiving the assistance they deserve. In 2010 when the average caseload was 18, our attorneys were working at full capacity. With double the work, there is no doubt the quality of the Unit's work is suffering.

In addition to the pressure on the attorneys, the support staff is drowning. The unit currently has only one paralegal supporting the ten attorneys in the unit. The paralegal is simply unable to keep up with the needs of all the attorneys and their cases. See Appendix A which contains a list of some of the most typical activities performed by the paralegal and attorney on a case once it has been filed.

### **Trials have spiked**

Concomitant with a reduction in settlements, there has been a dramatic increase in the number of domestic violence trials. Between 2009 and 2012, the percent of DV trials, both felony and misdemeanor, increased by 345%. Of all the work we do, the most time consuming is trial work. Once an attorney is sent out to trial it is incredibly difficult to keep up with other work. The average length of time for a misdemeanor domestic violence trial is between 7 - 8 days. The average length of time for a felony domestic violence trial is 10 - 15 days.

Year	2009	2010	2011	2012	4 year % Change
Felony	3	9	10	13	333%
Misd.	8	21	19	36	350%
Total	11	30	29	49	345%

Since last year we have felt the biggest impact in our misdemeanor trials. We experienced an 89% increase in the number of misdemeanor trials in 2012. In 2012, the Public Defender's Office shifted away from a stand-alone misdemeanor domestic violence unit to spreading the cases among all their misdemeanor attorneys. This raised their available attorneys from 2 to 12. Because of the nature of domestic violence prosecutions, it is inappropriate to eliminate our vertical unit. As a result, we have 3 misdemeanor attorneys versus 12 Public Defenders plus all of the conflict attorneys and private attorneys.

This short staffing in our unit has resulted in our attorneys being in back to back trials the entire year. For example, it is not uncommon for a prosecutor to finish closing arguments in a case, and while the jury is deliberating the court will bring in a new panel of jurors to be sworn in for the next trial. The prosecutor has no time to prepare for the trial and has very limited contact with the victim and witnesses because of the time pressures. This crunch is not experienced by the defense because it is very likely a different defense attorney is handling the second case. Not having the same time crunch, defense attorneys are preparing for their trials during the time the prosecutor is completing the first trial. The 89% increase in our misdemeanor trial workload in the last year has caused great stress on the unit's staff and is not a sustainable situation. It is unfair to our attorneys and the victims in these cases to have so little time to prepare the cases.

### **Victim Advocates are critical to our work**

Unfortunately, in the vast majority of domestic violence cases we have no additional witnesses or evidence beyond the victim. When a victim decides s/he does not want his/her loved one to suffer any consequences for the violence, we are often left without a prosecutable case. If the victim is unwilling to testify, often we are unable to put forward a case. For this reason, it is critically important that we have early and sustained contact with the victims in our cases. They need to understand that we will assist them through the process and get the support they need to make the difficult decision to follow through with a prosecution. This engagement is critical to our success or failure in these cases.

Advocates typically perform the following duties on a daily basis for a multitude of victims:

- Prepare witnesses/victims for preliminary hearings, trials or sentencing hearings
- Escort witness/victims to Court on day of hearing
- Contact victims to follow-up on case status
- Prepare newly assigned cases
- Cover on-duty schedule (11-13 days in a month)
- Document every interaction & service in DAMION
- Make calls to community agencies and social service agencies on behalf of client
- Meet with Assistant District Attorneys regarding case status
- File victim compensation claims
- Appeal denied claims
- Prepare forms to help secure restitution for victims

There are 12 Victim/Witness Advocates providing support services to victims of crime in San Francisco. Each Advocate assists approximately 444 victims a year. Domestic Violence victims represent 23% of all victims served by our office.

<b>Table 5. Unduplicated Victims Served</b>			
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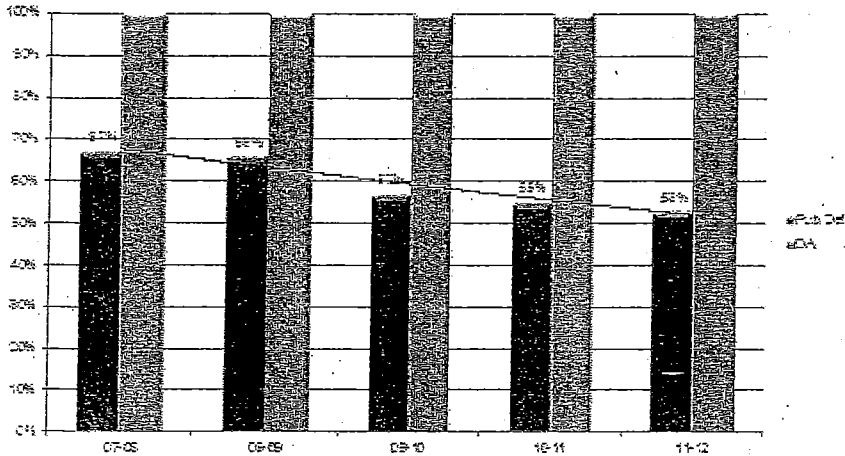
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<b>Dedicated Support Staff</b>	Paralegal: 1 Advocate: 0 <u>DAI: 0</u> <b>Total: 1</b>	Paralegal: 1 Advocate: 1 <u>DAI: 4</u> <b>Total: 6</b>

**Public Defender overstaffed in all areas**

It is predictable that the Public Defender will request similar funding should our budget supplemental be granted. However, a comparison of our two offices shows that the Public Defender has a disproportionately large staff for the percentage of work handled. Any criminal case in San Francisco is by definition handled by the District Attorney's Office. No other agency has the authority to file a criminal case in our state courts. However, this is not so for the Public Defender's Office. They are appointed to represent people that are unable to pay for private representation.

The rest of the cases are handled by private attorneys and attorneys from the conflict panel. The work performed by the Public Defender's Office has been steadily declining for the last five fiscal years.

Table 8: The DA's Office handles 100% of court events. In FY 11/12, the Public Defender's Office handled 53%.



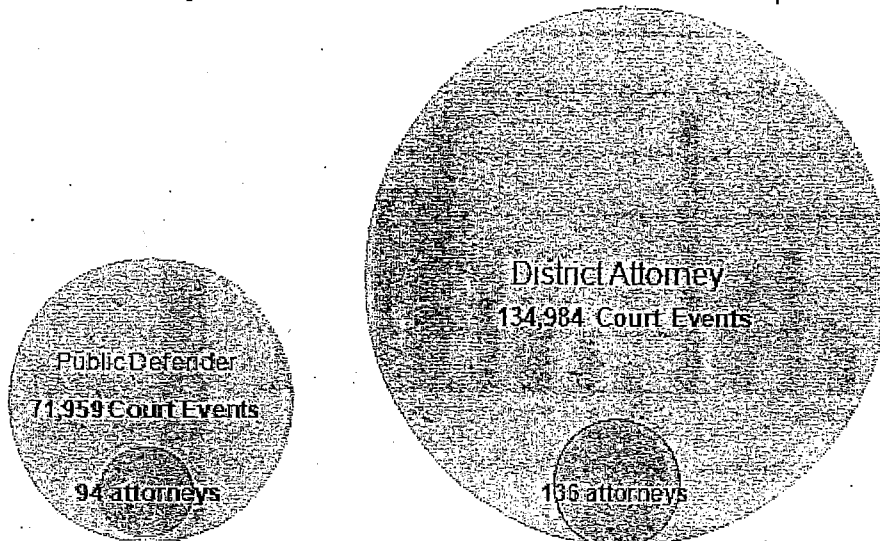
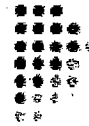
An evaluation of the court appearances made by both the District Attorney's Office and the Office of the Public Defender confirms that their total caseload is approximately half of what is handled by the District Attorney. Based on the Court Management System data presented through June 30, 2012, in the graphic below, there were a total of 134,984 court events. The District Attorney is present at all court events. This diagram demonstrates that each Assistant District Attorney is appearing in court 227 more times, or 30% more often, a year than each Public Defender. This disproportionate workload compromises the quality of our work and exhausts our staff unfairly.

If the District Attorney and Public Defender were staffed equally according to the percentage of the work we handle, the District Attorney's Office would be funded for 176 attorneys, for a total of 40 new attorney positions. Of course, parity can also be reached through a reduction to the Public Defender's Office. An attorney staff that handles 52% of the work handled by the District Attorney's Office would mean a staff of 71 attorneys, a reduction of 23 attorneys from their current staffing.

In addition to the attorney inequity, the District Attorney's Office is understaffed on support staff positions as well. If both offices were staffed based on workload there would be at least an additional 10 paralegals and 8 investigators funded in the District Attorney's Office. Arguably, this number should be even higher since we handle a broad range of functions that are not part of the Public Defender's responsibilities or workload.



**Table 9: The work load disparity is greater when comparing attorneys: The DA's Office handles nearly DOUBLE the court events, without double the attorneys.**

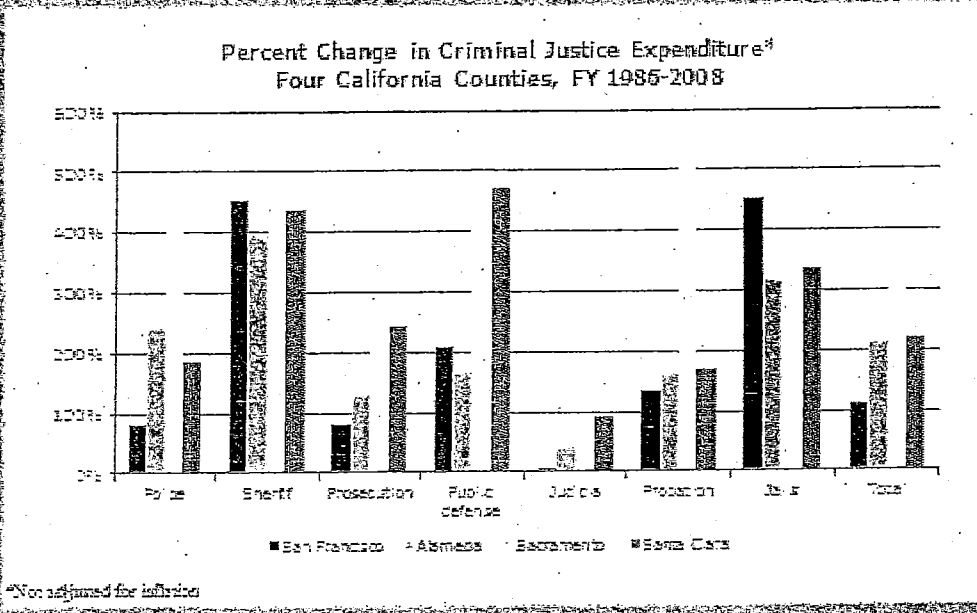


This workload disparity is exasperated by the additional responsibilities that lie solely with the District Attorney. The District Attorney's Office is responsible for administering the Victim and Witness Assistance program which provides critical supports to victims of crime, including escorting them to court, connecting them with services, and helping them secure reimbursement from the state for their losses. The District Attorney is also responsible for the relocation of witnesses. This is an intensive program that requires relocating witnesses and their families and providing security when necessary. The District Attorney also conducts criminal investigations. While SFPD conducts many of the investigations, we have an entire universe of cases that are independently investigated by our own investigators. In addition to these independent investigations, our office also conducts a vast majority of follow up investigations, particularly on any misdemeanor case. The SFPD is not staffed to complete additional investigation and therefore, the responsibility falls to our office to gather the additional evidence needed to prove our cases. All of this work is being handled with a proportionately smaller staff than the Public Defender's Office staff when accounting for workload.

**District Attorney's Office has been historically underfunded**

When compared with surrounding counties and when compared against City funding, the San Francisco District Attorney's Office has been underfunded for the core functions it is mandated to perform. The San Francisco District Attorney's Office has the slowest growth of the Bay Area counties.

## Criminal Justice Investments in 4 Norcal Counties

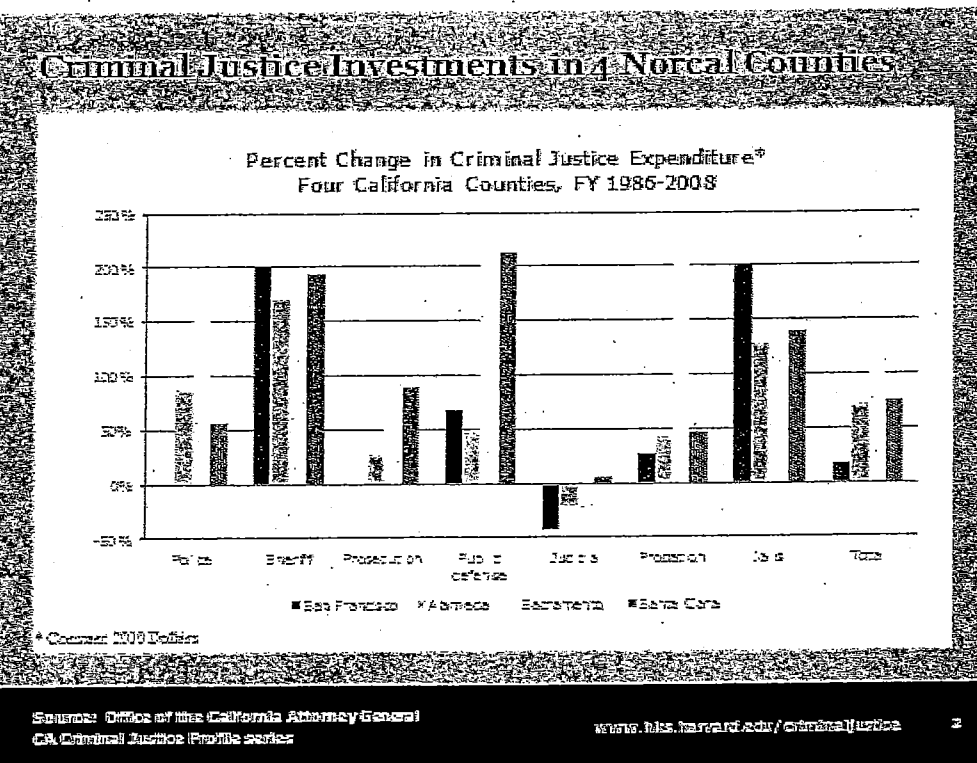


Source: Office of the California Attorney General  
CA Criminal Justice Profile series

[www.hhs.tenard.edu/criminaljustice](http://www.hhs.tenard.edu/criminaljustice)

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The DA's Office is also the least funded of the city's criminal justice agencies. When compared to the Sheriff, the Public Defender and the Police, the District Attorney's Office has been consistently underfunded.



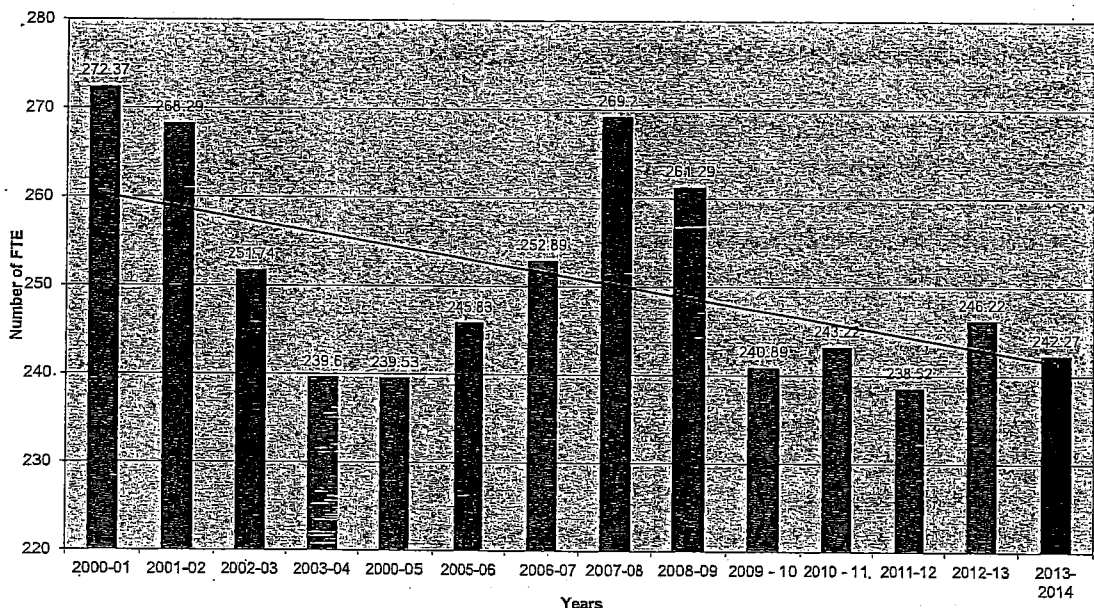
Source: Office of the California Attorney General  
CA Criminal Justice Profile series

[www.hhs.tenard.edu/criminaljustice](http://www.hhs.tenard.edu/criminaljustice)

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After adjusting for inflation all other agencies and counties have outpaced the San Francisco District Attorney's office in securing resources. Over 90% of the budget for the DA's Office is staff. The underfunding of the department has led to significant decline in our staff over the past fourteen years. We are operating with 30 FEWER staff than we were in 2000. This 11% reduction in our staff comes at a time when our Domestic Violence unit is experiencing a 345% increase in its trial work.

**District Attorney Budgeted FTE**  
2001 - 2014 Proposed



**Conclusion**

The District Attorney's Office can only perform at a certain level without sufficient staff. We have continued to represent the people of the City and County of San Francisco but are not able to provide our best work when we are so severely understaffed. The quality of our work suffers because we do not have the time to our best work. It is an injustice to the victims of crime when we are unable to secure the best outcome to protect them and all of San Francisco. Nowhere is this more true than in cases of domestic violence. When a victim is finally brave enough to come out of the shadows and seek our help, we owe it to him/her to our best work. We ask for the financial support to be able to provide these vulnerable victims with the justice they deserve.

## Appendix A

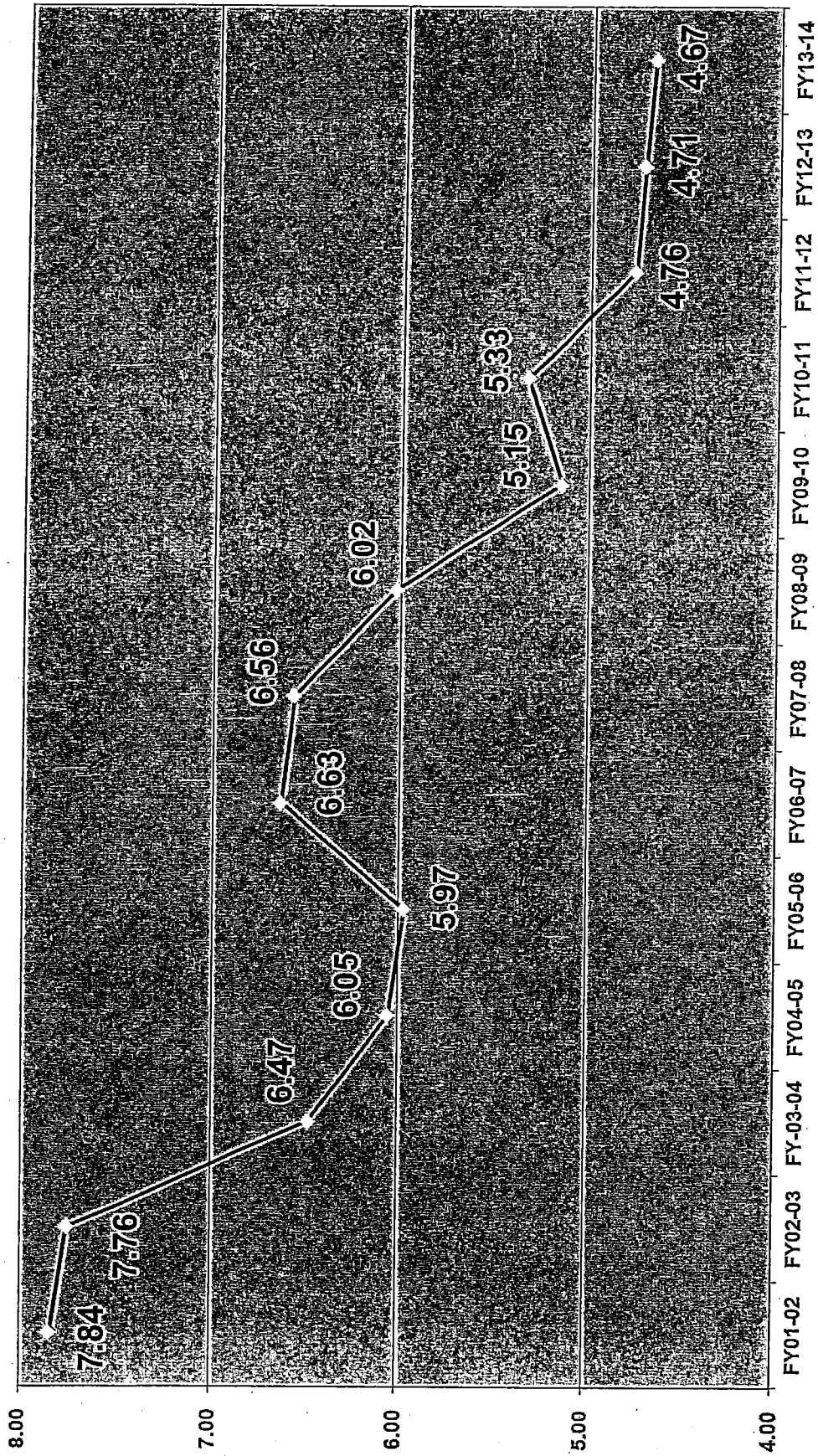
### Work performed by Domestic Violence Unit once a case has been charged

- Case is assigned
- Advocate referral made
- Initial discovery is put together for defense with a discovery receipt
- Case file is reviewed
- Criminal protective Order is completed for filing
- ADA goes to court for arraignment
- Criminal Protective Order is filed and served
- MTR Motions are filed and served, if applicable
- Attempts made to contact Victim (within 24hrs of arraignment)
- CPO is mailed to Victim
- Generate Brady Letter to law enforcement
- Order 911 CD and certified CAD printout
- Order certified prior convictions, if applicable
- Order certified Restraining Order, if applicable
- Contact CROC for Civil RO narratives
- Research and print out any prior DV reports in this jurisdiction
- If DV prior arrests outside jurisdiction, make request to DAI to retrieve the reports
- Research CAD history for any other calls of DV to address
- Order Jail Calls
- SDT Fire & Paramedic, Hospital
- On felonies, request search warrants for emails, texts, phone
- Review search warrants
- Do Engstrom/Wheeler for all witnesses
- Discover EW to defense
- Get recorded interviews from Inspectors
- Listen to interviews
- Request interviews to be transcribed
- Listen to 911 CD
- Request 911 CD transcribed
- Listen to jail calls
- Transcribe jail calls
- Request video footage if any
- Review video footage
- For felony, subpoena case for Preliminary hearing
- Victims and witnesses are personally served by DAI
- Bring in victim to discuss case
- Call witnesses on phone and discuss testimony
- Review any Brady disclosures
- File Motions regarding Brady issues
- If prior DV incidents
  - Get report
  - Talk to prior victims

- Locate and talk to witnesses
- Check to see if evidence still in property
- Retrieve evidence from property through DAI
- Order 911 CD and CAD
- Bring in prior victims to establish relationship
- Get advocate assigned if needed
- Talk to witnesses to refresh on prior incident
- Maintain frequent contact with victim
- Jury Trial preparation
  - Bring in victim and witnesses to prep for trial
  - Organize documents for trials; exhibits
  - Prepare powerpoints
  - Reserve media equipment
  - Draft Motions in Limine
  - Draft Witness list
  - Draft any special motions for the court
  - Brief trial issues as they come up in court
  - Work with inspectors and DAI to rebut defense
  - Work with advocates to schedule victim and witness testimony
  - Work with victim services to arrange meals and transportation
  - Draft Jury Instructions
  - Draft Verdict Forms
- Monitor Defendant on Probation
  - Review progress reports
  - File MTRs when needed
  - Workup MTR cases (requires same amount of work as all of above)
  - Conduct MTR hearings
  - Negotiate settlements



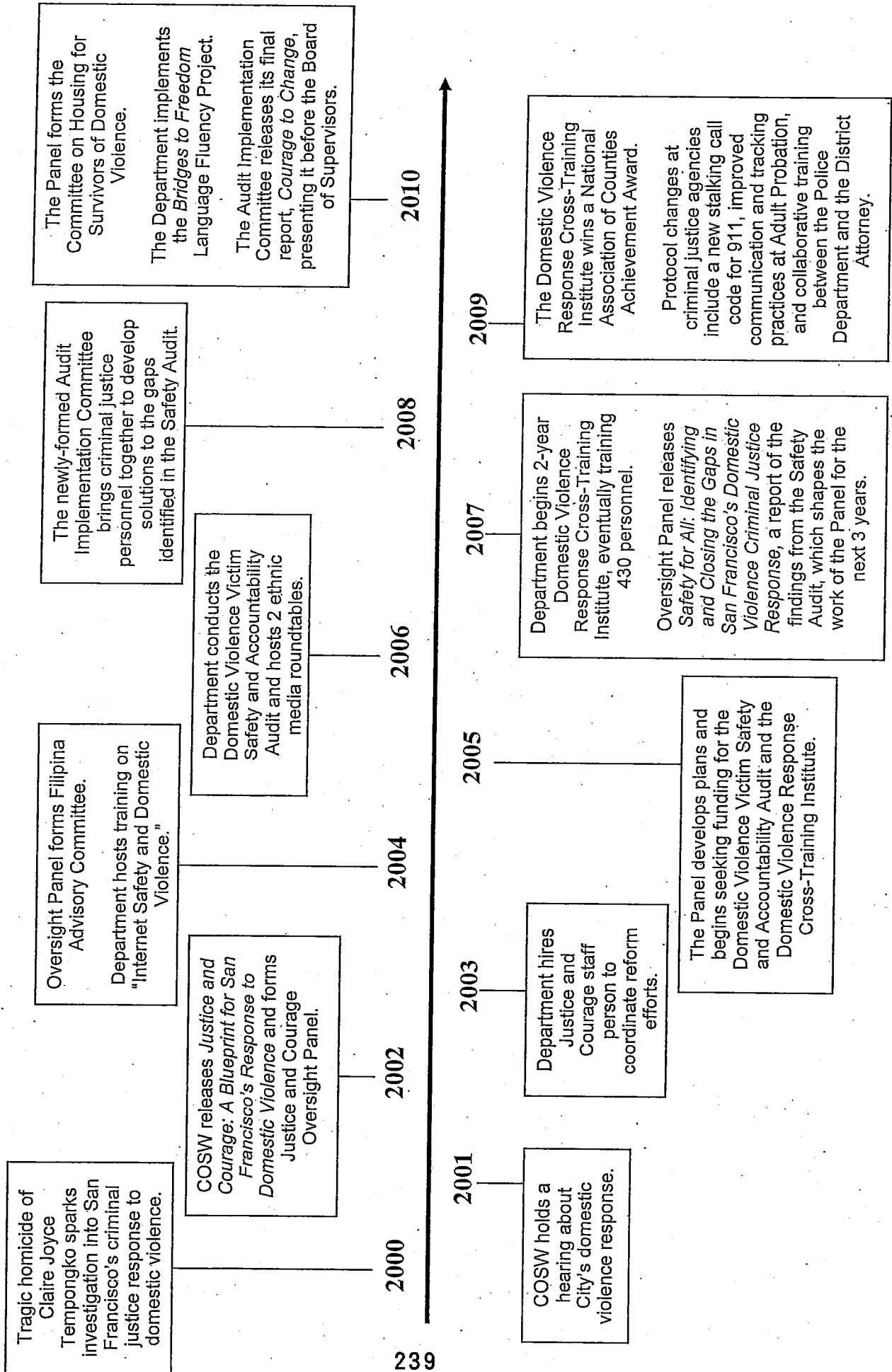
# Department on the Status of Women, Staff FTE





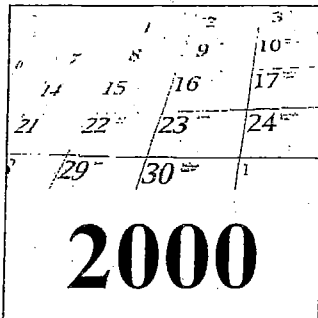


# Justice and Courage Project Timeline of Major Events

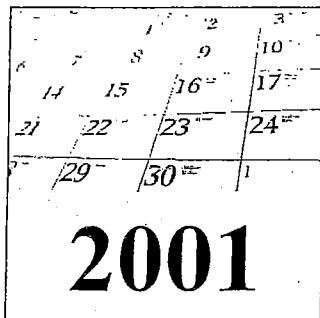




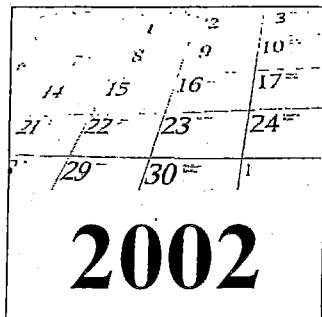
## Justice and Courage Project Timeline and Accomplishments October 2000 – October 2010



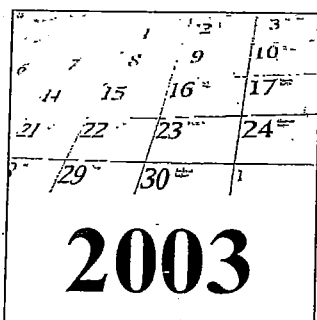
- ✓ The murder of Claire Joyce Tempongko occurred in October 2000.
- ✓ Community members requested an investigation into the City-wide response to domestic violence.
- ✓ The City convened a Review Panel to coordinate the investigation, which the City Attorney's Office led.



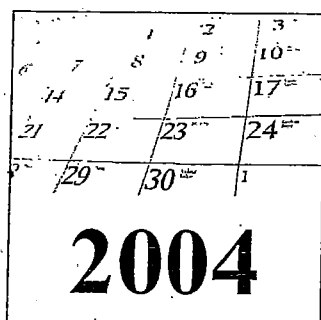
- ✓ The Commission on the Status of Women (Commission) held a **Public Hearing on Domestic Violence** that helped identify gaps in City-wide services and response to domestic violence as well as recommendations for improvement.



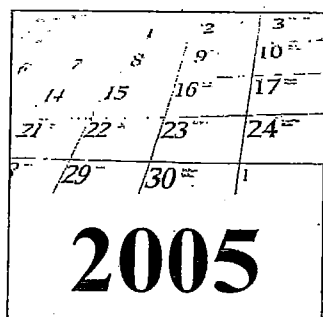
- ✓ The City Attorney submitted the results of the investigation into Ms. Tempongko's death.
- ✓ The Commission released its investigative report, *Justice and Courage: A Blueprint for San Francisco's Response to Domestic Violence*.
- ✓ The Commission formed the **Justice and Courage Oversight Panel**, which formed 4 subcommittees to address specific issues:
  - Interdepartmental Relations, Resources, Protocols, and Data Collection and Management
- ✓ The Department on the Status of Women (Department) developed a job description and began seeking funding for a Justice and Courage staff position.



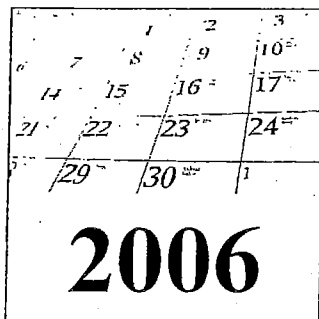
- ✓ The Department used federal funds to hire a Justice and Courage Program Coordinator.
  - ✓ A review of Emergency Communications Department protocols resulted in a revision of how 911 calls are logged. **Domestic violence calls are now identified and coded separately.**
  - ✓ The District Attorney assigned a full-time investigator to misdemeanor domestic violence cases.
  - ✓ Work of the Panel led to the elimination of a Police Department form that impacted victim safety.
  - ✓ The Police and Courts addressed the backlog of criminal Stay-Away Orders to ensure updated information is in the data systems.
  - ✓ For the first time in San Francisco, the Panel gathered domestic violence criminal statistics from all City departments.
- 



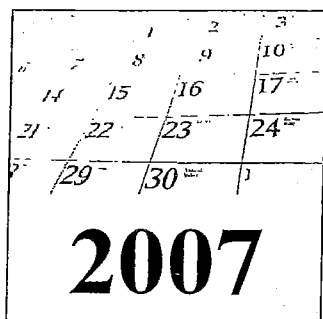
- ✓ The Department and Panel members held a historic meeting with Court officials resulting in the Courts assigning two representatives to the Protocols and Data Collection Committees.
  - ✓ The Panel formed the Filipina Advisory Committee to address the needs of Filipina survivors of domestic violence.
  - ✓ The Panel held its first community meeting in the Women's Building on October 21, 2004.
  - ✓ The Department hosted the **training, "Technology & Internet Safety: Issues for Survivors and Advocates,"** held on October 25, 2004.
  - ✓ The Department co-sponsored a community rally in memory of Claire Joyce Tempongko.
- 



- ✓ The Panel developed proposals for a Safety and Accountability Audit and a Domestic Violence Training Collaborative to coordinate system-wide training efforts.
  - ✓ The Department convened a Funders' Summit at City Hall on April 26, 2005 to solicit feedback from potential funders for the Justice and Courage Project and the Domestic Violence Response Cross-Training Institute.
  - ✓ The Protocols Committee finalized the review of Victim Services with the District Attorney's Office. The Committee also worked with the Police Department, Emergency Communications Department, and Sheriff's Department to formalize protocols for domestic violence victim response.
  - ✓ The Department developed a design proposal for the **Justice Tracking Information System (JUSTIS)** that would enable staff to track individual cases and access essential statistical information.
-

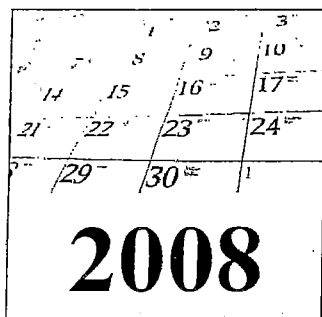


- ✓ The Protocols Committee issued a final Progress Report identifying areas of strength within each of the criminal justice departments and other response agencies, as well as areas needing improvement.
- ✓ The Panel hosted 2 **ethnic media roundtables** to engage the Latino and Asian Pacific Islander press in the issue of domestic violence.
- ✓ The Department received a 2-year \$200,000 grant from the Blue Shield of California Foundation to develop and implement the Domestic Violence Response Cross-Training Institute.
- ✓ The Mayor allocated general fund support for the Domestic Violence Victim Safety and Accountability Audit, which began in September 2006, with ongoing evaluation and analysis continuing throughout the remainder of the year.



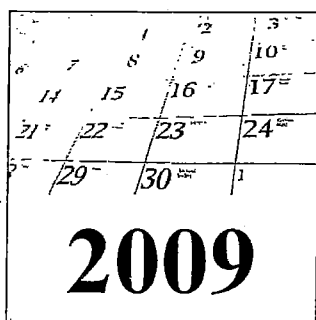
- ✓ The Panel released the **Audit Report, *Safety for All: Identifying and Closing the Gaps in San Francisco's Domestic Violence Criminal Justice Response.***
- ✓ Mayor issued an Executive Directive in July 2007 instructing departments to comply with recommendations made in the Audit Report.
- ✓ At the July 2007 Strategic Planning Retreat, the Panel created several new committees and disbanded others. New committees include: Media, Governance, Audit Implementation, and Batterer Accountability. The Panel disbanded the Resources, ICCC, and Protocols committees.

- ✓ The Department held **10 sessions of the Domestic Violence Response Cross-Training Institute** between May and August 2007, training 206 criminal justice staff members with an interdisciplinary and innovative curriculum.
- ✓ The Department worked with the Office of Language Services to launch the Mobile Language Interpretation Project, which included the City Administrator securing a master contract for all City agencies with Language Line Services for telephonic translation.



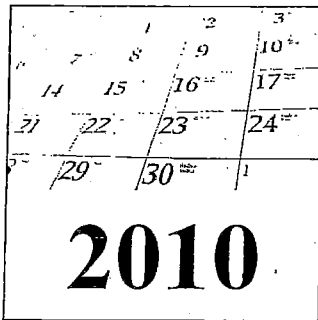
- ✓ The Department held **10 sessions of the Domestic Violence Response Cross-Training Institute** between March and June 2008, training another 231 criminal justice staff members, for a total of 437 trained during the 2-year grant-funded project.
- ✓ The Office of Language Services began piloting a language fluency program for criminal justice personnel through City College. The Office developed the program in response to the Audit recommendations related to language access for survivors of domestic violence.
- ✓ The Department worked successfully with the Police Department and 911 to review and re-start the use of the Premise Hazard Protocols which would indicate to responding police officers whether prior incidents of domestic violence or weapons use had occurred at a particular location.

- ✓ The Department of Emergency Management developed scripts for domestic violence and stalking calls with the support of community providers and criminal justice system personnel. DEM also created and programmed **2 new call type codes, 646 (stalking) and 646DV (domestic violence stalking)**.
- ✓ The Domestic Violence Court Committee held several community meetings in 2008 and 2009 to assess San Francisco's compliance with the Administrative Office of the Courts' *Recommended Guidelines and Practices for Improving the Administration of Justice in Domestic Violence Cases*. The meetings determined that San Francisco was largely compliant with the recommendations.
- ✓ The State Department extradited Tari Ramirez from Mexico, where he had fled following the murder of Claire Joyce Tempongko in 2000. In October 2008, a jury convicted Mr. Ramirez of 2<sup>nd</sup> degree murder.



- ✓ The District Attorney's Office released the Stalking Resource Guide to provide tips and resources to victims and advocates.
- ✓ The Domestic Violence Response Cross-Training Institute received a 2009 Achievement Award from the National Association of Counties for being an innovative best-practice for county administration.
- ✓ The **Domestic Violence Court Judge developed a bench book** for new judges to understand the protocols for domestic violence cases, distributed to bench officers in 2009.
- ✓ The District Attorney's Office partnered with the Police Department to create and conduct a 4-hour training program about responding to scenes of domestic violence. This training, presented at 2 of the 10 police stations to date, clarified issues of evidence collection to assist with prosecution of domestic violence cases.
- ✓ The Mayor's Office of Housing received a 3-year federal grant to engage a community provider, La Casa de las Madres, in training 500 police officers and other criminal justice staff about domestic violence in later life. Elements of the training evidence collection training designed by the District Attorney's Office were incorporated into this new program.
- ✓ As a result of the work of the Audit Implementation Committee:
  - The domestic violence portion of the bi-annual officer training at the Police Academy has been expanded and its timing during the week-long course has been prioritized, with it moved to Wednesday and Thursday afternoons.
  - The Police Department's Domestic Violence Response Unit has implemented a feedback system between inspectors and patrol officers to keep those officers informed about what happens in cases they responded to or made an arrest in.
  - Protocols for **language access** have been created, implemented, and disseminated at each of the criminal justice agencies.
  - APD has substantially updated its practices in the review and updating of batterer intervention program (BIP) progress reports, including information about program termination/completion and other reports to the courts, in conjunction with judges, probation, BIP personnel, and community-based advocates.
  - APD has acquired funding and established a contract with an instant test vendor to ensure substance abuse testing of all probationers.

- APD has developed and implemented a field policy protocol for officers regarding responding to domestic violence cases.
- The District Attorney's Office restarted the Stalking Task Force, which meets quarterly with criminal justice and community participants to train about stalking and analyze current trends.



- ✓ The Panel formed the **Committee on Housing for Survivors of Domestic Violence**, which began meeting in the spring of 2010. As its first task, the Committee issued recommendations to inform the revision of the Admissions and Continued Occupancy Policy for the San Francisco Housing Authority to ensure the safety needs of survivors in public housing are addressed. Ongoing work with the Housing Authority continued throughout the year.
- ✓ The Department, in partnership with the Office of Civic Engagement and Immigrant Affairs, conducted the language fluency training program *Bridges to Freedom* from January to June to train City personnel in legal and domestic violence terminology in Chinese and Spanish. This program was funded by the Zellerbach Foundation and the Annie E. Casey Foundation.
- ✓ The Audit Implementation Committee issued its final report, *Courage to Change*, in May 2010.
  - Panel and Committee members presented the outcomes of the Audit Implementation Committee's 3 years of work at the August 2, 2010 meeting of the Board of Supervisor's Public Safety Committee.
- ✓ As a step toward institutionalizing the changes made and policies developed through the Audit Implementation Committee and the Panel's other committees, the Panel began work on drafting a City-wide Memorandum of Understanding on Domestic Violence Response.

FY12-13 Supplemental Ordinance

	FY12-13	Recommendation	FY13-14 & Onward Projections	Recommendation
Domestic Violence Policy Analyst (1824)	\$ 76,316	\$ 50,878	\$ 152,632	\$ 152,632

	FY12-13	Policy Matter	FY13-14 & Onward Projections	Policy Matter
<b>Community Providers</b>				
Cooperative Restraining Order Clinic/SF Bar Asso	\$ 30,000	\$ 30,000	\$ 60,000	\$ 60,000
Volunteer Legal Services Program/SF Bar Asso	\$ 30,000	\$ 30,000	\$ 60,000	\$ 60,000
Asian Pacific Islander Legal Outreach	\$ 30,000	\$ 30,000	\$ 60,000	\$ 60,000
Bay Area Legal Aid	\$ 30,000	\$ 30,000	\$ 60,000	\$ 60,000
Mujeres Unidas y Activas	\$ 30,000	\$ 30,000	\$ 60,000	\$ 60,000
La Casa de las Madres (hotline)	\$ 10,000	\$ 10,000	\$ 20,000	\$ 20,000
WOMAN, Inc. (hotline)	\$ 10,000	\$ 10,000	\$ 20,000	\$ 20,000
DOSW - contract for training 311 staff	\$ 8,096	\$ 8,000	\$ 16,192	\$ 16,192
<b>TOTAL</b>	<b>\$ 178,096</b>	<b>\$ 178,000</b>	<b>\$ 356,192</b>	<b>\$ 356,192</b>

<b>DV Outreach Campaign</b>				
La Casa de las Madres	\$ 29,108	\$ 29,108		
Peace At-Home Campaign	\$ 10,000	\$ 10,000		
Billion Women Rising Campaign	\$ 10,892	\$ 10,892		
<b>TOTAL</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>

<b>GRAND TOTAL</b>	<b>\$ 304,412</b>	<b>\$ 278,878</b>	<b>\$ 508,824</b>	<b>\$ 508,824</b>
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Mayor Edwin M. Lee

City and County of San Francisco  
Department on the Status of Women



Executive Director  
Emily M. Murase, PhD

# FAMILY VIOLENCE COUNCIL

*Addressing Violence Throughout the Lifespan*



## Comprehensive Report on Family Violence in San Francisco 2011

## Acknowledgements

Special thanks to the Family Violence Council Co-Chairs:

- Kathy Baxter, Director, Child Abuse Council at the San Francisco Child Abuse Prevention Center;
- Beverly Upton, Executive Director, San Francisco Domestic Violence Consortium; and
- Talitha Guinn, Director, Elder Abuse Prevention at the Institute on Aging.

We thank Mary Twomey, Co-Director at UC Irvine Center of Excellence on Elder Abuse and Neglect, for her years of service as the first co-chair representing the elder abuse prevention community.

The 2011 *Comprehensive Report on Family Violence in San Francisco* would not have been possible without the time and effort of the Council Co-Chairs and Dr. Leigh Kimberg, who together supervised production of this report, and Suzanne Bischalaney, who compiled and edited the initial report.

The Family Violence Council is staffed by the San Francisco Department on the Status of Women, under the supervision of Dr. Emily M. Murase, Executive Director.

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Compiled by Suzanne Bischalaney, MSW

The San Francisco Family Violence Council is administered by the Department on the Status of Women.  
Visit [www.sfgov.org/dosw](http://www.sfgov.org/dosw) for more information about the Family Violence Council and to download a copy of this report.

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**EXECUTIVE SUMMARY**

The 3<sup>rd</sup> annual *2011 Comprehensive Report on Family Violence in San Francisco* provides a snapshot of the prevalence and types of family violence that first responders and community service providers responded to between July 1, 2010 and June 30, 2011 (Fiscal Year 2010-2011). The report demonstrates the continued prevalence of family violence in all socioeconomic strata, age groups, and ethnicities in San Francisco. The following is a synopsis of the comprehensive data detailed in this report.

**Child Abuse**

One of the most significant changes in this report is the collection of data on 911 calls related to child abuse. In February 2011, the Department of Emergency Management introduced 3 new child abuse call codes for the 911 Call Center. Emergency responders now know that a call is related to child abuse and not a general “domestic violence” situation. Since the introduction of the new call codes, there have been 23 calls coded for child abuse. (Most reporters of child abuse continue to call the well-known Child Protective Services hotline rather than the police). Overall, the number of child abuse calls and cases received has remained relatively steady from the previous year. One exception was the 44% increase in the number of Adult Probation general supervision cases related to child abuse crimes.

A major advance in addressing child abuse was the creation of a 52-week Child Abuse Intervention Program by the Department of Public Health at the Community Justice Center for implementation in FY11-12. In addition, the Adult Probation Department designated, for the first time, a Child Abuse Unit.

Child Abuse	# in FY10-11	% change from FY09-10
911 Calls	23	-
SFPD: Cases Received & Assessed	545	-3%
District Attorney (DA): Cases Received	170	4%
DA Victim Services: Clients Assisted	349	-3%
Adult Probation: General Supervision Statistics	23	44%
Child Protective Services: Children Referred	6,025	1%
San Francisco Child Abuse Prevention Center TALK Line Calls Received	18,422	5%

**Domestic Violence**

Unlike child abuse, the number of domestic violence cases and reporting has risen substantially from the previous year: the District Attorney’s Office saw a 10% increase in the number of cases, Adult Probation saw a 17% increase in its general supervision cases, the domestic violence crisis lines fielded 47% more calls, and the domestic violence shelters provided 29% more bed nights to survivors. Most significant, was the 202% increase in the number of child support cases flagged with family violence. To address the increasing number of cases involving family violence, the Department of Child Support Services is expected to launch its new Family Violence Initiative in July 2011.

Domestic Violence	# in FY10-11	% change from FY09-10
911 Calls	7,510	3%
SFPD: Cases Received & Assessed	3,982	-1%
District Attorney (DA): Cases Received	2,066	10%
DA Victim Services: Clients Assisted	936	2%
Adult Probation: General Supervision Statistics	535	17%
Family Court: Requests for TRO-DV	1,369	0%
DPH: Trauma Recovery Center Clients	764	-1%
Child Support Services: Cases with Family Violence	1,721	202%
CalWORKS: Average Monthly DV Caseload	234	-15%
Domestic Violence Crisis Line Calls	21,578	47%
Domestic Violence Shelter Bed Nights	4,796	29%

### Elder Abuse

In February 2011, the Department of Emergency Management introduced 18 new elder abuse call codes to its 911 Call Center. During the 4½ month time span until June 2011, 911 had already received 51 calls coded as elder abuse calls. (In a process similar to the reporting of child abuse, most reporters of elder abuse call Adult Protective Services, rather than the police, directly). Data shows an overall increase in the number of elder abuse cases received: Adult Probation saw a 51% increase in the number of general supervision cases, the District Attorney's Office saw a 47% increase in the number of cases, and the Elder Abuse Forensic Center saw a 38% increase in the number of new cases.

Elder Abuse	# in FY10-11	% change from FY09-10
911 Calls	51	-
SFPD: Cases Received & Assessed	512	-1%
District Attorney (DA): Cases Received	100	47%
DA Victim Services: Clients Assisted	228	-4%
Adult Probation: General Supervision Statistics	53	51%
Adult Protective Services: Cases Received	5,839	1%
Elder Abuse Forensic Center New Cases	44	38%

Although the number of family violence cases received and assisted has increased, it is not possible from current data to determine whether this represents an increase in family violence in San Francisco or an increase in people's awareness and use of available family violence resources. Encouraging the use of available resources will ultimately help reduce family violence.

As the policy body tasked with increasing awareness and understanding of family violence in San Francisco, the Family Violence Council recommends the following, based on the complete report findings and discussion:

1. Expand data collection (Recommendations 1-3).
2. Conduct joint trainings for 911 dispatchers.
3. Develop a one-page factsheet on how to recognize and report family violence.
4. Develop a joint outreach campaign on family violence.
5. Continue support of a multidisciplinary response to family violence in San Francisco.
6. Create a victim/survivor program within the Adult Probation Department.
7. Provide counseling to youth who witness violence in the home.

## INTRODUCTION

The Family Violence Council is pleased to provide the 3<sup>rd</sup> annual *Comprehensive Report on Family Violence in San Francisco*. Since the report was first released in June 2009, it has expanded to include new data, providing an increasingly nuanced picture of the current status of family violence in San Francisco, and the agencies and services in place to respond to this complex issue. Child abuse, domestic violence, and elder or dependent adult abuse are all forms of family violence and describe abuse that may be physical, sexual, psychological, economic, or social. Family violence has serious and traumatizing effects on individuals, families, and entire communities, and is defined as a pattern of behavior in any relationship that is used to isolate, neglect, or to gain or maintain power and control over an intimate partner, child, elder, or dependent adult.

### **About the Council**

The San Francisco Family Violence Council was established to increase awareness and understanding of family violence and its consequences; and to recommend programs, policies, and coordination of City services in order to reduce the incidence of family violence in San Francisco. In 2007, San Francisco became the first county to broaden the scope of its Attorney General-mandated Family Violence Council to include child abuse and elder abuse along with domestic violence. The Council is co-chaired by three experts in these different forms of family violence and has become a key body in coordinating enhanced communication and collaborative efforts among its many partners. The Council recommends and helps implement family violence-related policy changes to the City and issues this report annually. The report was the first, and remains the only, report that provides a broad view of the statistics and trends related to the full spectrum of family violence in San Francisco.

### **Work of the Council**

During Fiscal Year 2010-2011 (FY10-11), the Family Violence Council made significant progress in supporting the fulfillment of the policy and program recommendations identified in the 2009 and 2010 Reports.

A primary goal of the Council over the past two years has been the development of a child abuse intervention program (see Recommendation #7 in the 2010 Report). Although the California Penal Code requires individuals who have been convicted of child abuse to attend a one-year intervention program for convicted perpetrators of domestic violence, San Francisco, like the majority of California counties, is presently not in compliance with this code. Work on the development of a child abuse intervention program began in FY09-10 with the creation of an Intervention Committee to spearhead this process. Since then, the multidisciplinary Intervention Committee has continued to grow, and now includes representatives from Adult Probation Department; Bay Area Legal Aid; Commission and Department on the Status of Women; Department of Child Support Services; Department of Public Health; Domestic Violence Consortium; First 5 San Francisco; Human Services Agency-Family and Children's Services; Office of the District Attorney; San Francisco Child Abuse Prevention Center; San Francisco Police Department; San Francisco Department of Children, Youth & Their Families; and WOMAN, Inc.

The Intervention Committee reviewed existing parenting-education and treatment programs in San Francisco, as well as best practices from other California counties, and released its recommendations for implementation in November 2010. The recommendations outlined San Francisco's obligation to provide appropriate treatment and intervention for perpetrators of child abuse, and a proposal for program implementation within the Department of Public Health's (DPH) existing Violence Intervention Program. The Committee continues to work with the City, DPH, and the Adult Probation Department on developing the program, including the curriculum, certification procedures, the referral process, communication protocols, and the oversight and evaluation tools. San Francisco's child abuse intervention program is scheduled to begin working with individuals convicted of child abuse in July 2012.

Also in 2011 at the urging of the Council, the San Francisco Police Department (SFPD) and the Department of Emergency Management (DEM) Division of Emergency Communications began working together, along with representatives from the child abuse and elder abuse communities, to develop a list of 911 dispatch codes specific to family violence (see Recommendation #2 in the 2010 Report). In February 2011, DEM began broadcasting calls for service using 18 new elder abuse and 3 new child abuse codes. Previously, all family violence-related calls received a domestic violence code with a "DV" suffix. The new codes cover many of the same types of incidents that the domestic violence codes cover, but are now differentiated using a "CA" suffix for child abuse and an "EA" suffix for elder abuse. The addition of these codes fulfills the Council's 2010 recommendation that 911 calls for elder and child abuse be distinguished from 911 calls for domestic violence to allow for more accurate tracking of family violence crime statistics and provides officers with more information when responding to calls for service. Though the new codes were only in use for the last 4 ½ months of FY10-11, DEM coded 23 child abuse and 51 elder abuse calls already.

### About This Report

The Council has identified the tracking and analyzing of family violence data as one of its priorities, and this *Report* represents one way the Council fulfills its work. The report provides a snapshot of where and how survivors of violence seek help and how perpetrators of violence are held accountable and monitored, and serves as an important tool for policy-makers, agencies serving victims and perpetrators of family violence, and community advocates throughout San Francisco. This report summarizes data from July 1, 2010 to June 30, 2011 (FY10-11), and includes information from 15 different City agencies and community-based organizations. The data in this report includes:

- Calls to 911 and county protective services
- Cases received and investigated by the San Francisco Police Department
- Child Assault, Domestic Violence, and Elder Abuse cases received, filed, convicted through guilty plea, or brought to trial by the Office of the District Attorney
- Victims of family violence who received advocacy and support from the Office of the District Attorney Victim Services Division
- Caseload data of the Adult Probation Department's Domestic Violence Unit
- Domestic Violence Temporary Restraining Order requests and dispositions from Family Court
- Elder Abuse Temporary Restraining Order requests and dispositions from Probate Court
- Child abuse allegation and substantiation data from Family and Children's Services

- Elder and dependent adult abuse and neglect data from Adult Protective Services
- Data on individuals receiving family violence-related services from specialized programs of the Department of Public Health
- Family Violence Initiative caseload data from the Department of Child Support Services
- CalWORKs Domestic Violence Unit caseload data
- Youth Risk Behavior Survey data from the San Francisco Unified School District
- Child Abuse support services data
- Domestic Violence support services data
- Elder Abuse support services data

The agencies and programs represent access points for survivors of abuse, and are all key parts of a system intended to protect and support those who seek help and to hold accountable those who perpetrate family violence. By understanding how and where residents access family violence-related services, and how service providers meet the needs of survivors and hold perpetrators of abuse accountable, the City is better able to create impactful policies, fund appropriate programs, and keep San Francisco residents safe in their homes.

It is important to note that this report does not provide an unduplicated count of victims of family violence as there is currently no method for tracking an individual from program to program or service to service. For example, it is possible that a survivor of elder abuse could be counted in the Adult Protective Services data, as well as in the 911 call data and the Probate Court Temporary Restraining Order data. Therefore, the possibility of the duplicated count of some, or even many, individuals is likely. There can be some measure of linear analysis when examining the criminal justice statistics, as most cases follow a standard path from a 911 crisis call, to a Police Department report, to a case referred to the Office of the District Attorney. However, the complexities of family violence, and the many variables involved in these cases, make even this well-defined route prone to twists and turns. Though the report is structured in this order for ease of reading, straight progressions cannot and should not be assumed.

Based on the data presented in this report and an analysis of the trends revealed in this third year of data collection, the Family Violence Council has made some key recommendations to address the critical issue of family violence and hopes that this annual report will focus additional attention on the disturbingly high incidence of family violence in San Francisco. Through education, collaboration, advocacy, and systems change, the Council aspires to eliminate family violence and make San Francisco a safer place for residents of all ages.



## San Francisco Family Violence Council Members

San Francisco Family Violence Council Members\*  
(San Francisco Administrative Code Article XIX SEC. 5. 190-3)

- Presiding Judge of the Superior Court
- Mayor
- President of the Board of Supervisors
- District Attorney
- Public Defender
- Chief of Police
- Sheriff
- President of the Commission on the Status of Women
- Chief of the Adult Probation Department
- Chief of the Department of Emergency Management
- Director of the Department of Animal Care and Control
- Director of the Department of Public Health
- Director of the Human Services Agency
- Director of the Department of Aging and Adult Services
- Director of the Department of Children, Youth, and Their Families
- Director of Child Support Services
- Superintendent of the San Francisco Unified School District
- Director of the Domestic Violence Consortium
- Director of the San Francisco Elder Abuse Forensic Center
- Director of the San Francisco Child Abuse Council
- Chair of the Batterer's Intervention Programs Subcommittee

*\*Members may be represented by an official designee*

**CRIMINAL JUSTICE AGENCIES**

**Department of Emergency Management**

The San Francisco Department of Emergency Management (DEM) houses the Division of Emergency Communications which receives approximately 2,500 calls every day.<sup>1</sup> DEM dispatchers use scripts to determine which of the 35 family violence-related call codes to assign each 911 call. A preliminary question to callers asks the identity of and relationship to the perpetrator, and if the caller indicates a spouse or partner is involved, the dispatcher uses one of the 14 domestic violence call codes. If the caller indicates a family member or caregiver of a child, an elder, or a dependent adult is involved, the dispatcher uses one of the 18 elder abuse or 3 child abuse call codes. Additional questions clarify the type of family violence incident that is happening and which specific code to assign to the call.

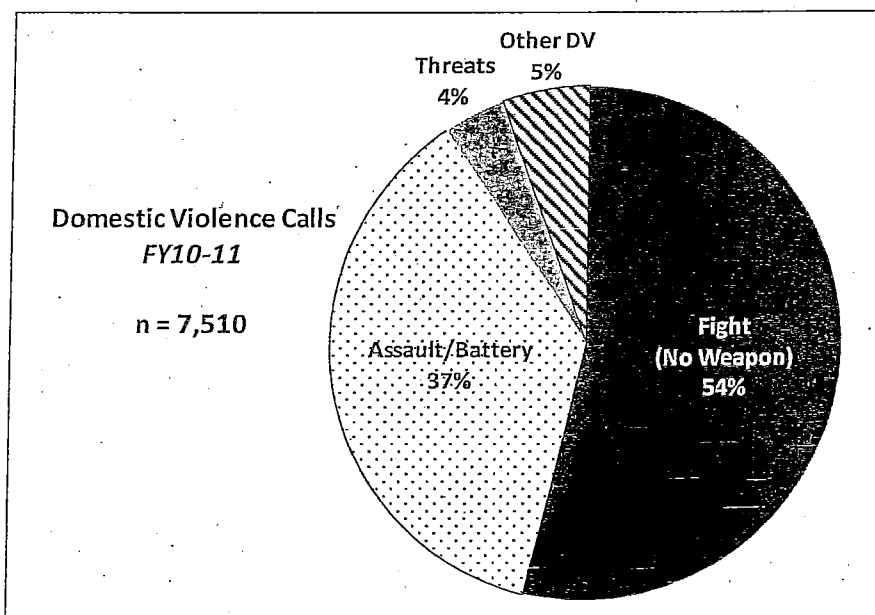
911 Family Violence Calls by Type FY2007-2011									
Call Type	Description	FY07-08		FY08-09		FY09-10		FY10-11	
		#	%	#	%	#	%	#	%
<b>DOMESTIC VIOLENCE CALLS</b>									
418DV	Fight or Dispute - No Weapons Used	3,430	52%	3,616	54%	4,118	56%	4,039	54%
240DV	Assault/Battery (includes unwanted physical contact)	2,129	32%	2,163	32%	2,466	34%	2,758	37%
650DV	Threats (written, verbal, or recorded)	230	3%	199	3%	253	3%	296	4%
594DV	Vandalism or Malicious Mischief (property damage only)	63	1%	64	1%	78	1%	106	1%
245DV	Aggravated Assault (severe injuries or objects used to injure)	68	1%	56	1%	70	1%	73	1%
222DV	Armed Assailant - Knife	15	0%	24	0%	39	1%	68	1%
602DV	Break-In	43	1%	74	1%	36	0%	56	1%
416DV	Civil Standby (officer requested to accompany person to retrieve belongings)	29	0%	53	1%	48	1%	46	1%
419DV	Fight or Dispute - Weapons Used	17	0%	22	0%	20	0%	20	0%
219DV	Stabbing	13	0%	11	0%	18	0%	18	0%
100DV	DV Alarm (a push-button alarm given to a victim to alert 911)	16	0%	6	0%	3	0%	17	0%
221DV	Armed Assailant - Gun	5	0%	5	0%	5	0%	11	0%
910DV	Well-Being Check (often at the request of another individual)	26	0%	34	1%	51	1%	2	0%
646DV	Stalking	0	0%	16	0%	10	0%	0	0%
	Miscellaneous DV Codes	499	8%	363	5%	96	1%	0	0%
<b>TOTAL DOMESTIC VIOLENCE CALLS</b>		<b>6,583</b>		<b>6,706</b>		<b>7,311</b>		<b>7,510</b>	

<sup>1</sup> San Francisco Department of Emergency Management (no date.). Division of Emergency Communications (9-1-1) About Us. Retrieved April 21, 2012 from <http://www.sfdem.org/index.aspx?page=5>

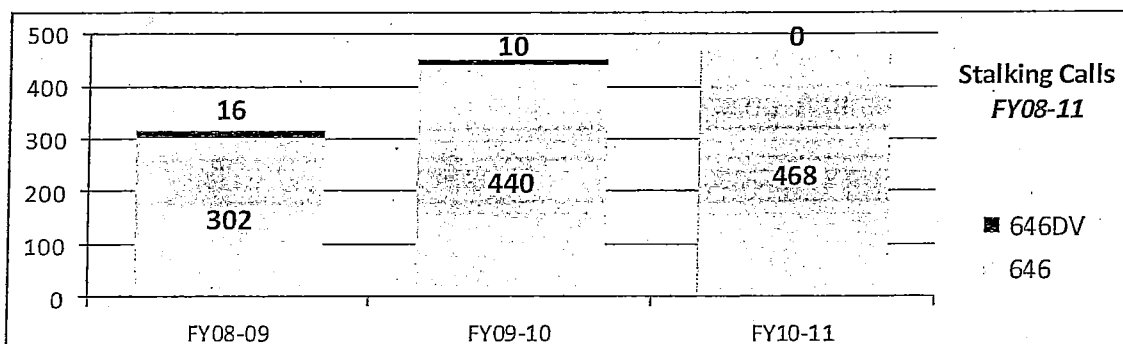
911 Family Violence Calls by Type FY2007-2011									
Call Type	Description	FY07-08		FY08-09		FY09-10		FY10-11	
		#	%	#	%	#	%	#	%
<b>CHILD ABUSE CALLS</b>									
240CA	Assault/Battery (includes any unwanted physical contact)	Codes Introduced in February 2011						21	91%
910CA	Well-Being Check (often at the request of another individual)							2	9%
245CA	Aggravated Assault (severe injuries or objects used to injure)							0	0%
<b>TOTAL CHILD ABUSE CALLS</b>								23	
<b>ELDER ABUSE CALLS</b>									
368EA	Elder Abuse	Codes Introduced in February 2011						30	59%
240EA	Assault/Battery							7	13%
470EA	Forgery							5	10%
910EA	Well-Being Check							4	8%
488EA	Petty Theft							2	4%
650EA	Threats							2	4%
418EA	Fight or Dispute – No Weapons Used							1	2%
100EA	Alarm (a push-button alarm given to a victim to alert 911)							0	0%
211EA	Robbery							0	0%
212EA	Strong-Arm Robbery							0	0%
213EA	Purse snatch							0	0%
219EA	Stabbing							0	0%
221EA	Armed Assailant – Gun							0	0%
222EA	Armed Assailant – Knife							0	0%
245EA	Aggravated Assault (severe injuries or objects used to injure)							0	0%
419EA	Fight or Dispute – Weapons Used							0	0%
487EA	Grant Theft							0	0%
646EA	Stalking							0	0%
<b>TOTAL ELDER ABUSE CALLS</b>								51	
<b>TOTAL FAMILY VIOLENCE CALLS</b>		(INCLUDES DV, CA, EA CALLS)		7,584					

**Domestic Violence**

In FY10-11, 911 dispatchers received 7,510<sup>2</sup> domestic violence-related calls. Of these calls, 54% were coded 418DV indicating a fight or dispute with no weapons involved. This percentage is consistent with the prior three years in which 418DV calls accounted for more than half of all DV-coded calls. The second most frequent type of domestic violence incident reported was assault and battery (240DV) which accounted for 37% of DV-coded calls. Of the remaining 9%, close to half (4%) were coded as threats with the remaining 5% dispersed among 10 other domestic violence incident types.



There were no calls coded as domestic violence stalking (646DV) in FY10-11, although 468 calls were coded as stalking without the DV indicator. When the 646DV stalking code was instituted in October 2008, there were 16 calls coded as 646DV that year. The number has been dropping since then to 10 calls in FY09-10 and zero calls in FY10-11. The non-domestic violence stalking code (646), however, remains frequently used and there was a 6% increase in the number of these calls from FY09-10 to FY10-11.

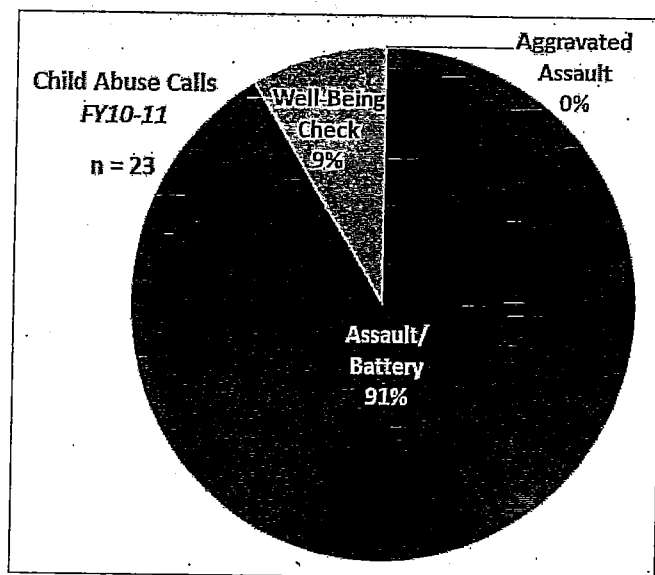


<sup>2</sup> The 7,510 domestic violence-related calls include only those calls that received one of the 14 DV codes during FY10-11. DV call figures for the previous years include domestic violence, child abuse, and elder abuse-related calls.

Though stalking is often a component of domestic violence cases, the code assigned to each call represents the most severe aspect of that particular call. For example, if a caller reports elements of stalking but also reports an assault, the call will be coded as 240DV- Assault/Battery to indicate an assault. Due to this method of coding, it is unclear how many serious domestic violence cases also contain elements of stalking. In addition, though a call may be coded as stalking without the DV indicator, responding officers may receive additional information at the scene that will lead them to refer those cases to the San Francisco Police Department's (SFPD) Domestic Violence Response Unit.

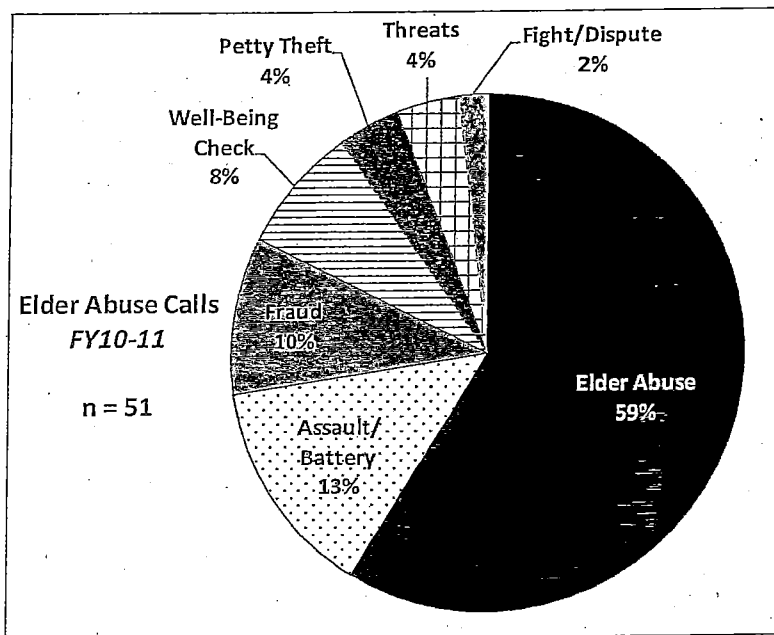
### Child Abuse

In February 2011, DEM and SFPD instituted 3 new child abuse call codes. From February to June 2011, 23 calls were coded for child abuse, the majority (91%) for assault or battery. Two calls were coded for a child abuse well-being check and none for aggravated assault. It is worth noting that these 23 calls came within 4½ months of introducing the new call codes. Distinguishing these calls from domestic violence calls allows DEM and SFPD to capture a more accurate picture of the frequency and type of child abuse incidents in San Francisco that they are called to respond to. It is also worth noting that because Family and Children's Services, commonly known as Child Protective Services (CPS), is well-known within the community, many reporters of child abuse call the CPS hotline directly and make over 5,000 referrals of possible child abuse each year.



**Elder Abuse**

In February 2011, DEM and SFPD instituted 18 new elder abuse call codes. From February through June 2011, 51 calls were coded using the new elder abuse codes with the majority of calls (59%) coded 368EA for elder abuse. The other most frequently used call codes were for assault/battery (13%) and fraud (10%).

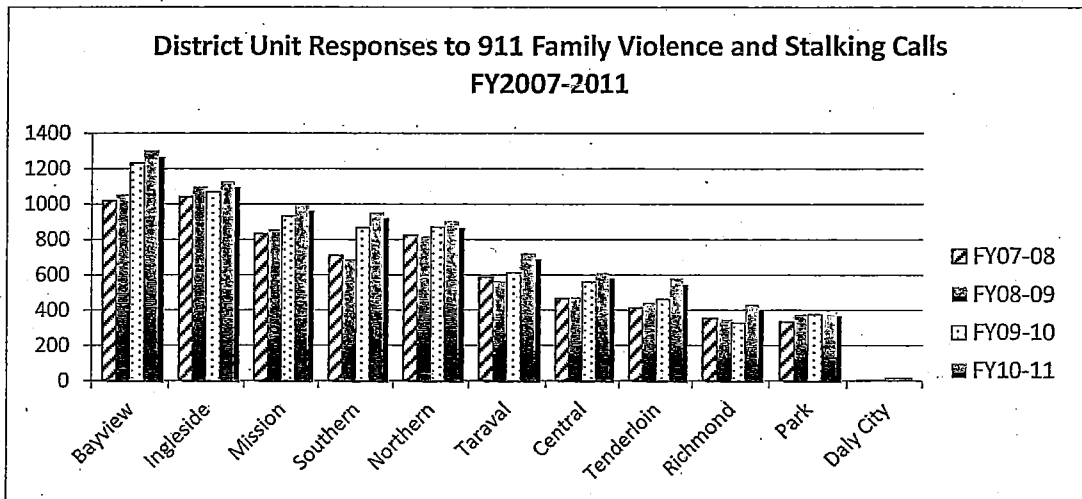


The introduction of new codes specific to child abuse and elder abuse is an important step in refining the criminal justice response to victims of violence who seek help. Though the majority of reports for these crimes go directly to Child Protective Services and Adult Protective Services, 911 does receive calls related to these incidents as well. Coding these as such allows the number of calls to be tracked over time, and provides a better understanding of the scope and rate of these incidents as reported to the police. These codes also serve to better inform officers in the field who are responding to these calls.

**District Unit Responses to Family Violence and Stalking Calls**

Though family violence occurs in all cultures, socioeconomic brackets, and City neighborhoods, clear trends emerge when 911 calls are examined by station districts. As in previous years, the Bayview and Ingleside Stations received the most calls, and the distribution of responses across district stations remained similar to that of the previous three years. Overall, the number of calls increased by 10% from 7,311 in FY09-10 to 8,027 in FY10-11.

District Unit Responses to 911 Family Violence and Stalking Calls FY2007-2011								
District	- FY07-08		FY08-09		FY09-10		FY10-11	
	#	%	#	%	#	%	#	%
Bayview	1,019	15%	1,054	16%	1,230	17%	1,299	16%
Ingleside	1,040	16%	1,096	16%	1,068	15%	1,125	14%
Mission	831	13%	852	13%	931	13%	996	12%
Southern	709	11%	687	10%	865	12%	949	12%
Northern	825	13%	815	12%	869	12%	900	11%
Taraval	586	9%	560	8%	611	8%	721	9%
Central	467	7%	472	7%	559	8%	610	8%
Tenderloin	413	6%	442	7%	461	6%	578	7%
Richmond	354	5%	344	5%	327	4%	431	5%
Park	334	5%	374	6%	376	5%	398	5%
Daly City <sup>3</sup>	5	0%	10	0%	14	0%	20	0%
<b>TOTAL</b>	<b>6,583</b>		<b>6,706</b>		<b>7,311</b>		<b>8,027<sup>4</sup></b>	



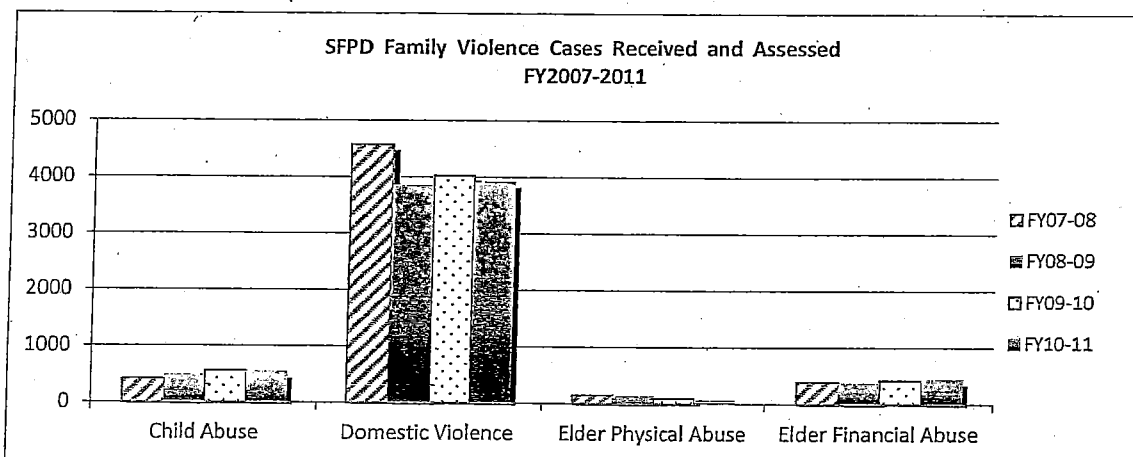
<sup>3</sup> Dispatchers may refer a call to Daly City if an incident occurs on or over the City's southern boundary, or if a suspect is known to have traveled into Daly City.

<sup>4</sup> The 8,027 calls include all responses by district officers to 911 calls coded for DV, CA, EA, and stalking in FY10-11. This number is slightly less than the 8,052 total 911 family violence (7,510 DV, 23 CA, and 51 EA calls) and stalking (468) calls received. This discrepancy may be the result of several reasons: a call may be canceled prior to an officer responding if the reporting party decides to go into the station to make a report rather than wait for an officer response; the 911 crisis call may be a follow-up to a previous call, which would be merged into the initial call making the two calls one; or a specialty unit or officer may be responding to the crisis call instead of a district unit or patrol officer.

### San Francisco Police Department

In FY10-11, felony family violence crimes were reviewed and investigated by three units within the San Francisco Police Department (SFPD): (1) Felony child abuse cases were referred to specially trained investigators of the Child Abuse Unit of the Juvenile Section of the Special Victims Unit (SVU); (2) Felony domestic violence cases and cases of physical abuse and neglect of elders and dependent adults were referred to the Domestic Violence Response Unit (DVRU) of the SVU; and (3) Cases of financial abuse of elders or dependent adults were referred to the Financial Crimes Unit.

San Francisco Police Department Family Violence Statistics FY2007-2011 <sup>5</sup>				
<b>Child Abuse</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received and Assessed	513	488	564	545
Cases Investigated by Child Abuse Unit	380	408	515	492
Percent Investigated by Child Abuse Unit	74%	84%	91%	90%
<b>Domestic Violence</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received and Assessed	4,576	3,856	4,027	3,982
Misdemeanor Arrests Referred to DA's Office	555	503	474	529
Cases Investigated by DVRU	1,616	1,577	1,512	1,569
Percent Investigated by DVRU	40%	47%	43%	45%
<b>Elder Physical Abuse</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received and Assessed	150	140	95	67
Cases Investigated by DVRU	38	38	41	39
Percent Investigated by DVRU	25%	27%	43%	58%
<b>Elder Financial Abuse</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received and Assessed	390	375	424	445
Cases Investigated by Financial Crimes Unit	129	98	153	167
Percent Investigated by Financial Crimes Unit	33%	26%	36%	38%

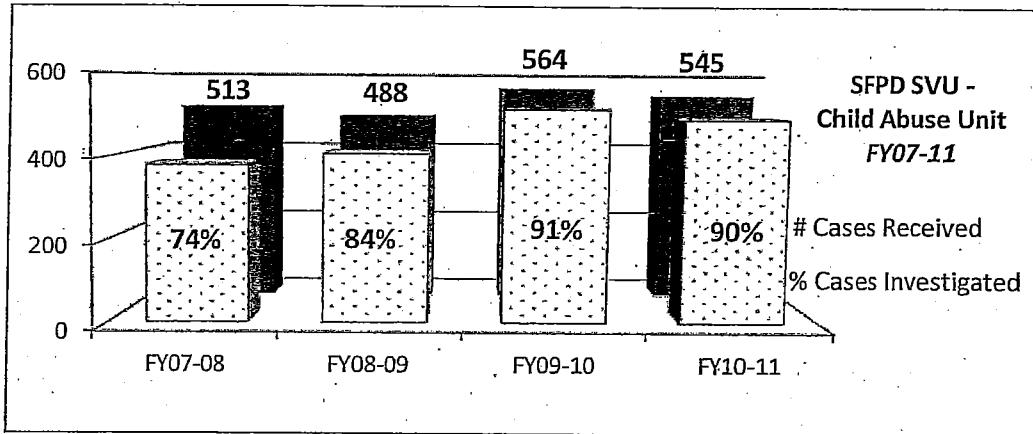


<sup>5</sup> Domestic violence and elder financial abuse case counts for FY07-10 have been updated from the figures previously reported in the 2010 Comprehensive Report to reflect the most current and accurate data available.



**SVU – Child Abuse Unit**

The Child Abuse Unit handles all felony child abuse cases and felony sexual assault crimes committed against children under the age of 18. In FY10-11, the Unit received and assessed 545 cases with 90% warranting further investigation. The overall percentage received and investigated represents a slight decrease from FY09-10.



*The number of cases received, assessed, and investigated by the Child Abuse Unit in FY10-11 include cases of felony sexual assault committed against children under 18, regardless of the identity of the perpetrator. In previous years, the number of cases received, assessed, and investigated did not include those cases in which the assault was committed against children between 14 and 17 years of age by adult strangers and non-family members.*

Investigating felony child sexual and physical abuse cases requires time and coordinated effort, and are often complicated cases involving victims who have been intimidated, threatened, or manipulated by an abuser who is a family member or a person in a position of trust to the victim. These factors can cause victims to be reluctant to disclose their ongoing or past abuse, and many are unable to communicate their abuse because of their young age. The amount of time a child abuse inspector spends on a case varies depending on many factors, including the severity of the crimes, the complexity of the case, the number and age of the victim(s), the timeframe of when the crime was committed versus when it was reported, the cooperation of the involved parties, and other unexpected variables. After years of community advocacy, a significant change took place in FY10-11 in which felony sexual assault against minors previously handled by the Sexual Assault Unit is now handled by SVU’s Child Abuse Unit. This shift reflects an improved response to child victims of sexual abuse.

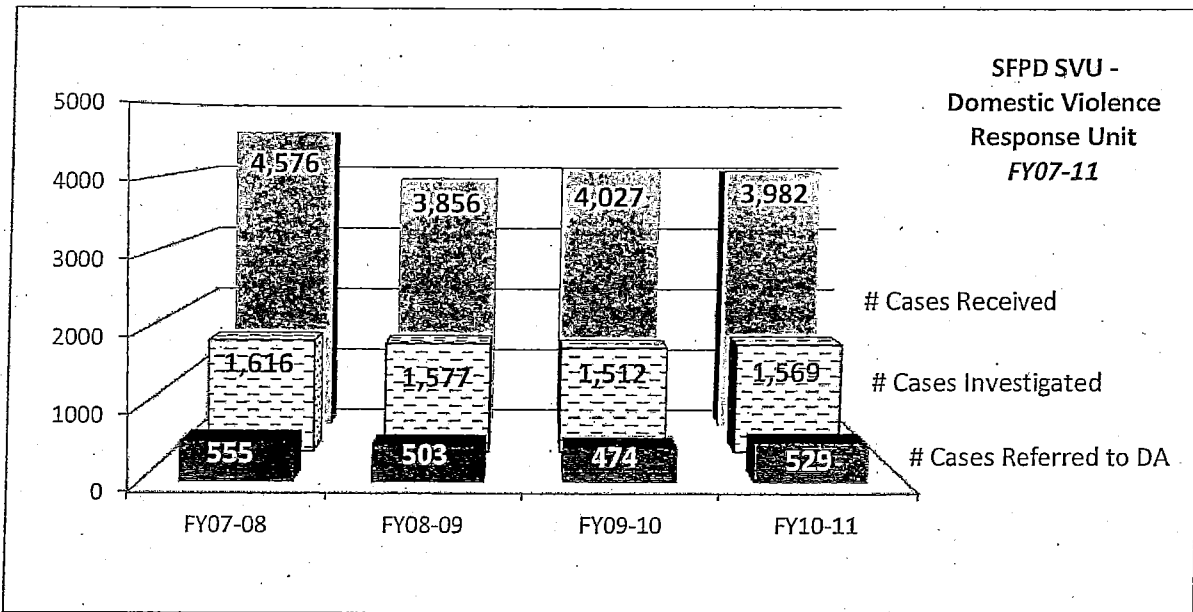
**SVU – Domestic Violence Response Unit**

The Domestic Violence Response Unit (DVRU) investigates all felony arrest cases involving abuse committed against any person by a current or former spouse, cohabitant, dating partner, fiancé, or person with a child in common, and includes cases of same sex relationships. DVRU also investigates stalking, and physical abuse and neglect of elders and dependent adults.

During FY10-11, DVRU staffing consisted of one Assignment Officer – an inspector who is responsible for reviewing 350 to 400 incident reports each month, compiling statistics, and running background checks. If a suspect is found to be on probation or parole, the Assignment Officer will notify the appropriate agency. Because all felony arrests are time-sensitive and must be presented to the District Attorney’s Office (DA) within 48 hours, cases that meet the criteria for active investigation is immediately assigned to an inspector and then presented to the DA’s Office for warrant consideration or formal charging.

Inspectors interview victims, witnesses, and suspects; collect evidence; conduct background checks; and send all misdemeanor arrest cases to the DA. Misdemeanor cases are only assigned when a victim specifically requests that an unassigned misdemeanor case receive warrant consideration. No domestic violence report is ever “just filed.” In non-arrest cases that are not assigned for investigation, the Assignment Officer telephones every victim in an attempt to advise him or her about follow-up procedures and referrals.

In FY10-11, DVRU received and assessed 3,982 domestic violence cases according to established protocols, and assigned 1,569 cases to DVRU inspectors for active investigation and referred 529 to the DA’s Misdemeanor Unit.



DVRU received a fairly steady number of cases during the last four years with a high of 4,576 in FY07-08 and a low of 3,856 in FY08-09. The 3,982 cases received in FY10-11 represent a 1% decrease from the previous year. Similarly, the percentage of cases investigated has also remained steady, ranging from 40% to 47%, with 45% investigated in FY10-11.

In addition to the responsibilities outlined above, one inspector oversees the U-Visa program which assists immigrants who are victims of domestic violence in obtaining temporary visas, while others teach Continued Professional Training at the San Francisco Police Academy and provide trainings at hospitals, schools, businesses, and to advocacy groups. DVRU investigators are assigned until 6 PM, and are rotated to work “on-call” after business hours in order to respond directly to the scene of domestic violence incidents at any time of the day.

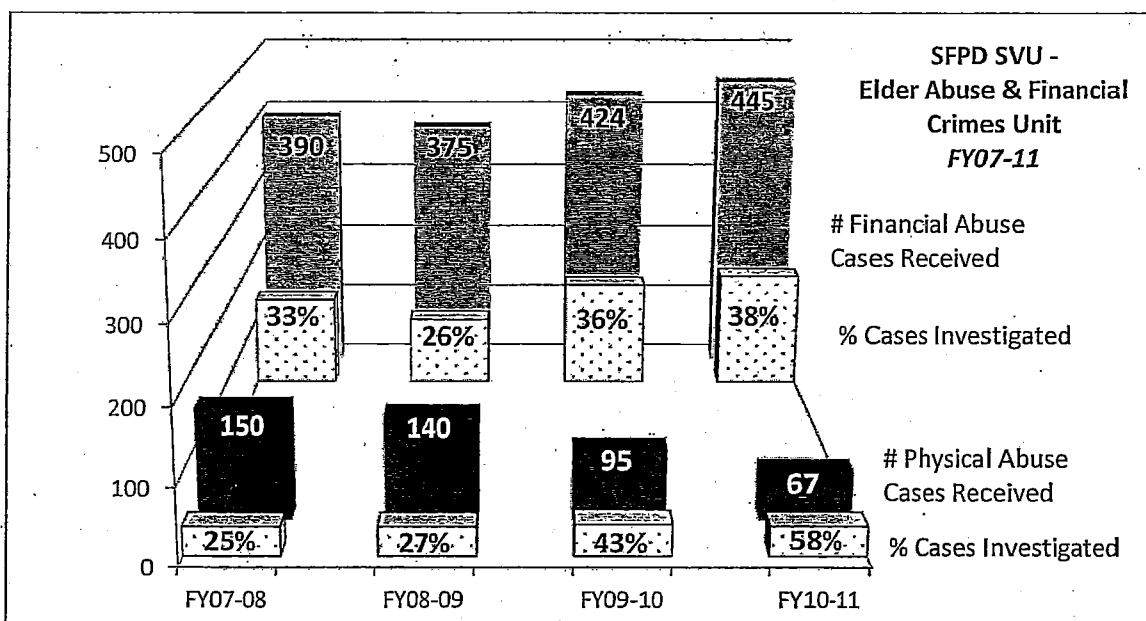
La Casa de las Madres has two domestic violence advocates assigned to work at the SVU office located at the Hall of Justice to assist victims with shelter and other services, and SafeStart has one staff who receives and reviews all cases where there is a child age 6 or younger who has been exposed to domestic violence. The SafeStart staff person contacts each family and offers services by members of the SafeStart Collaborative. SVU also works closely with the Office of the District Attorney Victim Services and Adult Protective Services to ensure victims receive support services.

**SVU – Elder Abuse and the Financial Crimes Unit**

In FY10-11, SVU did not yet have a section dedicated to the investigation of elder and dependent adult abuse cases. Instead the DVRU was responsible for investigating physical abuse and neglect of elders and dependent adult cases while the Financial Crimes Unit was responsible for financial abuse cases. All financial and physical abuse reports with an elder or dependent adult victim are also forwarded to Adult Protective Services.

For FY10-11, DVRU received and assessed 67 cases of physical elder or dependent abuse, a 30% decrease from the previous year. This represents a four-year low in the number of elder physical abuse cases received and assessed, continuing a downward trend since FY07-08 when 150 cases were assessed by SFPD. Of the 67 cases, 58% were investigated by DVRU and represents a four-year high in the percentage of cases investigated, up from 43% last year, and a tremendous increase over the 25% and 27% investigated in FY07-08 and FY08-09.

During the same time period, the Financial Crimes Unit received and assessed 445 cases of elder and dependent adult financial abuse, and investigated 38% (167) of the cases, making this the third straight year in which the percentage of cases investigated has risen.



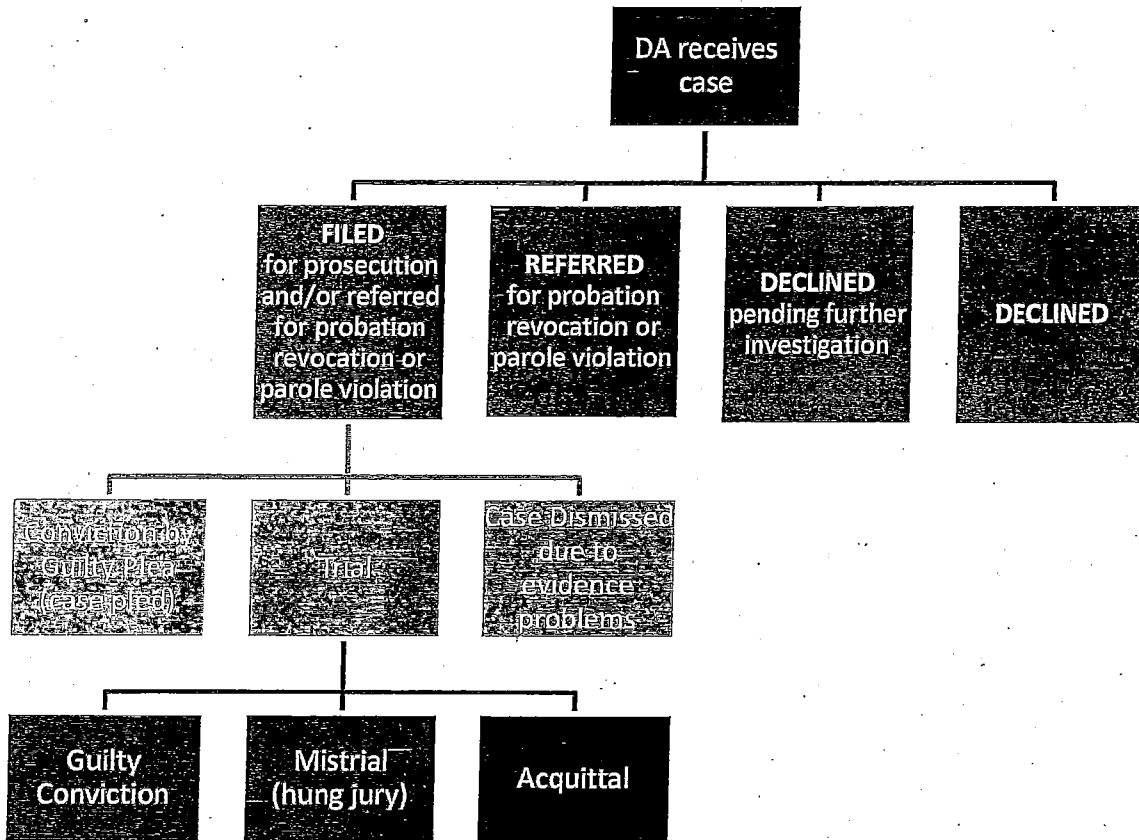
*Domestic violence and elder financial abuse case counts for FY07-10 have been updated from the figures previously reported in the 2010 Comprehensive Report to reflect the most current and accurate data available.*

**Changes to the SVU**

In October 2011, SFPD restructured certain investigative functions and made significant changes to make the SVU a more cohesive Unit which includes a Domestic Violence Section, a Child Abuse Section, a Sex Crimes Section, and an Elder Abuse and Financial Crimes Section. Under this new structure, all inspectors and officers working in the SVU are cross-trained in the special skills and techniques necessary for investigating all types of cases that fall under the purview of the SVU. Training is anticipated to be completed by August 2012. Under this structure, elder and dependent adult physical and financial abuse cases will now fall under the oversight of the SVU Financial Crimes Section.

### Office of the District Attorney

The Office of the District Attorney (DA) oversees the prosecution of family violence crimes and has four units to oversee those cases: the Child Assault Unit, the Domestic Violence Unit, the Elder Abuse Unit, and the Special Prosecutions Unit. Cases received and accepted by the DA will generally move through the following stages:



Once received by the DA’s Office, a case is generally filed for prosecution, referred for probation revocation or parole violation, or declined. A case may be declined in order to conduct further investigation due to an uncooperative witness, insufficient evidence, or other reasons. This is consistent with other counties.

The data included in the following charts refers to the specific fiscal year, and cases pled or brought to trial during a specified fiscal year may or may not have been filed during that same time period. Similarly, trial convictions may be achieved for cases filed or trials initiated during a prior year. For example, a case may be received and filed in FY10-11, but that case may not be concluded, either through plea bargain, trial, or dismissal, until a subsequent year.

Office of the District Attorney Family Violence Statistics, FY2007-2011				
	FY07-08	FY08-09	FY09-10	FY10-11
Child Assault Unit Cases Received	93	109	163	170
Domestic Violence Unit Cases Received	1,553	1,767	1,886	2,066
Elder Abuse Unit Cases Received	17	34	68	100

**Child Assault Unit**

The Office of the District Attorney’s Child Assault Unit prosecutes felony cases of physical or sexual assault against children, child endangerment, human trafficking of children, and cases involving child pornography. The Child Assault Unit received 170 cases in FY10-11, continuing the upward trend in the total number of cases received, and filed 41% (or 70) for prosecution. The number of convictions achieved by guilty plea more than doubled from 22 in FY09-10 to 45 in FY10-11. This increase in the number of cases pled means that fewer victims and their families had to go through the experience of a criminal court proceeding, which can be extremely re-traumatizing, but the perpetrator is still brought to justice and held accountable by the criminal justice system. In addition to the 45 convictions by way of guilty plea, the DA also brought 7 child assault cases to trial and achieved a 57% convictions rate during FY10-11.

Office of the District Attorney Child Assault Unit Statistics FY2007-2011				
Child Assault Unit	FY07-08	FY08-09	FY09-10	FY10-11
Cases Received	93	109	163	170
Cases Filed	57	72	69	70
Convictions By Guilty Plea (Cases Pled)	10	15	22	45
Cases Brought to Trial	1	8	5	7
Convictions After Trial	1	6	5	4

The Child Assault Unit works in conjunction with San Francisco General Hospital (SFGH), Family and Children’s Services (FCS), and the San Francisco Police Department (SFPD) by participating in multi-disciplinary interviews at the Child and Adolescent Support and Advocacy Resource Center (CASARC) currently housed at SFGH. These multi-disciplinary interviews provide a coordinated forensic investigation and response to children abused or children exposed to violence in San Francisco. **Starting in early 2013, these investigative interviews will be conducted at the new Child Advocacy Center of San Francisco (CAC-SF), and will be modeled on the simple but powerful concept of multi-disciplinary coordination to create a best-in-class response to incidents of child abuse. Core services at the CAC-SF will include:**

- Coordinated response including criminal and child protective investigation, forensic medical exams and interviews, mental health evaluation, family support and advocacy and parent education;
- A state-of-the-art database allowing partners to communicate and track cases electronically, making San Francisco a leader in this area;
- Multi-disciplinary case conferences ensuring clear communication between all parties working with a family, even across organizational boundaries; and
- Education and training, research and evaluation, and public policy development.

**Domestic Violence Unit**

The Office of the District Attorney’s Domestic Violence Unit prosecutes felony and misdemeanor domestic violence cases, as well as cases of stalking. In previous years, the domestic violence figures included stalking cases. This year, those figures have been separated out, though there is crossover because some stalking cases are also domestic violence-related.

In FY09-10, the Domestic Violence Unit received a combined total of 1,886 domestic violence and stalking cases, whereas it received 2,066 domestic violence cases, an increase of 180 cases, alone in FY10-11. There were 597 domestic violence cases filed, and 502 convictions by guilty plea, 53% (or 267) were for probation violation. Eighteen (18) domestic violence cases were brought to trial and 13 resulted in a guilty conviction.

<b>Office of the District Attorney Domestic Violence Unit Statistics, FY2007-2011</b>				
	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received	1,553	1,767	1,886 <sup>6</sup>	2,066 <sup>7</sup>
Cases Filed	472	467	488	597
Convictions by Guilty Plea (Cases Pled)	444	326	373	502
Cases Brought to Trial	23	9	22	18
Convictions After Trial	15	4	14	13

As mentioned above, the Domestic Violence Unit also handles all stalking cases whether or not they are related to domestic violence. The DA received 39 stalking cases in FY10-11 and filed 77% of the cases. Two stalking cases were referred for parole violation or probation revocation, and 15 received guilty convictions either by way of a guilty plea bargain (12 cases) or probation violation (3 cases). No stalking cases were brought to trial during FY10-11.

<b>Office of the District Attorney Domestic Violence Unit Statistics, FY2010-2011</b>			
	<b>DV Cases</b>	<b>Stalking Cases</b>	<b>Total Cases</b>
Cases Received	2,066	39	2,105
Cases Filed	597	30	627
Cases Referred	131	2	133
Convictions by Guilty Plea (Cases Pled)	235	12	247
Convictions by Guilty Plea (Cases Violated on Probation)	267	3	270
Cases Brought to Trial	18	0	18
Convictions After Trial	13	0	13

The DA's Office faces additional challenges in prosecuting domestic violence cases. Notably, the 2004 United States Supreme Court decision in *Crawford v. Washington* prohibits the use of a victim's statement in court if the victim fails or refuses to testify. Before the *Crawford* ruling, victims did not have to come to court for prosecutors to use their statements made to police officers, Inspectors, or others. Now, victims must testify and be cross-examined in order for their statements to be used in court, something many victims are reluctant to face, as the courtroom experience can be re-traumatizing. In addition to *Crawford*, the Legislature amended the Code of Civil Procedure Section 1219 in 2008 to prohibit law enforcement from compelling testimony from uncooperative victims. This amendment became effective on January 1, 2009, further limiting the DA's ability to file domestic violence cases.

<sup>6</sup> The 1,886 cases include both domestic violence cases and stalking cases received by the DA. For the period of July to December 2009, stalking cases cannot be separated out from general domestic violence statistics.

<sup>7</sup> The 2,066 cases include Domestic Violence cases and DV-related Stalking cases received during FY10-11.

To counterbalance these limitations, the DA's Office has made efforts to provide specialized training for SFPD first responders to enhance their ability to gather admissible statements and evidence. The DA's Office was one of the training partners that provided the "Later in Life" training on elder abuse to more than 500 San Francisco police officers from March 2010 to September 2011. In addition, the DA's Office and SFPD conducted a 4-hour intensive First Responder Domestic Violence training to the same 500+ San Francisco police officers.

### Elder Abuse Unit

The Office of the District Attorney's Elder Abuse Unit prosecutes elder and dependent adult abuse cases and is separated into two units. One unit prosecutes elder or dependent adult physical abuse and is overseen by the Domestic Violence Unit's Managing Attorney, and the second unit prosecutes elder or dependent adult financial abuse cases and is overseen by the Special Prosecutions Unit. Over the past four years, the Elder Abuse Unit has received an increasing number of cases. During FY10-11, the unit received 100 elder abuse cases, an increase of 47% from FY09-10. At the same time, the number of cases filed dropped to 35 in FY10-11, down 22% from the previous year. The number of elder abuse convictions achieved by guilty plea more than doubled from 10 cases pled in FY09-10 to 29 cases pled in FY10-11. As noted above, achieving a conviction by way of guilty plea can save victims of abuse from having to experience a potentially re-traumatizing criminal trial while still holding the perpetrator accountable. The DA brought two elder abuse cases to trial during FY10-11, and achieved one guilty conviction.

<b>Office of the District Attorney Elder Abuse Unit Statistics, FY2007-2011</b>				
<b>Elder Abuse Unit</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received	17	34	68	100
Cases Filed	16	20	45	35
Convictions By Guilty Plea (Cases Pled)	10	12	10	29
Cases Brought to Trial	0	1	2	2
Convictions After Trial	0	0	1	1

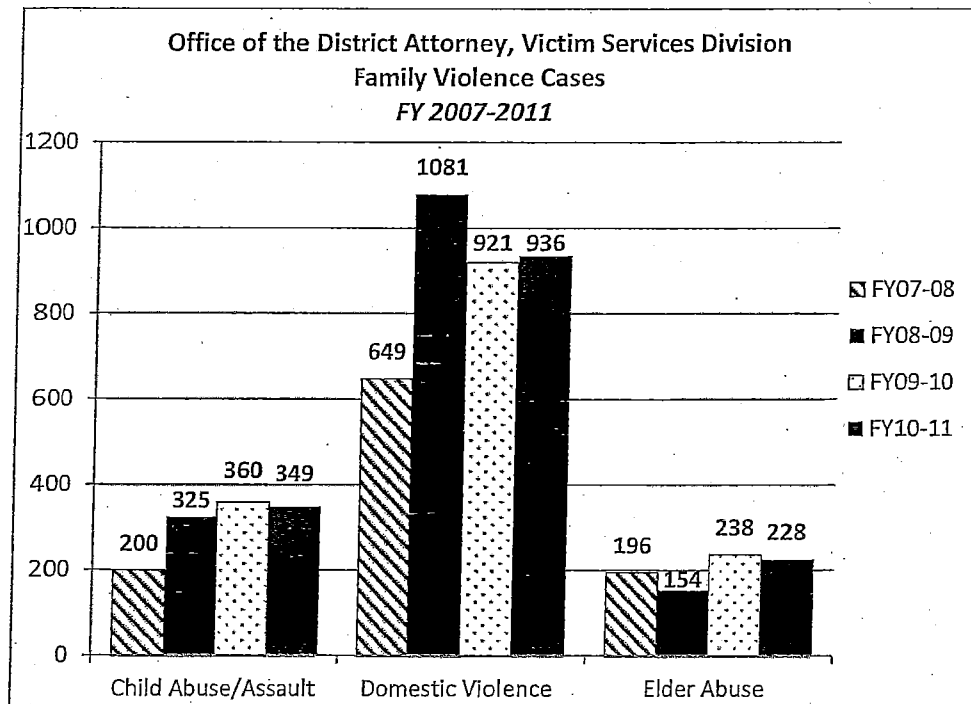
### Victim Services Division

The Office of the District Attorney's (DA) Victim Services Division provides comprehensive advocacy and support to victims and witnesses of crime. Trained advocates help these individuals navigate the criminal justice system by assisting with Victim Compensation Program claims, court escort and case status, transportation, resources, referrals, and more. The Victim Services Division has 12 trained advocates to assist victims of crime, with 3 specializing in child sexual assault and physical abuse cases, 2 specializing in elder abuse cases, and 2 specializing in sexual assault. All advocates are trained in domestic violence dynamics, and each is assigned between 40 and 50 new cases per month, in addition to any ongoing cases that remain open. Services are offered not only to victims whose cases have been charged, but also to victims whose cases have not and will not be charged.

To be eligible for compensation, a person must be a victim of a qualifying crime involving physical injury, or threat of physical injury or death. For certain crimes, emotional injury alone is all that needs to be shown. Certain family members or other loved ones who suffer an economic loss resulting from an injury to, or death of, a victim of a crime may also be eligible for compensation. There is no requirement that the suspect be apprehended or the case charged by the District Attorney's Office to be eligible.

Generally, victims must report the crime to the police, sheriff, child protective services, or some other law enforcement agency. However, mental health and medical records may be sufficient in cases involving domestic violence, human trafficking, and crimes against children. Applicant and victims must cooperate with law enforcement during the investigation and prosecution of the crime, and cannot have participated in or been involved in committing the crime.

During FY10-11, Victim Services provided support and services to victims and witnesses in 1,513 family violence crime cases<sup>8</sup> with 62% of clients seen for domestic violence, 23% for child abuse, and 15% for elder abuse cases.



As in past years, the majority of Victim Services clients were seen for domestic violence cases. In FY10-11, this included 866 domestic violence cases, 13 domestic violence stalking cases, and 57 child witness to domestic violence cases. Of the 349 child abuse cases that received services, 74% (258 cases) were for sexual assault and 26% (91 cases) were for physical abuse.

The following tables highlight demographic data of clients served which shows that the majority of clients were female (77%) and represented the following race: White (29%), Latino/a (27%), African American (25%) and Asian (14%). The data also shows that most clients were between the ages of 18-64 (68%) followed by 0-17 (17%).

<sup>8</sup> The number of clients served is not a unique count of individuals receiving Victim Services. For example, if an individual is a victim of three crimes in FY10-11 and receives Victim Services following each incident, he or she would be captured three times in the data for that fiscal year.



Office of the District Attorney Victim Services Division Family Violence Statistics FY2010-2011					
Client Demographics		Child Abuse	Domestic Violence	Elder Abuse	Total
GENDER	Female	271	775	116	1162
	Male	78	152	112	342
	Transgender	0	7	0	7
	Unknown	0	2	0	2
	<b>TOTAL</b>	<b>349</b>	<b>936</b>	<b>228</b>	<b>1,513</b>
Client Demographics		Child Abuse	Domestic Violence	Elder Abuse	Total
RACE	White	51	288	93	432
	Latino/a	158	242	16	416
	African American	84	265	23	372
	Asian	35	93	83	211
	Unknown	7	22	9	38
	Other	8	13	1	22
	Filipino	6	8	2	16
	Indian	0	5	1	6
	<b>TOTAL</b>	<b>349</b>	<b>936</b>	<b>228</b>	<b>1,513</b>
Client Demographics		Child Abuse	Domestic Violence	Elder Abuse	Total
AGE	0-17	180	71	0	251
	18-64	145	851	41	1,037
	65+	0	2	168	170
	Unknown	24	12	19	55
	<b>TOTAL</b>	<b>349</b>	<b>936</b>	<b>228</b>	<b>1,513</b>

### Child Abuse

Child abuse case clients include individuals who have experienced either physical abuse or sexual assault as a child. In FY10-11, 91 child physical abuse clients received services, 54% of whom were female and 46% were male. The majority of child abuse cases were for sexual assault in which 86% of clients were female. Child abuse case clients were most frequently Latino/a (45%), African American (24%), or White (15%).

Individuals can apply for and receive services as an adult for child abuse or assault they have experienced previously as a minor under the age of 18. It may also be the case that a child abuse or assault crime was committed in previous years and the victim seeks services later in life, or that a case is charged and more past victims are revealed during the investigation process. For these reasons, and because Victim Services clients can continue to receive services after their case has concluded, should it be charged, it is not uncommon for child abuse clients to be over 17 years of age. In cases of child physical abuse, 56% of clients were between the ages of 0 and 17 years, 37% were between the ages of 18 and 64, and 7% were of unknown age. The age group represented most frequently among child physical abuse clients was children between the ages of 0 and 5 years, accounting for 25% of this type of case. Child sexual assault cases were split

nearly evenly between minor and adult clients, with 50% between the ages of 0 and 17 years, and 43% between the ages of 18 and 64. The age group represented most frequently among child sexual assault clients was children between the ages of 12 and 17 years, accounting for 32% of this type of case.

Office of the District Attorney Victim Services Division Child Abuse Statistics FY2010-2011			
Age	Child Physical Abuse	Child Sexual Assault	Total
0-5	23	10	33
6-11	18	37	55
12-17	10	82	92
18-34	20	55	75
34-64	14	56	70
65+	0	0	0
Unknown	6	18	24
<b>TOTAL</b>	<b>91</b>	<b>258</b>	<b>349</b>

**Domestic Violence**

Domestic violence clients include individuals who have experienced domestic violence stalking, as well as childhood exposure to domestic violence. In FY10-11, 83% of domestic violence clients were female. In cases of domestic violence and domestic violence stalking, the majority of clients were female, while in cases of child exposure to domestic violence, the majority of clients were male. Domestic violence clients were most frequently White (31%), African American (28%), or Latino/a (26%).

**Elder Abuse**

Elder abuse case counts include cases of dependent adult abuse as well. In FY10-11, elder abuse cases were split nearly evenly with 51% female clients and 49% male clients, and the majority (74%) were over the age of 65. Elder abuse clients were most frequently White (41%) or Asian (36%).

## Adult Probation Department

The Adult Probation Department (APD) supervises individuals convicted of domestic violence as they complete the requirements of probation. The number of cases supervised by APD fluctuates throughout the year as the court refers new probationers while others complete their probation requirements. As of June 2011, the APD Domestic Violence Unit was supervising 535 individuals, an increase of 17% over June 2010. During FY10-11, 268 new individuals were referred to APD for domestic violence supervision, making this the third straight year that the number of new referrals has grown.

Adult Probation Department Domestic Violence Unit Statistics FY2008-2011			
	FY08-09	FY09-10	FY10-11
Total Cases at Fiscal Year-End	539	459	535
Total New Intakes During Fiscal Year	239	253	268
Total Cases Receiving a Disposition During Fiscal Year	173	184	164
Disposition: Probation Completions	127	127	122
Disposition: Probation Revocations	46	57	42
Certified Batterers Intervention Programs	7	7	7
DV Unit Staffing	12	8	10

When a person convicted of domestic violence is referred to APD for supervision, he or she is automatically referred to a batterer's intervention program (BIP), a 52-week program run by a community agency and certified by APD. If a probationer fails to attend the BIP or commits a crime that violates his or her probation, a bench warrant is issued and APD begins a procedure called a Motion to Revoke Probation. The following are certified BIPs in San Francisco:

- Antolino Family Wellness Center, Inc.
- Abuse, Violence, and Anger Cessation Alliance (A.V.A.C.A.)
- moMENTum
- Programa de hombres contra la violencia intrafamiliar (P.O.C.O.V.I.)
- San Francisco Bay Counseling
- Violence Intervention Program (V.I.P.)
- SWAP/PREP (SF Sheriff's Depart)
- John Hamel and Associates (certified in 2011)
- Womanalive (certified in 2011)
- Men in Progress (certified in 2012)
- Startrac (certified in 2012)

In FY10-11, the Domestic Violence Unit had a high success rate among probationers receiving a disposition regarding their probation status: 122 of 164 (74%) probationers that received a disposition successfully completed all the requirements of the BIP, including fulfilling other terms of their probation with no outstanding violations. The remaining 42 had their probation revoked and sentenced to jail.

At the end of the fiscal year, the Domestic Violence Unit had a staff of 10: 8 deputy probation officers, 1 Domestic Violence Court officer, and 1 supervisor. During the year, deputy probation officers handled an average of 67 cases, down from 77 cases per officer in FY09-10.

In September 2010, APD received a federal Violence Against Women Act grant to address the increasing number of domestic violence cases in the Bayview neighborhood. The grant was awarded through the California Emergency Management Agency to intensively supervise small caseloads of probationers with a higher emphasis on domestic violence crimes. APD analyzed the group of probationers supervised by the Domestic Violence Unit and found that 33% of probationers resided in 3 districts:

- Bayview (14%)
- South of Market (10%)
- Mission (9%)

Based on the high service needs of the Bayview neighborhood, APD identified this region as the primary service area for the grant. Using evidence-based practices to design a victim-centered supervision model and a 40:1 probationer to officer ratio, this specialized caseload will eventually be replicated throughout the Domestic Violence Unit.

APD did not have dedicated units for supervising child abuse, elder abuse, or stalking cases and those were therefore referred for general supervision. In FY10-11, APD supervised 23 child abuse, 53 elder abuse, and 22 stalking cases. The number of child abuse cases increased by 44% and the number of elder abuse cases increased by 51% over FY09-10.

<b>Adult Probation Department General Supervision Statistics, FY2009-2011</b>		
	<b>FY09-10</b>	<b>FY10-11</b>
Stalking Cases	27	22
Child Abuse Cases	16	23
Elder Abuse Cases	35	53

In 2012, APD will establish a child abuse-specific caseload, which will be supervised in the Domestic Violence Unit. When an individual convicted of child abuse is referred to APD, he or she will then be directed to a Child Abuse Intervention Program (CAIP), a 52-week program run by the Department of Public Health at the Community Justice Center through the Violence Intervention Program. CAIP will comply with the current California statute relating to the treatment of court ordered child abuse offenders. It will be run as a one-year pilot and has been certified by the Adult Probation Department. As with domestic violence cases, a bench warrant will be issued if a child abuse probationer commits a crime that violates his or her probation, and APD will initiate the Motion to Revoke Probation. APD will be able to provide more information on the new child abuse caseload and Child Abuse Intervention Program in future reports.

It is uncertain to what extent public safety realignment and the provisions of AB109 will impact the APD DV Unit in the upcoming year. Individuals that are currently serving their sentences for domestic violence crimes will not be among those eligible to serve their prison sentences locally or for post-release community supervision. However, some of those who are eligible for community supervision, which include non-violent, non-serious, non-sex offenders, may have a past history of domestic or family violence. This is an issue that will be considered as those who are eligible for local incarceration or post-release community supervision rejoin the San Francisco community.

## San Francisco Family Court and Probate Court

The San Francisco Family Court issues restraining orders for both domestic violence and elder or dependent adult abuse.

### **Domestic Violence Restraining Orders**

Survivors of domestic violence can request a temporary restraining order (TRO-DV) from the Family Court which are granted for cases involving a current or former intimate partner or spouse, a person with a child in common, or a family member to the second degree, which include in-laws but not cousins. The majority of TRO-DVs requested are granted by a judge, and the restraining order will remain in place until a hearing scheduled within 25 days of issuance to determine if a permanent restraining order will be granted. There are a number of dispositions possible at the conclusion of the hearing:

- **Granted:** The petitioner receives a permanent restraining order.
- **Denied:** The petitioner does not receive a permanent restraining order, and the temporary order is removed.
- **Off-Calendar:** A case may be removed from the calendar if the petitioner does not attend the hearing, or if the petitioner indicates that he or she no longer wants the restraining order.
- **Pending:** A case may not have been resolved by the close of the fiscal year, June 30.

Other dispositions may include:

- **Continued:** The most common reason for a continuance, or a rescheduling of the hearing, is the inability to find and serve the respondent with the order prior to the hearing date.
- **Dismissal:** The judge may determine the case should be dismissed, or it could be dismissed at the request of the petitioner.
- **Set for Trial:** Instead of a hearing in front of a judge, some restraining order requests require a trial with witnesses and testimony to determine a disposition.

In FY10-11, the Family Court received 1,369 requests for TRO-DVs. While 471 (34%) of these requests were granted, 661 (48%) were moved off-calendar. In comparison to FY09-10, there was a 6% decrease in restraining order requests granted, and a 6% increase in restraining order requests moving off calendar. Of the 119 requests that received other dispositions, 75 were set for trial, 30 were dismissed, and 14 were vacated. The total number of TRO-DV requests received by the Family Court has remained relatively steady over the past three years.

Permanent Dispositions of Domestic Violence Temporary Restraining Order Requests by Family Court <sup>9</sup> FY2008-2011						
	FY08-09		FY09-10		FY10-11	
	#	%	#	%	#	%
Requests for TRO-DV	1,358	-	1,372	-	1,369	-
Granted	481	35%	503	37%	471	34%
Denied	212	16%	139	10%	113	8%
Off Calendar	596	44%	624	45%	661	48%
Other Disposition	66	5%	88	6%	119	9%
Pending	3	0%	18	1%	5	0%

**Elder and Dependent Adult Abuse Restraining Orders**

The Probate Court grants restraining orders in cases of elder and dependent adult abuse, and requests can be submitted to protect any individual 65 years of age and older from elder abuse. Requests for dependent adults can be made for all individuals between the ages of 18 and 64 who have physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights. Requests for the latter type of restraining order come from several different sources such as legal assistance and advocacy organizations, Adult Protective Services, a conservator on behalf of a conservatee, or an individual applying on his or her own behalf.

In FY10-11, the Probate Court received 37 requests for elder or dependent abuse restraining orders (TRO-EA). While 16 (43%) requests were granted, 13 (35%) were taken off calendar. The number of TRO-EA requests received over the last three years has fluctuated greatly from 23 in FY08-09 to tripling the number in FY09-10 of 70 and dropping to almost 50% to 37 in FY10-11. Another significant change was the decrease in the percentage of cases receiving other dispositions which dropped from 41% in FY09-10 to 3% in FY10-11.

Permanent Dispositions of Elder Abuse Temporary Restraining Order Requests by Family Court FY2008-2011						
	FY08-09		FY09-10		FY10-11	
	#	%	#	%	#	%
Requests for TRO-EA	23	-	70	-	37	-
Granted	7	30%	26	37%	16	43%
Denied	2	9%	3	4%	5	14%
Off Calendar	6	26%	9	13%	13	35%
Other Disposition	8	35%	29	41%	1	3%
Pending	0	0%	3	4%	2	5%

<sup>9</sup> The information in this table includes only requests related to domestic violence (TRO-DVs) received by Family Court. It does not include temporary restraining orders requested for civil harassment, elder abuse, or those requested of the Criminal Court.

## **Public Defender's Office**

The Public Defender's Office in San Francisco utilizes a "holistic model" of indigent defense services, focusing not only on legal representation, but also on helping clients address the root causes of problems that may have led to their arrest. The Public Defender recognizes that contact with the criminal justice system offers a rare moment in which to address an individual's needs, including those beyond the realm of the legal system. By taking advantage of the unique relationship as a counselor to the client, public defenders can refer individuals to services for addiction, mental illness and unemployment, thereby providing alternatives to incarceration that promise better client, family, and community outcomes through decreased recidivism and healthier reentry into communities.

San Francisco Deputy Public Defenders are trained in evidence-based practices and understand the wide range of service needs of our clients. They are effective advocates for the use of alternative sentencing strategies and equally well versed in the legal issues and advocacy techniques required in the criminal justice process. Deputy Public Defenders are also responsible for designing alternative sentencing strategies and identifying clients who are eligible for collaborative courts and other evidence based programs aimed at improving social and legal outcomes.

### **Coordination with Existing Reentry Programs**

Deputy Public Defenders work closely with the office's existing reentry programs and coordinate its efforts with other criminal justice agencies and community partners.

The Public Defender's Reentry Unit provides an innovative blend of legal, social and practical support through its Clean Slate and Social Work components. The Reentry Unit's social workers provide high quality clinical work and advocacy, effectively placing hundreds of individuals in treatment, housing and other services each year with the goal of improving legal outcomes and reducing recidivism. Reentry Social Workers conduct psycho-social assessments that delve into historical circumstances, family history, previous treatment, and long-term medical and mental health issues. The Reentry Social Workers have extensive knowledge of San Francisco social services and treatment networks as well as deep relationships with community based services staff and directors to which they connect their clients.

### **Shelter Plus Care**

The Reentry Unit was recently approved to become a referring agency to Shelter Plus Care – a HUD-funded program that provides a limited number of apartments and housing vouchers to clients experiencing homelessness. Shelter Plus Care helps homeless clients with disabilities achieve stability by providing life-long subsidized housing as well as voluntary support services including case management, specialized mental health services, access to substance abuse treatment, benefits advocacy, and vocational training, among other services. The Reentry Unit's first referral to Shelter Plus Care was a homeless client who was also a victim of domestic violence.

### **Children of Incarcerated Parents Program (CIP)**

Public Defender clients in the county jail avail themselves to the services of the CIP Program, which is part of the office's Reentry Unit. The goals of these services are to insulate children from the risks associated with parental incarceration, maintain family bonds through the period of incarceration, and improve the ability of clients to participate in family life upon their release. The CIP Program staff works with clients, their families, deputy public defenders, Human Services Agency, Child Support Services, Family Court, and a network of community-based treatment providers to respond to the needs of incarcerated parents and their families. The staff is uniquely positioned to address family needs that are created when a parent is taken into custody. Services provided include addressing the urgent needs of children, setting up contact visitation, assisting clients with family court issues, child support, reunification plans, connecting clients with CPS case managers, and connecting clients and their families to additional social services. Since its inception, the CIP Program has helped hundreds of families in San Francisco overcome the numerous obstacles created as a result of the incarceration of a family member.

### **Clean Slate Program**

The office's Clean Slate Program assists over 3,000 individuals each year who are seeking to "clean up" their records of criminal arrests and/or convictions. Clean Slate helps remove significant barriers to employment, housing, public benefits, civic participation, immigration and attainment of other social, legal and personal goals. The program, now in operation for over a decade, prepares and files over 1,000 legal motions in court annually, conducts regular community outreach, distributes over 6,000 brochures in English and Spanish and holds weekly walk-in clinics at five community-based sites, in predominantly African American and Latino neighborhoods most heavily impacted by the criminal justice system. The Clean Slate Program has been instrumental in helping individuals obtain employment and housing, factors that help stabilize and strengthen families.

As shown by a growing body of scientific research, interventions that address the underlying causes of violent behavior and victimization are effective in preventing new instances of family violence. Without compromising the due process rights of individuals as guaranteed by the Constitution, the Public Defender is committed to utilizing evidence based alternatives that address individual-level risks that perpetuate family violence. As a member of the FVC, the Public Defender is committed to engaging in interagency collaboration and implementing preventative measures aimed at addressing family violence in San Francisco.



**PUBLIC SERVICE AGENCIES**

The City and County of San Francisco administers agencies designed to protect the welfare of vulnerable populations such as children, elders, and dependent adults. The following are statistics from those agencies.

**Family and Children’s Services**

San Francisco Family and Children’s Services (FCS), also known as Child Protective Services (CPS), is a division of the Human Services Agency that protects children from abuse and neglect, and works in partnership with community-based services to support families in raising children in safe and nurturing homes. Whenever possible, FCS helps families stay together by providing a range of services from prevention through aftercare to keeping children safe with their families or with families who can provide permanency.

Researchers from the Center for Social Services Research (CSSR) at the University of California at Berkeley aggregate and provide access to all child welfare data for the state on an annual basis as part of a joint venture between the University and the California Department of Social Services. The data included in this section comes from this database and has been organized by calendar year rather than fiscal year.<sup>10</sup>

**Child Welfare Referrals**

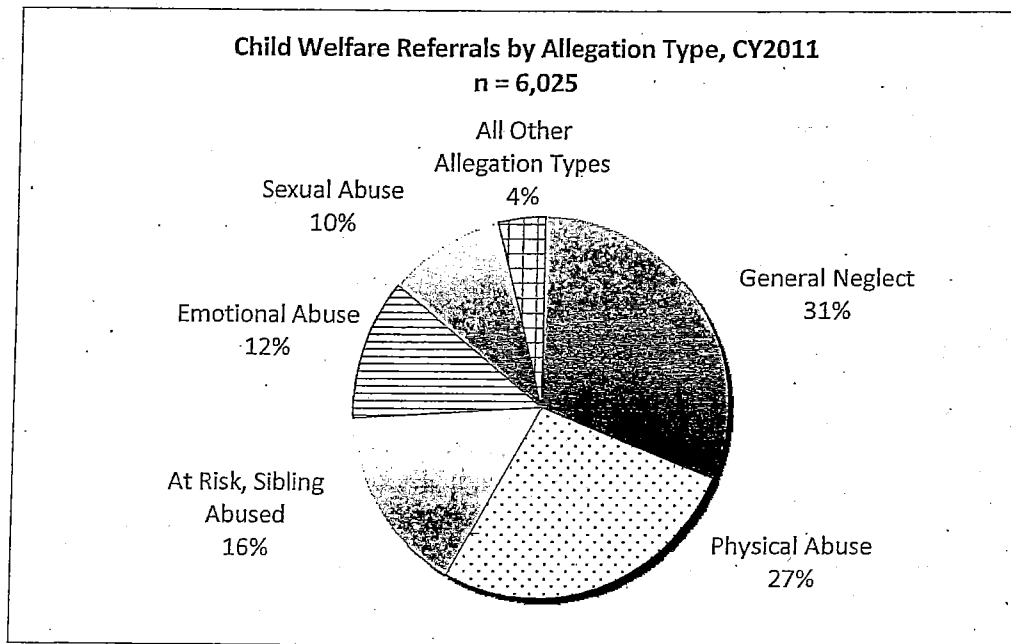
During Calendar Year 2011 (CY2011), FCS received 6,025 referrals for suspected child abuse or neglect, an increase of 20% over the past five-year period.<sup>11</sup>

<b>Family and Children’s Services Referrals and Substantiations CY2007-2011</b>					
	2007	2008	2009	2010	2011
Total Children Referred	5,037	5,064	5,611	5,950	6,025
Total Cases Substantiated	1,070	1,081	1,103	833	659
% Substantiated	21%	21%	20%	14%	11%

The majority of referrals received by FCS were for general neglect (31%) and physical abuse (27%), and together these account for 3,521 referrals of suspected child abuse. Children at-risk due to abuse of a sibling (16%), emotional abuse (12%), and sexual abuse (10%) accounted for an additional 2,291 referrals. Other allegation types reported in CY2011 included caretaker absence or incapacity (3%), severe neglect (1%), and exploitation (less than 1%).

<sup>10</sup> Source for all subsequent calendar year (CY) child welfare data: Needell, B., Webster, D., Armijo, M., Lee, S., Dawson, W., Magruder, J., Exel, M., Cuccaro-Alamin, S., Putnam-Hornstein, E., Williams, D., Simon, V., Hamilton, D., Lou, C., Peng, C., Moore, M., King, B., Henry, C., & Nuttbrock, A. (2012). Child Welfare Services Reports for Children. Retrieved 4/6/2012, from University of California at Berkeley Center for Social Services Research website. URL: [http://cssr.berkeley.edu/ucb\\_childwelfare](http://cssr.berkeley.edu/ucb_childwelfare). Some of the figures in this section have been updated from those reported in the 2010 *Comprehensive Report* to reflect the most current and accurate data available.

<sup>11</sup> This figure counts each child with a child maltreatment allegation once for each analysis year. If a child has more than one allegation in a specific year, that child is counted one time in the category of the most severe occurrence.



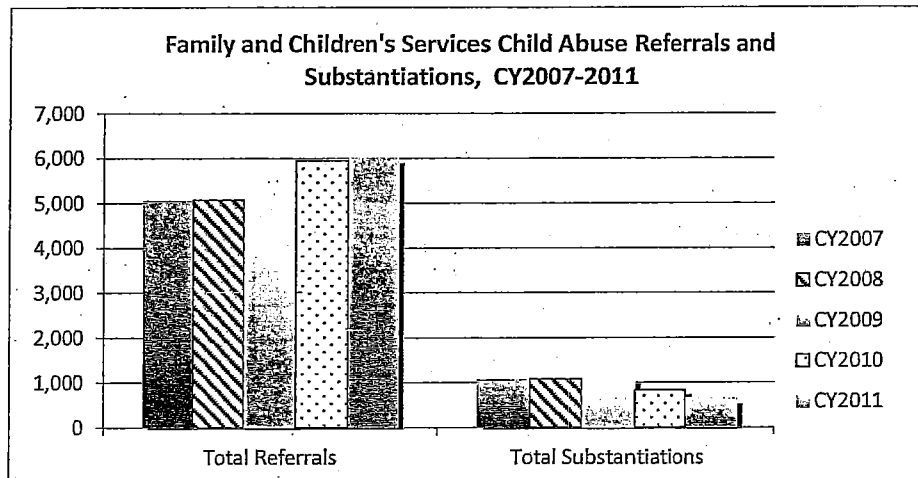
The breakdown among the different types of referrals received in CY2011 is similar to that of previous years during which general neglect and physical abuse were the most frequently received referrals. Since CY2007, general neglect and physical abuse allegations have each accounted for between 26% and 31% of referrals every year.

Family and Children's Services Referrals by Allegation Type CY2007-2011										
Allegation Type	CY2007		CY2008		CY2009		CY2010		CY2011	
	#	%	#	%	#	%	#	%	#	%
General Neglect	1,432	28%	1,478	29%	1,683	30%	1,850	31%	1,893	31%
Physical Abuse	1,312	26%	1,505	30%	1,614	29%	1,569	26%	1,628	27%
At Risk, Sibling Abused	599	12%	455	9%	657	12%	927	16%	973	16%
Emotional Abuse	413	8%	457	9%	609	11%	776	13%	735	12%
Sexual Abuse	565	11%	611	12%	569	10%	613	10%	583	10%
Caretaker Absence/Incapacity	362	7%	317	6%	196	3%	175	3%	158	3%
Severe Neglect	16	0%	31	1%	42	1%	30	1%	47	1%
Exploitation	10	0%	12	0%	8	0%	10	0%	8	0%
Substantial Risk	328	7%	198	4%	233	4%	0	0%	0	0%
<b>TOTAL</b>	<b>5,037</b>		<b>5,064</b>		<b>5,611</b>		<b>5,950</b>		<b>6,025</b>	

Examining the data over the past five years from CY2007 to CY2011 reveals significant trends such as the substantial increase in the numbers of referrals for three allegation categories: the number of children referred who were at-risk due to abuse of a sibling, an increase of 62% over the five year period; emotional abuse, which increased by 78%; and severe neglect, which increased by nearly 200%. Two types of referrals, substantial risk and caretaker absence or incapacity, decreased significantly by 100% and 56% respectively.

**Referral Findings**

Of the 6,025 referrals received during CY2011, 11% (659) were substantiated following investigation by FCS. While both the number of referrals substantiated and the rate of substantiation have decreased over the past five years, the number of total referrals to FCS has increased steadily. In CY2007, 1,070 cases or 21% of total referrals were substantiated, compared to 659 cases or 11% of total referrals substantiated in CY2011.



During CY2011, the majority of referrals (47%) did not meet the definition of abuse or neglect, and were considered “unfounded.” An additional 39% of referrals were evaluated and not found to warrant further investigation and required an “assessment only” by FCS. The remaining 3% of referrals were either found to be inconclusive due to a lack of evidence to substantiate the abuse or a finding has not yet been determined.

Family and Children's Services Referrals by Allegation Type and Finding, CY2011						
Allegation Type	Substantiated	Inconclusive	Unfounded	Assessment Only	Not Yet Determined	Total Referrals
General Neglect	345	75	724	748	1	1,893
Physical Abuse	71	36	904	611	6	1,628
At Risk, Sibling Abused	46	28	637	258	4	973
Emotional Abuse	77	37	377	243	1	735
Sexual Abuse	25	21	109	427	1	583
Caretaker Absence/Incapacity	81	6	39	32	0	158
Severe Neglect	13	0	22	11	1	47
Exploitation	1	1	1	5	0	8
Substantial Risk	0	0	0	0	0	0
<b>TOTAL</b>	<b>659</b>	<b>204</b>	<b>2,813</b>	<b>2,335</b>	<b>14</b>	<b>6,025</b>

**Substantiated Allegations of Abuse and Neglect**

In CY2011, 659 referrals to FCS were substantiated or found to be true upon investigation. Over half (52%) of substantiated referrals were for general neglect. Caretaker absence or incapacity and emotional abuse each accounted for 12% of substantiated referrals, and physical abuse accounted for 11%. The remaining 12% of substantiated referrals were for sexual abuse, severe neglect, exploitation, or children at-risk due to abuse of a sibling.

**Geo-Coded Data**

Data is also available from the CSSR database that examines child abuse and neglect allegation rates by zip code.<sup>12</sup> The most recent geo-coded data for CY2011 is detailed in the table below and shows that referrals to FCS vary greatly by zip code. The neighborhoods with the highest number of children with allegations were Bayview (1,073), Ingleside/Excelsior (650), Mission (523), and Visitacion Valley (502). Together, these four areas accounted for 2,748 allegations of abuse, or 46% of the total allegations received by FCS during that year.

<b>Family and Children's Services Referrals, CY2011</b>				
<b>Children with Child Maltreatment Allegations and Incidence Rates by ZIP Code</b>				
<b>ZIP Code</b>	<b>Neighborhood</b>	<b>Children with Allegations</b>	<b>Child Population</b>	<b>Incidence per 1,000 Children</b>
94124	Bayview	1,073	9,511	113
94112	Ingleside/ Excelsior	650	16,454	40
94110	Mission	523	14,446	36
94134	Visitacion Valley	502	9,652	52
94102	Hayes Valley/ Tenderloin	235	3,543	66
94115	Pacific Heights/Western Addition/Japantown	217	4,279	51
94107	Potrero Hill	168	3,020	56
94132	Lake Merced	166	4,360	38
94103	SOMA	163	3,162	52
94109	Nob Hill/Russian Hill	129	4,754	27
94117	Haight/Cole Valley	118	3,192	37
94133	North Beach/Fisherman's Wharf	88	3,134	28
94131	Twin Peaks/Glen Park	84	3,932	21
94130	Treasure Island	59	191	309
94116	Outer Sunset	54	7,087	78
94127	West Portal	52	3,475	15
94122	Inner Sunset	46	8,529	5
94121	Outer Richmond	44	6,297	7
94118	Inner Richmond	37	5,492	7
94114	Castro/Noe Valley	31	2,739	11
94108	Chinatown	29	1,300	22
94123	Marina/Cow Hollow	23	2,428	9
94129	Presidio	11	485	23
94105	Embarcadero/SOMA	8	252	32
94104	Financial District	7	49	143
94111	Embarcadero	3	227	13
94158		3	416	7
ZIP Code Missing, or Out of County		1,502		
San Francisco		6,025	122,406	49
California		475,908	9,584,228	50

<sup>12</sup> The child population projections used in this particular data are based on the 2000 U.S. Census, and therefore may not precisely reflect San Francisco's 2011 child population.

The citywide incidence rate for CY2011 was 49.2 per 1,000 children, an increase of 7% from CY2008 of 45.8 per 1,000 children. Among neighborhoods with the highest numbers of child abuse allegations, the incidence rates in CY2011 were 112.8 (Bayview), 39.5 (Ingleside/Excelsior), 36.2 (Mission), and 52.0 per 1,000 children (Visitacion Valley).

**Differential Response**

FCS uses a method called “Differential Response” (DR) to respond to allegations of abuse. Based on information received during a hotline call or referral, FCS social workers assess the evidence of neglect or abuse. If there is insufficient evidence to suspect neglect or abuse, the case is “evaluated out of the system” and the family may be referred to voluntary services in the community. If there appears to be sufficient evidence of abuse or neglect, FCS opens the case and conducts further assessment and investigation. Under this DR model, the social worker taking the hotline report or referral determines the initial response path for all referrals.

- **Path 1: Community Response** – When there are no known safety issues and a low-to-moderate risk level of future maltreatment, under California’s traditional child welfare system, more than 1/3 of all cases are re-referrals from the previous year, indicating that there are continued challenges facing these families. With DR these families are linked to services in the community through expanded partnerships with local organizations. This is the path for all referrals that are “evaluated out of the system.”
- **Path 2: FCS and Community Response** – When the safety threat is assessed as moderate-to-high, FCS opens a referral. The response team may include a public health nurse, a CalWORKs worker, or other community representatives who may already be working with the family.
- **Path 3: FCS Only (and possible law enforcement) Response** – When the safety threat is assessed as high-to-very high, FCS opens a referral.

FCS began using DR for Path 1 and 2 cases in 2006. This model serves as a strong tool for child abuse prevention by supporting families at risk of abuse or neglect even when cases do not rise to the level of FCS action. As a response to research findings and limited capacity of service providers, FCS now focuses on families that are more likely to come back as a referral to FCS. With changes made in how DR is implemented, comparative data is not available for FY10-11.

**Emerging Trends in Child Welfare**

Over the past few years, FCS has seen a rise in the number of adolescents becoming involved in the child welfare and foster care systems as the subject of referrals for abuse and through DR. However, there are signs that this trend may be slowing. During CY2011, adolescents ages 11 to 17 years were the subject of 2,387 referrals to FCS and represents a slight decrease of 57 referrals (2%) from CY2010.

Family and Children’s Services Referrals by Age Group, CY2007-2011					
Age Group	2007	2008	2009	2010	2011
0 - 5	1,620	1,564	1,787	1,807	1,928
6 - 10	1,417	1,458	1,613	1,699	1,710
11 - 17	2,000	2,042	2,211	2,444	2,387
<b>TOTAL</b>	<b>5,037</b>	<b>5,064</b>	<b>5,611</b>	<b>5,950</b>	<b>6,025</b>

CY2011 saw the fewest number of adolescents entering foster care in the past 10 years with 138 ages 11 to 17 entering the system, down 23% from CY2010 of 179.

Family and Children's Services Foster Care Entries by Age Group, CY2007-2011					
Age Group	2007	2008	2009	2010	2011
0 - 5	202	198	182	183	156
6 - 10	82	60	64	100	88
11 - 17	155	177	155	179	138
<b>TOTAL</b>	<b>439</b>	<b>435</b>	<b>401</b>	<b>462</b>	<b>382</b>

Overall, the number of children involved with FCS and the child welfare system has declined with both the number and rate of cases substantiated declining for the second straight year while the number of children in foster care in San Francisco is also following a downward trend. At the earliest date for which data is available in January 1998, there were 3,049 children in foster care in San Francisco. With the exception of 2003, the point-in-time caseload count has decreased every year since then, reaching a low of 1,254 children in January 2011. There are several changes that have likely contributed to this decline: San Francisco's decreasing child population, and new FCS policies that emphasized early intervention and providing increased family support services to keep more children safely in their homes, when appropriate, rather than placing them in foster care. FCS anticipates the foster care caseload will continue to decline over the next year.

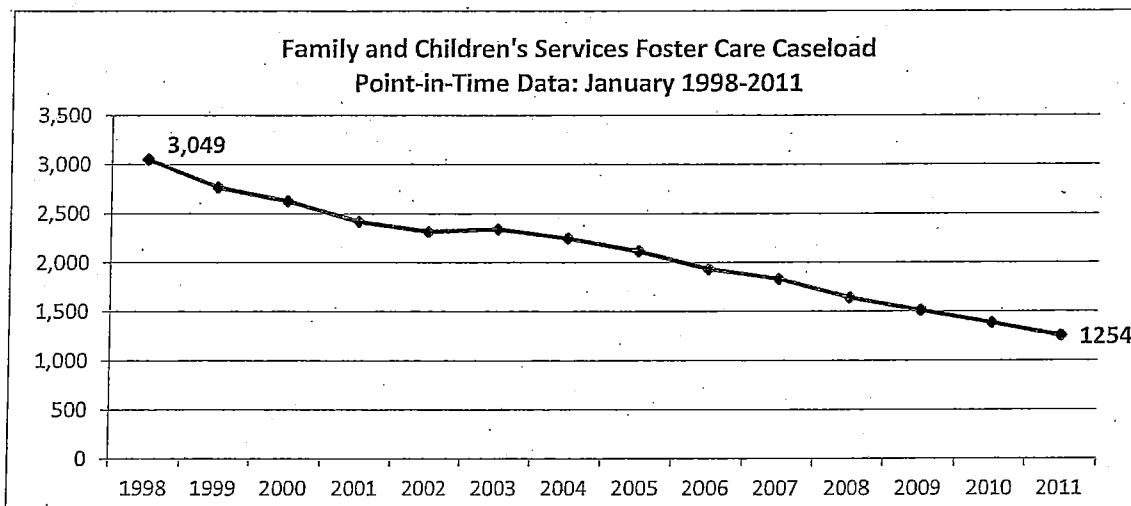


Figure provided by SF Human Services Agency

Another significant change to the child welfare system came with the passage of State Assembly Bill 12 (AB12), the California Fostering Connections to Success Act, in August 2010. Under AB12, eligible foster youth have the option to remain in care until age 21 and receive transitional support. Youth who continue in extended foster care will remain under the jurisdiction of the juvenile court as "nonminor dependents," and will continue to work with a county child welfare worker to maintain their eligibility and fulfill their Independent Living Case Plan, a plan to develop independent living skills and permanent connections with caring and committed adults. Nonminor dependents in extended foster care can live in a number of different types of supervised placements, all of which must be either approved or licensed under new standards. This extended foster care program will be incrementally implemented over a three-year period. In January 2012, eligible youth can extend their foster care until age 19, and in January 2013, until age 20. Assuming State legislature takes additional authorizing action, foster care will be extended for youth age 21 in January 2014.

## Adult Protective Services

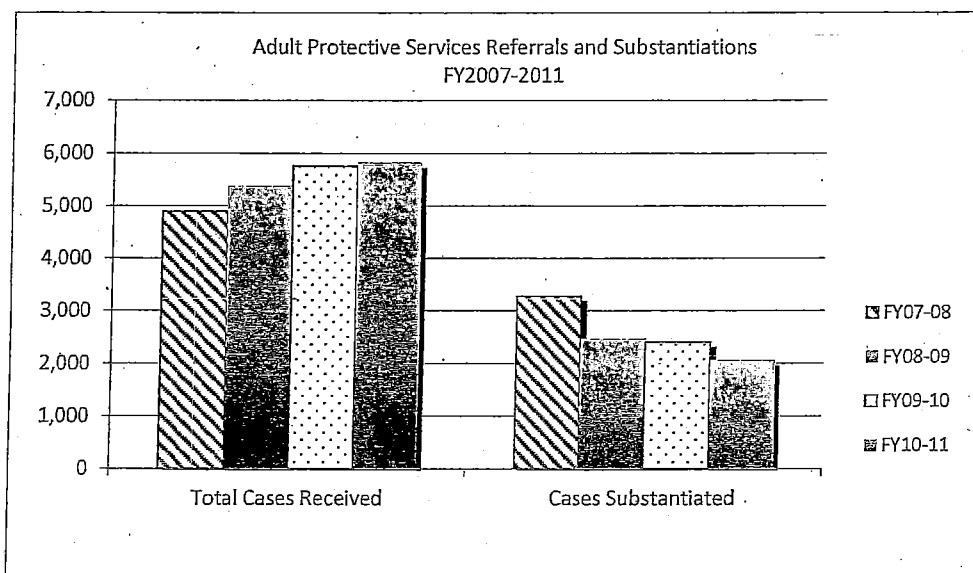
The Department of Aging and Adult Services operates the Adult Protective Services (APS) for the county of San Francisco, and is charged with responding to allegations of abuse regarding seniors and adults ages 18 to 64 who are dependent or have disabilities.

There are approximately 109,842 seniors age 65 years and older living in San Francisco, comprising nearly 14% of the city's total population.<sup>13</sup> This is a growing group with growing needs, and ensuring the safety of this protected class is one such need. National data suggests that just one in five cases of elder abuse and neglect are officially reported to the police or to APS. Abuse of the "oldest old," those individuals over 85 years of age, is believed to occur at a higher rate than other elders, and family members are the most common perpetrators of abuse towards these individuals.

In FY10-11, APS received 5,839 reports of abuse or neglect, which included 3,987 reports regarding elders and 1,852 reports regarding dependent adults. APS responds to all reports made, though APS social workers do not provide a face-to-face investigation on every report as a face-to-face evaluation may not be warranted for a variety of reasons. One reason is if the elder or dependent adult who is the subject of the referral does not reside in San Francisco and those reports are referred to the APS in the county of residence. Another reason might be that the individual referred may be in a skilled nursing facility and such reports are under the jurisdiction of the Long Term Care Ombudsman program. The total number of referrals received by APS has increased by 19% over the past four years, with a high this year of 5,839 calls to the APS hotline. Of all referrals received, APS investigated 3,096 cases (53%) and substantiated 2,065 (67%) of those cases.

<b>Adult Protective Services Statistics</b>				
<b>FY2007-2011</b>				
	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Cases Received	4,893	5,378	5,758	5,839
Cases Investigated	n/a	3,722	4,559	3,096
Percent Investigated	n/a	69%	79%	53%
Cases Substantiated	3,278	2,469	2,407	2,065
Percent Substantiated	n/a	66%	53%	67%

<sup>13</sup> U.S. Census Bureau, 2010 Census, retrieved June 30, 2012 from <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>



Elder abuse cases accounted for more than twice the number of dependent adult abuse cases in FY10-11, 68% and 32% respectively. Of the 56% of elder and 46% of dependent adult abuse cases investigated, the latter had a slightly higher percentage found to meet the standards of abuse or neglect, 70% versus 66%.

	Elder Abuse	Dependent Adult Abuse
Cases Received	3,987	1,852
Cases Investigated	2,238	858
Percent Investigated	56%	46%
Cases Substantiated	1,468	597
Percent Substantiated	66%	70%

One of the relatively new services at APS is the Urgent Response Team formed in late 2009 in response to the growing number of elder and dependent adult abuse reports requiring an immediate response. The Team increased its staff in FY10-11 and is now comprised of three APS social workers and three registered nurses. The focus of this Team is to respond to all reports of abuse needing an immediate response within 24 hours or within 2.5 days. This urgent response capability has helped to involve law enforcement much more quickly in cases of abuse and neglect. This has been valuable in fostering a stronger team approach to reports of abuse where, for example, a stay-away or temporary restraining order is needed, or where immediate documentation via interview and photographs is necessary to create the foundation for prosecution of a criminal case by the Office of the District Attorney.



## Department of Public Health

The San Francisco Department of Public Health (DPH) works to reduce family violence both through public health prevention programs and by directly addressing family violence issues with patients seen in the DPH network of hospitals and healthcare clinics. Healthcare providers may be the first or only professionals to encounter and provide services to victims of family violence. Although some victims of family violence may present obvious injuries during a healthcare visit, it is far more common that they present only subtle symptoms of repeated abuse or violence. Therefore, treating and preventing family violence requires extensive training of healthcare staff, protocols to use in screening for and responding to family violence, and the development of educational materials for healthcare providers and staff. The San Francisco General Hospital Emergency Department (SFGH ED) has a model program whereby all nurses and physicians ask each patient about his/her domestic violence experiences. All patients identified as or suspected to be victims of domestic violence are offered treatment, counseling, and referrals to community services. In July 2011, SFGH ED providers began to document the completion of this domestic violence screening in the patient's electronic medical record (EMR). Thus, in the future, data will be available on the number of patients reporting domestic violence when screened at the SFGH ED.

The DPH outpatient clinics also have a domestic violence screening protocol that was endorsed by the Health Commission in 1998 where each clinic routinely screens for and address domestic violence with their patients. As with the SFGH ED model, all patients identified as or suspected to be victims of domestic violence are offered treatment, counseling, and community resources. Data collected through small medical chart audits as part of a quality improvement study conducted by LEAP (Look to End Abuse Permanently) and funded by the San Francisco Kaiser Community Foundation Grants Program demonstrated that among a sample of six clinics, each had screened between 31% and 98% of their female patients for domestic violence. Beginning in 2012, DPH clinics will gradually implement a new EMR system that will allow for the collection of data on the number of patients screened for domestic violence by their healthcare providers, as well as the number of patients who report either currently or previously experiencing domestic violence. Healthcare providers will also be able to enter information on their patients' current and past experiences of reproductive coercion into the EMR in each outpatient clinic. Reproductive coercion refers to behaviors that interfere with contraception use and/or pregnancy.

Because many victims of family violence do not feel safe or ready to disclose their experiences of abuse when asked by a healthcare provider, not all family violence victims may be identified in the healthcare setting. Once victims of family violence and sexual assault are identified within the DPH system, many of the victims are treated by their primary health care team or referred to community services. However, there are also a number of trauma-specific treatment programs within DPH to assist patients in recovering from the physical and emotional trauma they have experienced.

The Trauma Recovery Center (TRC) provides mental health and case management services to survivors of interpersonal violence, including intimate partner, sexual and other physical assaults, gang-related violence, and more. In FY10-11, TRC provided services to 764 clients, 47% of whom were seen following experiences of sexual assault, and 53% of whom were seen following experiences of domestic violence or other assaults.

<b>Department of Public Health – Trauma Recovery Center Statistics FY2009-2011</b>		
	<b>FY09-10</b>	<b>FY10-11</b>
Clients Served	772	764
Number of Clients Receiving Services Following Sexual Assault	372	357
Percentage of Clients Receiving Services Following Sexual Assault	48%	47%
Number of Clients Receiving Services Following Domestic Violence or Other Assaults	400	407
Percentage of Clients Receiving Services Following Domestic Violence or Other Assaults	52%	53%

The Child Trauma Research Program (CTRP) is a program of the University of California, San Francisco, Department of Psychiatry that operates at SFGH. CTRP provides assessment and intensive mental health services to children birth through five years of age who have been exposed to parental or guardian domestic violence, or other trauma. During FY10-11, CTRP provided 53 children with services for domestic violence exposure, 18 for experiences of physical abuse; and 8 for sexual abuse. Twenty children treated were exposed to two or more types of violence.

<b>Department of Public Health – Child Trauma Research Program Statistics FY2009-2011</b>		
<b>Type of Violence Exposure</b>	<b>FY09-10</b>	<b>FY10-11</b>
Domestic Violence	67	53
Physical Abuse	31	18
Sexual Abuse	7	8

The Child and Adolescent Support Advocacy and Resource Center (CASARC) serves children and adolescents up to 18 years of age who have been sexually or physically abused, or who have witnessed severe violence. Located at SFGH, CASARC provides forensic medical and crisis management services 24 hours a day; trauma-focused psychotherapy services to children and families; and educational training for community providers, including teachers, students, and health care and mental health professionals.

During FY10-11, CASARC had 345 telephone contacts and conducted 265 forensic interviews with children and adolescents who were suspected victims of abuse. CASARC physicians and nurse practitioners conducted 102 sexual and 76 physical abuse medical exams.

<b>Department of Public Health – CASARC statistics FY2010-2011</b>	
<b>Type of contact</b>	<b>Number of contacts</b>
Phone contacts	345
Forensic interviews	265
Sexual abuse exams	102
Physical abuse exams	76

**Department of Child Support Services**

The San Francisco Department of Child Support Services (DCSS) works with parents and legal guardians to ensure that families receive the court-ordered financial and medical support they need to raise their children. DCSS helps children and their families by locating absent parents, establishing paternity, and requesting and enforcing child support orders from the court. During FY10-11, DCSS provided case management services for 15,853 child support cases.

In cases where domestic violence or family violence has occurred, enforcing child support obligations can lead to elevated levels of risk for survivors of abuse and their children. Therefore, DCSS developed the Family Violence Indicator (FVI) to be used by case managers to flag cases in which the enforcement of support obligations may be dangerous.<sup>14</sup> The number of cases identified with the FVI more than tripled from FY09-10 to FY10-11, increasing from 569 to 1,721. This represents 11% of the DCSS caseload flagged for family violence, up from 3% during the previous year.

Department of Child Support Services Family Violence Statistics, FY2009-2011		
	FY09-10	FY10-11
Open cases at fiscal year-end	17,915	15,853
Cases flagged with FVI	569	1,721
Percent of caseload flagged with FVI	3%	11%

This dramatic increase in the number of cases flagged with the FVI prompted DCSS to create a special enforcement solution with the primary goal to ensure the safety and well-being of custodial parents who rely on the collection of child support to care for their children, but whose cases could qualify for good-cause closure due to the likelihood of intimidation, threats, or violence by the non-custodial parent in response to a child support order. DCSS is expected to launch its new Family Violence Initiative in July 2011.

In addition, DCSS works closely with the Adult Probation Department (APD) on cases in which non-custodial parents are on probation or incarcerated for domestic violence. This inter-agency collaboration allows both departments to work with non-custodial parents to ensure that they meet their support obligations and remain in compliance with the terms of their probation. DCSS and APD are also working toward implementing video conferencing which will allow parents who are on probation for domestic violence incidents to participate in court proceedings without making a personal appearance.

Currently, 80% of local cases identified with a family violence indicator are meeting their child support obligations, with no new reports of family violence towards the custodial parents or children on this caseload. Further efforts by DCSS to increase participation and compliance for cases with family violence history are ongoing.

<sup>14</sup> When a case participant (noncustodial parent or custodial party) claims domestic or family violence, the case manager marks the case as FVI in the Child Support Services database. This automatically updates the information in the records for any dependent children in that family as well as the case participant. The FVI counts listed are unique case counts, not participant counts. The count of individual participants with FVI is greater than the count of cases with FVI. For example, if a case participant makes a claim of family violence and has one dependent child, the FVI would be marked at both the case and participant levels, for an FVI case count of 1 and an FVI participant count of 2.

**CalWORKs Domestic Violence Unit**

The San Francisco Human Services Agency (HSA) administers CalWORKs, the State’s welfare and benefits program for adults with dependent children, and operates a Domestic Violence Unit to provide specialized services to survivors of domestic violence who are receiving CalWORKs. The CalWORKs program requires recipients to participate in employment or employment-related activities a minimum number of hours per week as a condition of receiving benefits. Because victims of domestic violence may have special needs that could limit their ability to fulfill this requirement, such as Post Traumatic Stress Disorder, the Domestic Violence Unit will work with the individual to receive specialized case management and a temporary waiver of the work requirement. This enables the individual to attend counseling services to help heal from the trauma of abuse and to ease the transition to financial independence.

Human Services Agency CalWORKs and Domestic Violence Unit Caseloads FY2008-2011			
	FY08-09	FY09-10	FY10-11
Average Monthly CalWORKs Caseload	4,607	4,795	4,907
Average Monthly Domestic Violence Unit Caseload	262	275	234
Percent of Caseload Assigned to DV Unit	6%	6%	5%

CalWORKs caseloads fluctuate monthly with new individuals applying for benefits while other recipients close theirs for various reasons, including reaching their lifetime limit on aid. During FY10-11, CalWORKs caseloads reached a high of 5,089 cases in May 2011 and a low of 4,666 cases in August 2010 with an overall average of 4,907 cases per month. During the same period, Domestic Violence Unit caseloads reached a high of 290 cases in August 2010 and dropped to a low of 141 cases in June 2011 with an average monthly of 234 cases.

From June 2010 to July 2011, there was an 8% increase in the number of CalWORKs caseloads, which rose from 4,706 cases at the start of the year to 5,077 cases at the close of the year. The Domestic Violence Unit caseload, however, decreased over the same time period with its caseload dropping from 287 to 141, a 51% decrease. The percentage of total CalWORKs cases that were assigned to the Domestic Violence Unit fell to approximately 5% of the average monthly caseload, down 6% from the two previous years.

## San Francisco Unified School District

The San Francisco Unified School District (SFUSD) provides a broad range of specialized services and programs to support students and their families beyond the classroom. One important issue among the many addressed is that of teen relationship abuse. Every two years, SFUSD administers the Center for Disease Control and Prevention's Youth Risk Behavior Survey (YRBS)<sup>15</sup> to a random sample of students across all SFUSD middle and high schools, and uses the data to examine risk factors present in students' lives. The YRBS includes questions about teen relationship abuse and health risk behaviors such as tobacco, alcohol and other drug use; sexual behavior; bullying; and exposure to violence. The YRBS results included in the tables below have been organized by School Year (SY) rather than Fiscal Year (FY).

During the 2010-2011 School Year (SY10-11), 2,730 middle and 2,220 high school students participated in the YRBS. Standard demographic information is captured, and SFUSD was the first school district in the country to include items on both sexual orientation and gender identity in its middle *and* high school YRBS surveys. Sexual orientation responses included: *heterosexual (straight), gay or lesbian, bisexual, and not sure* (i.e., questioning). Gender identity responses included: *male, female, and transgender*.

The data collected from YRBS respondents is adjusted to represent the total SFUSD student population from which the survey sample is drawn. The weighted data results are considered representative of the overall population of SFUSD students in middle schools (grades 6 to 8) and high schools (grades 9 to 12). However, due to the relatively small number of surveys completed by students identifying as lesbian, gay, bisexual, questioning, or transgender, YRBS results may not be representative of the experiences of *all* students who identify as such. The YRBS includes one item regarding physical abuse by a dating or intimate partner, and the high school YRBS includes an additional question regarding sexual assault by an intimate or dating partner.

A total of 2,312 middle school students responded to the question regarding physical abuse by an intimate partner with 6.5% of the 2,175 middle school respondents who identified themselves as heterosexual reported "being hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend during the past 12 months." This percentage increased to 27.2% of the 104 respondents who identified themselves as gay, lesbian or bisexual; and 59.3% of the 33 respondents who identified themselves as transgender.

A total of 2,159 high school students responded to the survey questions regarding physical abuse and sexual assault by an intimate partner, with 7% of the 2,022 high school respondents who identified themselves as heterosexual reported being hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend during the past 12 months. This percentage increased to 18% of the 111 respondents who identified themselves as gay, lesbian, or bisexual; and 40% of the 26 respondents who identified themselves as transgender. High school students were also asked about experiences of forced sexual intercourse during their lifetime with 7% of heterosexual; 17% of gay, lesbian, or bisexual; and 44% transgender reported having "been physically forced to have sexual intercourse when they did not want to."

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<sup>15</sup> Standard CDC Youth Risk Behavior Survey Questionnaires can be accessed at:  
[http://www.cdc.gov/healthyyouth/yrbs/questionnaire\\_rationale.htm](http://www.cdc.gov/healthyyouth/yrbs/questionnaire_rationale.htm)

<b>San Francisco Unified School District Youth Risk Behavior Survey – Domestic Violence Statistics SY2010-2011</b>		
<b>Students Reporting Physical Assault by an Intimate Partner</b>		<b>%</b>
<b>Middle School</b>	Heterosexual (n=2,175)	6.5%
	Gay, lesbian or bisexual (n=104)	27.2%
	Transgender (n=33)	59.3%
<b>High School</b>	Heterosexual (n=2,022)	7%
	Gay, Lesbian, or Bisexual (n=111)	18%
	Transgender (n=26)	40%
<b>Students Reporting Forced Sex</b>		<b>%</b>
<b>High School</b>	Heterosexual (n=2,022)	7%
	Gay, Lesbian, or Bisexual (n=111)	17%
	Transgender (n=26)	44%

SFUSD has a variety of prevention and intervention services to address the needs of students experiencing violence. Programs include professional development opportunities for teachers and staff, violence prevention curricula for teachers, Wellness Programs in High Schools, Health Promotion Committees at the high schools, Healthy School Teams in middle schools, School Social Workers in the elementary schools, Support Services for Lesbian, Gay, Bisexual, and Transgender youth, and grant-funded projects such as School Community Violence Prevention.

School staff members are also among the most frequent reporters of child abuse to Family and Children’s Services. Since SY02-03, school staff members annually made more than 700 reports of suspected child abuse during the school year. Since SY07-08, that number has increased to over 1,000 reports each school year. During SY09-10, the last year for which data is currently available, 1,515 reports of suspected child abuse were made by public and private school staff members. SFUSD staff members made 1,355 of these reports and 51% were regarding public elementary school students, 19% regarding public middle school students, and 28% regarding public high school students. Only 2% of reports were from SFUSD child development centers and pre-schools. Private school and non-SFUSD preschool and day care center staff were responsible for 160 reports of suspected child abuse or neglect.

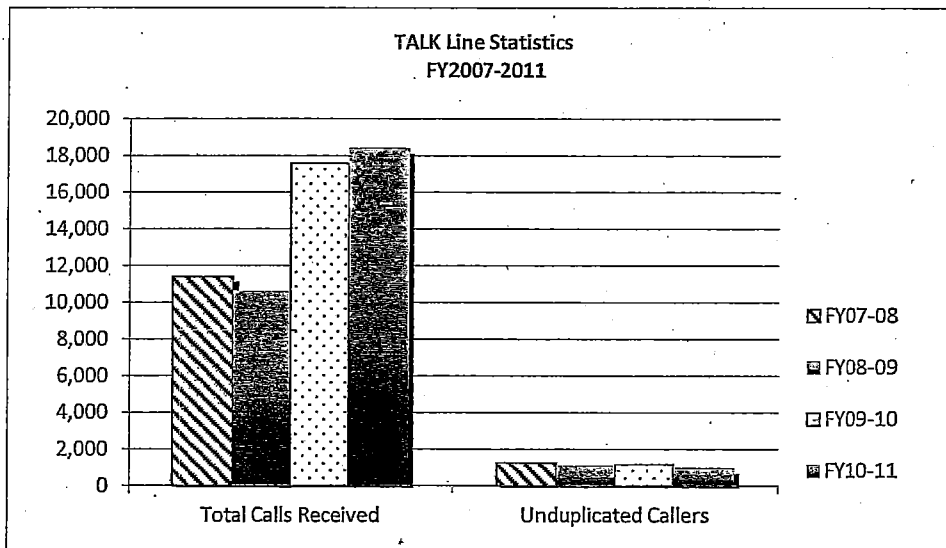
<b>San Francisco Unified School District Child Abuse Reporting Statistics SY2003-2010</b>								
	<b>SY 02-03</b>	<b>SY 03-04</b>	<b>SY 04-05</b>	<b>SY 05-06</b>	<b>SY 06-07</b>	<b>SY 07-08</b>	<b>SY 08-09</b>	<b>SY 09-10</b>
Reports by Elementary Schools	434	430	431	442	449	664	680	686
Reports by Middle Schools	151	157	206	193	140	234	266	262
Reports by High Schools	91	88	177	178	115	237	311	378
Reports by Private Schools	71	78	68	64	76	120	124	108
Reports by Child Development Centers and Pre-Schools	6	12	6	4	10	20	32	29
Reports by Non-SFUSD Preschools and Day Care Centers	11	19	7	9	7	14	23	52
<b>TOTAL</b>	764	784	895	890	797	1,289	1,436	1,515

## COMMUNITY-BASED SERVICES

### Child Abuse Prevention and Support Services

The San Francisco Child Abuse Prevention Center (SFCAPC) is dedicated to the prevention of child abuse and neglect, the promotion of healthy families, and the mental health of children. SFCAPC operates the TALK Line, a 24-hour support hotline for parents and caregivers to help cope with the stress of parenting in healthy ways and serve as a preventive measure to stop child abuse before it happens. During FY10-11, TALK Line received 18,422 calls, an increase of almost 5% over the previous year, from an estimated 1,000 unduplicated callers.<sup>16</sup>

San Francisco Child Abuse Prevention Center Statistics FY2007-2011				
	FY07-08	FY08-09	FY09-10	FY10-11
TALK Line Calls Received	11,398	10,626	17,583 <sup>17</sup>	18,422
Unduplicated Callers	1,250	1,093	1,161	1,000
SafeStart Families Served	153	153	164	174



SFCAPC also operates the San Francisco SafeStart Initiative, a city-wide program that seeks to reduce the incidence and impact of exposure to both community and domestic violence on children ages 6 and under. SafeStart providers are located at sites throughout the city, including Family Resource Centers, Family Court, the San Francisco Police Department's Special Victims Unit, and other locations where children exposed to violence can be reached. Services for SafeStart families include case management, advocacy, support groups, parenting education, counseling, and more. In FY10-11, SafeStart served 174 families.

<sup>16</sup> The TALK Line is anonymous and callers are not required to identify themselves.

<sup>17</sup> The increase in the number of TALK Line calls received between FY08-09 and FY09-10 was primarily due to a change in call documentation procedures that better captured actual call volume.

The 2009 *Comprehensive Report on Family Violence in San Francisco* noted that Family Resource Centers (FRCs) should be better equipped to meet the needs of families who have experienced violence, and the SafeStart program has made significant efforts to increase the capacity of the FRCs to respond to children exposed to family and community violence. SafeStart places advocates at 7 FRCs in San Francisco and provides advocates with special training and support specifically to work with these families and children. It also has a full-time staff who provides training to service providers at family-focused agencies in San Francisco throughout the year, and an annual training held in April 2011 that focuses exclusively on how to better serve families exposed to violence. This year's annual event trained 106 individuals representing 45 family-focused agencies, including 20 FRCs.

### **Domestic Violence Prevention and Support Services**

Victims of domestic violence often need significant support and resources to heal, and to rebuild a safer and healthier life. For victims of abuse, leaving the abusive relationship can be one of the most dangerous times, and San Francisco's three domestic violence emergency shelters (with a combined total of 75 beds per night) play a key role in helping protect these victims. Through the Violence Against Women Prevention and Intervention (VAW) Grants Program, the Department on the Status of Women distributes City funding to these shelters and collects statistics regarding the services provided.<sup>18</sup> In FY10-11, the three emergency shelters provided 4,796 bed nights and provided 3,945 hours of counseling, advocacy, case management, and other services to 171 women and their children. Unfortunately, during the same time period 873 individuals were turned away from the emergency shelters due to a lack of space.

<b>VAW Grants Program Services</b>				
<b>FY2007-2011</b>				
<b>Emergency Shelter</b>	<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>
Shelter Bed Nights	5,927	3,950	3,729	4,796
Individuals Served	228	122	192	171
Turn-aways	630	1,034	1,130	873
<b>Transitional and Permanent Housing</b>				
<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>	
Housing Bed Nights	9,748	13,307	12,801	12,770
Individuals Served	118	89	61	103
Turn-aways	23	347	247	460
<b>Crisis Line</b>				
<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>	
Crisis Line Calls	13,997	18,529	14,642	21,578
<b>Supportive Services</b>				
<b>FY07-08</b>	<b>FY08-09</b>	<b>FY09-10</b>	<b>FY10-11</b>	
Hours of Supportive Services	38,521	41,279	46,010	54,215

<sup>18</sup> Several other City departments, including the Department of Children, Youth, and Their Families and the Human Services Agency, also support certain services provided by San Francisco's domestic violence programs. The numbers reported here only reflect the investment made through the Department on the Status of Women's VAW Grants Program.



The VAW Grants Program also supports three transitional housing programs and one permanent supportive housing program that provided 12,770 bed nights and 2,335 hours of counseling, case management, advocacy, and other support services to 103 women and their children. As in the case of the emergency shelters, 460 individuals were turned away from these transitional and supportive housing programs due to a lack of space.

As evidenced by the thousands of service hours provided by these emergency and temporary shelter programs, much more is needed in addition to housing to support those who have experienced abuse. In FY10-11, the VAW Grants Program partnered with 24 organizations to fund the operation of 34 different community programs that provided advocacy, case management, counseling, crisis intervention, education, and legal services, among others. These 34 programs provided a combined total of 54,215 hours of supportive services to an estimated 34,902 victims of violence.

The VAW Grants program also funds one of three domestic violence crisis lines in San Francisco, Women Organized to Make Abuse Nonexistent, Inc. (WOMAN, Inc.). In FY10-11, WOMAN, Inc. fielded 21,578 calls, an increase of 6,936 calls or 47% from the previous year. The other two crisis lines operated by La Casa de las Madres and the Riley Center received an additional 6,512 calls, bringing the total number of crisis calls to 28,090 and demonstrating the crucial need for this simple and confidential way for victims of violence to reach out for help. Even with this tremendous volume of calls, it is important to remember that victims of abuse may use other access points for services not specific to domestic violence and that some victims may never access any services at all.

### **Elder Abuse Prevention and Support Services**

The San Francisco Elder Abuse Forensic Center (SFEAFC) is a public/private partnership between the non-profit Institute on Aging and the following City and County of San Francisco Agencies: Department of Aging and Adult Services (Adult Protective Services and the Public Guardian), the District Attorney's Office, the City Attorney's Office, and the Police Department. The mission of SFEAFC is to prevent and combat the abuse, neglect, and exploitation of elders and dependent adults in San Francisco using the following strategies:

- Improve communication and coordination among the legal, medical, and social services professionals who investigate and intervene in cases of elder and dependent adult abuse.
- Increase access to potential remedies and justice for those who have been victimized.
- Educate policy makers, professionals, caregivers, older adults and their families about preventing, reporting and stopping elder and dependent adult abuse.

SFEAFC provides forensic review meetings, coordinated home visits, medical evaluations, medical record reviews, psychological/neuropsychological assessments, and collaboration and community outreach. The data from SFEAFC represents a subset of Adult Protective Services (APS) cases. SFEAFC uses a standardized intake form developed in collaboration with the other three forensic centers in California. Any member of SFEAFC may refer a case for consultation and referrals largely come from APS. Cases are accepted based upon the relative complexity and/or the need for specialized consultation.

In FY10-11, there were 44 new cases and 54 follow-up cases presented during 25 meetings. The median age of elder abuse victims was 75 with 70% female and 30% male. Caucasians (48%) and African Americans (27%) represent the highest rates of abuse within the case population. It should be noted that multiple types of abuses are often found within a given case with the most common type being financial abuse at 37 cases (combined totals from “financial-real estate” and “financial other” cases). The incidence of abuse was fairly evenly distributed throughout San Francisco, except for higher clusters occurring in the neighborhoods of Russian Hill (94109), the Inner Sunset District (94122), and Bayview-Hunters Point (94124).

San Francisco Elder Abuse Forensic Center Case Statistics FY2008-2011			
	FY08-09	FY09-10	FY10-11
New Cases	53	32	44
Follow-Up Cases	76	27	54
Number of Meetings	37	20	25
Female Clients	33	16	31
Male Clients	20	15	13
Average Age of Clients	79.7	75.4	73.8
Median Age of Clients	83	78	75

San Francisco Elder Abuse Forensic Center New Case Statistics FY2008-2011						
	FY08-09		FY09-10		FY10-11	
Race/Ethnicity	#	%	#	%	#	%
Caucasian	23	43%	13	41%	21	48%
African American	16	30%	7	22%	12	27%
Other/Unknown	0	0%	2	6%	5	11%
Asian	4	8%	6	19%	2	5%
Latina/o	7	13%	4	13%	2	5%
Pacific Islander	3	6%	0	0%	2	5%
<b>TOTAL</b>	53		32		44	
Types of Abuse	#	%	#	%	#	%
Financial - Other	31	30%	17	22%	28	26%
Other/Unknown	10	10%	12	16%	18	17%
Psychological	14	14%	13	17%	13	12%
Self-Neglect	10	10%	3	4%	13	12%
Neglect	17	17%	12	16%	12	11%
Physical - Assault/Battery	10	10%	9	12%	10	9%
Financial - Real Estate	10	10%	9	12%	9	8%
Isolation	0	0%	1	1%	5	5%
<b>TOTAL</b>	102		76		108	

Elder abuse is any form of mistreatment that results in harm or the threat of harm to the health and/or welfare of an elder. The different types of abuse identified in SFEAFC are financial abuse, isolation, physical abuse, psychological/emotional abuse, neglect, self-neglect, and other/unknown abuses. As of FY10-11, the Other/Unknown category has been broken down further to include abandonment, abduction, chemical restraint, constraint or deprivation, sexual abuse, and undue influence. SFEAFC is currently collaborating on the development of a more advanced database system that will allow for more expansive reporting and hopes to start using it by the end of 2012.

San Francisco Elder Abuse Forensic Center Statistics Number of Evaluations Per Fiscal Year <sup>19</sup> , FY2007-2011						
	Evaluations Requested		Evaluations Completed		Evaluations Cancelled	
	Medical	Psychological	Medical	Psychological	Medical	Psychological
FY07-08	0	23	0	15	0	8
FY08-09	11	25	10	17	1	8
FY09-10	5	24	4	20	1	4
FY10-11	7	30	6	24	1	6

San Francisco Elder Abuse Forensic Center Statistics New Cases of Elder Abuse by Zip Code, FY2008-2011					
Zip Code	Neighborhood	FY08-09	FY09-10	FY10-11	
94109	Nob Hill/Russian Hill	2	5	10	
94122	Inner Sunset	2	4	7	
94124	Bayview	8	2	5	
94110	Mission	0	3	3	
94103	SOMA	0	2	3	
94115	Pacific Heights/Western Addition/Japantown	6	3	2	
94112	Ingleside/Excelsior	7	2	2	
94134	Visitation Valley	2	2	2	
94121	Outer Richmond	4	1	2	
94118	Inner Richmond	4	0	2	
94102	Hayes Valley/Tenderloin	0	2	1	
94116	Outer Sunset	2	1	1	
94117	Haight/Cole Valley	2	0	1	
94132	Lake Merced	2	0	1	
94108	Chinatown	0	0	1	
94131	Twin Peaks/Glen Park	3	2	0	
94127	West Portal	1	1	0	
94107	Potrero Hill	0	1	0	
94123	Marina/Cow Hollow	3	0	0	
94114	Castro/Noe Valley	2	0	0	
94133	North Beach/Fisherman's Wharf	1	0	0	
Unknown		2	1	1	
<b>TOTAL</b>		<b>53</b>	<b>32</b>	<b>44</b>	

<sup>19</sup> The category "medical" includes both physical evaluations and medical record evaluations combined.

## MISSING PIECES

Victims of family violence seek help and access services in many ways beyond those included in this report. The data contained in this report is meant to provide a broad overview of the scope of family violence in San Francisco. It does not, and cannot, include data from every agency and service that these individuals may come into contact with. In the future, the Council hopes to include information from additional sources to help fill in some of the gaps that remain among the included data.

In addition to the criminal justice response information included in this report, the San Francisco Sheriff's Department operates the Resolve to Stop the Violence Project (RSVP). RSVP is a survivor-centered program based on a restorative justice model. The goals of the program include empowering victims of violence, reducing recidivism among violent offenders, and restoring individuals and communities through community involvement and support in order to prevent future violence. The Council hopes to include information from this, as well as other programs of the Sheriff's Department, in future reports.

There are also other legal avenues for family violence cases in addition to the criminal justice proceedings outlined in this report. For example, cases of elder financial abuse may come under the jurisdiction of the Probate Court, and cases of child abuse fall under the jurisdiction of the Dependency Court. While these Civil Court statistics may overlap with those of the Criminal Court that are already included, there are some victims that choose to only pursue civil remedies. This data is currently not captured within the scope of this report.

As noted previously, the medical professionals of the Department of Public Health (DPH) often serve as "first responders" to victims of family violence. There are innumerable medical access points within, as well as beyond, the DPH system that can provide considerable information on help-seeking by these victims of violence. The new electronic medical records system will facilitate screening for domestic violence throughout the DPH hospital and clinic system, and capturing this data will provide some indication of the prevalence of domestic violence among DPH patients.

Additional community based organizations that are not included in this report also provide services to victims of family violence through the course of their work. Family Resource Centers and other family-focused programs in the community, particularly those serving families with children, may not be specifically designed to provide services to victim of family violence. However, advocates at these agencies are likely to be access points for victims and to provide services on an ad hoc basis, by way of the trusting relationships they often develop with their clients. It is important to identify these sites and agencies that can intervene in families where children are exposed to parental domestic violence, as exposed children are at increased risk for becoming involved in future violent relationships.

Identifying these information gaps further demonstrates the pervasiveness and complexity of the issue of family violence. However, despite these and other missing pieces, this report is able to provide a broad overview for policy makers and advocates to use in assisting victims of family violence in San Francisco.

**STATISTICAL SUMMARY**

2010 U.S. Census Bureau	
San Francisco	Population Count
Children Ages 0-17 years	107,524
Adults Ages 18-64 years	587,869
Older Adults 65 years and older	109,842
TOTAL San Francisco Population	805,235

Selected Family Violence Statistics in Summary FY2010-2011			
	Child Abuse	Domestic Violence	Elder Abuse
Calls Received by Community Providers <sup>20</sup>	18,422	28,090	N/A
Calls Received by CPS, 911, and APS	6,048	7,510	5,890
Cases Substantiated by CPS and APS	659	N/A	2,065
Requests for TROs from Family and Probate Courts	N/A	1,369	37
Cases Received and Assessed by SFPD	545	3,982	512
Cases Investigated by SFPD	492	1,569	206
Cases Received by District Attorney's Office	170	2,066	100
Cases Filed by District Attorney's Office	70	597	35
Convictions by Guilty Plea	45	502	29
Cases Brought to Trial	7	18	2
Convictions After Trial	4	13	1

<sup>20</sup> Call volumes were provided by TALK Line (child abuse) and domestic violence providers (domestic violence hotlines). There is presently no dedicated community-based hotline for elder abuse prevention.

## CONCLUSIONS AND RECOMMENDATIONS

The statistics and information provided in this report demonstrate that family violence is a significant and pervasive problem affecting thousands of San Francisco residents. Child abuse, domestic violence, and elder and dependent adult abuse are inter-related. In many families, more than one type of family violence occurs simultaneously. For example, it is estimated that 30-60% of families with domestic violence also has child abuse. Children exposed to parental domestic violence experience significant trauma and are at increased risk for future victimization or perpetration of violence. Children who are physically abused are at increased risk of committing violent crimes later in life, including community or gang violence. Seniors experience domestic violence in addition to other forms of abuse. And, finally, abuse is "passed down" from one generation to the next. It is imperative that we examine and strengthen all of the systems of support and intervention discussed in this report and these recommendations. Through collaborative policy and program improvement efforts we can improve the safety of all San Franciscans now and in the future.

### Summary of Recommendations

Based on the report findings and discussions, the Family Violence Council has the following recommendations:

1. The Family Violence Council recommends the enhancement of data by exploring new data collection from the Sheriff's Department and the San Francisco Unified School District for future reports.
2. The Family Violence Council recommends the development of a data collection plan and the collection of data on intimate partner and family violence screenings and diagnosis rates at the San Francisco General Hospital and the San Francisco Department of Public Health community clinics.
3. The Family Violence Council recommends the Department of Emergency Management provide monthly statistics on the number of domestic violence calls by district and by DV call codes to the Department on the Status of Women.
4. The Family Violence Council recommends joint trainings for 911 dispatchers by child abuse, domestic violence, and elder abuse experts and advocates.
5. The San Francisco Unified School District should work with the Family Violence Council to develop a one-page factsheet on how to recognize signs of family violence and how to report family violence to the appropriate authorities.
6. The Family Violence Council recommends a joint outreach campaign on all forms of family violence including child abuse, domestic violence, and elder abuse.
7. The Family Violence Council recommends the continued support of a multidisciplinary response to family violence in San Francisco.
8. The Family Violence Council recommends the creation of a victim/survivor program within the San Francisco Adult Probation Department that will work collaboratively with other city and county department survivor/victim services which includes, but is not limited to, the Sheriff Department's Survivor Restoration Program and the District Attorney's Office of Victim Services.
9. The Family Violence Council recommends the collaboration between the District Attorney Victim Services and SafeStart to provide counseling to youth who witness violence in the home.

**CONCLUSION A:** Data collection is crucial in understanding the full extent of family violence in San Francisco. As departments collect additional data regarding their clients, those additional data should be included in future reports for a more comprehensive assessment of the prevalence and impact of family violence in San Francisco.

**RECOMMENDATION 1:** The Family Violence Council recommends the enhancement of data by exploring new data collection from the Sheriff's Department and the San Francisco Unified School District for future reports.

- The Sheriff's Department should provide the Family Violence Council with data it currently collects related to family violence and information related to how the state's realignment plan impacts the Sheriff's Department.
- The San Francisco Unified School District should provide the Family Violence Council with comprehensive data from its Youth Risk Behavior Survey and other data captured such as child abuse reporting by school personnel.

**RECOMMENDATION 2:** The Family Violence Council recommends the development of a data collection plan and the collection of data on intimate partner and family violence screenings and diagnosis rates at the San Francisco General Hospital and the San Francisco Department of Public Health (SFDPH) community clinics.

- By the end of 2013, SFDPH will have developed a data collection plan that identifies current and potential future sources of electronically accessible data on intimate partner and family violence within SFDPH clinical sites.
- In 2014, SFDPH will generate a first annual report of the prevalence of intimate partner and family violence screening and diagnosis rates in SFDPH clinical settings.

**RECOMMENDATION 3:** The Family Violence Council recommends the Department of Emergency Management provide monthly statistics on the number of domestic violence calls by district and by DV call codes to the Department on the Status of Women.

- DEM's Division of Emergency Communications should provide the Department on the Status of Women (DOSW) a month-by-month breakdown of the number of domestic violence calls to 911 broken down by district and by call codes on a monthly basis.
- At the end of each fiscal year, DEM's Division of Emergency Communications should provide DOSW a fiscal year-end summary of the total number of domestic violence calls to 911 by district and by call codes.

**CONTEXT:** The *Comprehensive Report on Family Violence in San Francisco* captures the full extent of known available data that departments and agencies are currently collecting for their reporting and performance purposes. During the process of reviewing the data in this report and information gathered from other meetings, the Family Violence Council realized that there are data currently being captured that are relevant and should be included in this report. There are other data that are not being collected but are needed in order to understand the full impact of family violence in San Francisco.

*Sheriff's Department:* The discussion of the potential impact of the state's realignment plan brought to the Council's attention that, although the Sheriff's Department is a member of the Council, there has been no information or data on family violence offenders from the Sheriff's Department. For future reports, the Council would like to include statistics regarding inmates and/or parolees charged with any type of family violence. Also, the Council would like to see how realignment has impacted the office, programs, and services related to family violence prevention. At a minimum, data from the Sheriff's RSVP program should be included in the next report.

*San Francisco Unified School District:* Teachers, staff, and administrators in schools are uniquely positioned to have close, daily interaction with students outside the home. Consequently, schools are the largest reporters of child abuse. Schools are also ideal places to capture student data on bullying, dating violence, and other matters related to family and relationship violence. The recommendation to include more information from data captured by the school district will allow the Council to obtain a better understanding of the types of violence school children face and to collaboratively develop and promote violence prevention efforts. Focusing attention on childhood exposure to family and dating violence will help to prevent future family violence.

*San Francisco Department of Public Health:* Many survivors of intimate partner and family violence present to a healthcare provider before utilizing violence-specific community, law enforcement, or legal services. Intimate partner violence (IPV) can result in lethal and non-lethal injuries, illness, excess healthcare utilization and increased healthcare costs. IPV is a health equity issue that disproportionately affects underserved communities in San Francisco. IPV is also associated with an increased risk of many of the most prevalent diseases and diagnoses that are identified upon admission to the San Francisco General Hospital (SFGH) or during visits to the SFGH Emergency Department and outpatient clinics. In addition, exposure to family violence as a child is associated with poor health outcomes in both childhood and adulthood. SFDPH has been providing data from its Trauma Recovery Center, Child and Adolescent Sexual Abuse Resource Center, and the Child Trauma Research Project, SFDPH is implementing an electronic medical record system that will allow it to capture data from the hospital and clinics to allow for a more complete understanding and analysis of family violence in San Francisco.

*San Francisco Department of Emergency Management:* The month-to-month 911 call statistics on domestic violence will allow the Department on the Status of Women and the Family Violence Council to analyze and monitor the rate and types of domestic violence taking place in San Francisco on an ongoing basis.



**CONCLUSION B:** Training is the keystone to improving the ability of professionals to recognize family violence and provide individuals experiencing family violence with life-saving information and assistance.

**RECOMMENDATION 4: The Family Violence Council recommends joint trainings for 911 dispatchers by child abuse, domestic violence, and elder abuse experts and advocates.**

- The Department of Emergency Management should coordinate, at a minimum, a yearly training on child abuse, domestic violence, and elder abuse for its 911 dispatchers.
- In FY12-13, all 911 dispatchers would have been trained on child abuse, domestic violence, and elder abuse.

**RECOMMENDATION 5: The San Francisco Unified School District should work with the Family Violence Council to develop a one-page factsheet on how to recognize signs of family violence and how to report family violence to the appropriate authorities.**

- By the end of FY12-13, the San Francisco Unified School District should have developed a factsheet on how to recognize signs of family violence and how to report family violence to the appropriate authorities.
- When complete, all school district personnel – teachers, administrators, and other staff – should be given a factsheet and informed of their role as mandated reporters of child abuse and neglect per State law.

**CONTEXT:** The Family Violence Council recognizes and lauds City Departments that have incorporated training programs that enable staff to provide better and more knowledgeable customer service to the public. To ensure that Departments are even better equipped to handle cases and situations involving family violence, the Council recommends a joint training program for 911 dispatchers and improved education for school personnel about their role as mandated reporters of child abuse and neglect.

*Department of Emergency Management.* The Department of Emergency Management has done an excellent job of training its 911 dispatchers to identify and accurately code calls according to call type. Trainers that Council members have spoken to have indicated how impressed they were with the 911 dispatchers' knowledge of the many codes associated with family violence. Although trainings have been provided on various family violence topics, it will be most efficient and effective to have experts from all three disciplines – child abuse, domestic violence, and elder abuse – conduct a joint training so 911 dispatchers can better grasp the subtle differences among the different types of family violence.

*San Francisco Unified School District.* Most children spend the majority of their time in both the home and school. Children who are exposed to family violence (direct child abuse or exposure to other family violence) may not understand that family violence is not an acceptable norm and that help is available. Children may be frightened to ask for help and unsure of how to do this. A victimized parent is also often too frightened or otherwise unable to access assistance from authorities. Teachers, staff, and administrators at schools are in an ideal position to recognize signs that a child may be experiencing family violence and access assistance for the child. Teachers, staff, and administrators are also mandated child abuse reporters.

**CONCLUSION C:** Collaborative efforts among different providers and stakeholders often yield the best results.

**RECOMMENDATION 6:** The Family Violence Council recommends a joint outreach campaign on all forms of family violence including child abuse, domestic violence, and elder abuse.

- The Family Violence Council should coordinate child abuse, domestic violence, and elder abuse service providers in community agencies and City Departments to develop a joint Family Violence Outreach Campaign that addresses all forms of family violence across the lifespan.
- The San Francisco Child Abuse Prevention Center's Children's Advocacy Center, the Domestic Violence Consortium, and the San Francisco Elder Abuse Forensic Center should identify a liaison to work with the Family Violence Council on the joint family violence campaign.
- The Family Violence Joint Outreach Campaign Committee should unveil an outreach plan to the Family Violence Council for feedback and implementation. All Council Members are encouraged to assist with this effort.

**RECOMMENDATION 7:** The Family Violence Council recommends the continued support of a multidisciplinary response to family violence in San Francisco.

- The multidisciplinary response to family violence among city and community agencies has provided a more nuanced and productive discussion on how to address and prevent family violence. This multidisciplinary response has resulted in programs that meet the unique and specific needs of the residents of San Francisco.
- The leadership provided by the San Francisco Child Abuse Prevention Center's Children's Advocacy Center, the Domestic Violence network, and the San Francisco Elder Abuse Forensic Center should be supported and recognized for their tireless efforts in advocating for the successful multidisciplinary approach to addressing family violence in San Francisco.

**RECOMMENDATION 8:** The Family Violence Council recommends the creation of a victim/survivor program within the San Francisco Adult Probation Department that will work collaboratively with other city and county department survivor/victim services which includes, but is not limited to, the Sheriff Department's Survivor Restoration Program and the District Attorney's Office of Victim Services.

- This important collaboration will enhance and expand current services for victims of crime in San Francisco by establishing a victim/survivor program under the Adult Probation Department.
- The proposed program will build on the work of the District Attorney's Office of Victim Services and the Sheriff Department's Survivor Restoration Program by providing survivor services to new populations including victims of probationers and other "justice involved" victims such as incarcerated victims.
- The program will serve both male and female victims with appropriate "trauma-informed" care.

**RECOMMENDATION 9: The Family Violence Council recommends the collaboration between the District Attorney Victim Services and SafeStart to provide counseling to youth who witness violence in the home.**

- The Collaboration will allow for the training of SafeStart advocates in assisting minor witnesses to fill out applications for the state victim compensation program to pay for therapy.

**CONTEXT:** Family Violence is a pervasive issue that affects people from all walks of life across the lifespan. Many efforts have been made to raise awareness of the different types of family violence: April is National Child Abuse Prevention Month, May is Elder Abuse Awareness Month in San Francisco, and October is National Domestic Violence Awareness Month. Working together, the Family Violence Council hopes to leverage these efforts and expand awareness about the pervasiveness of family violence across the lifespan. The Family Violence Council aspires to recognize and support the leaders who are striving to end family violence in San Francisco.

In the coming year, we anticipate some impact from California's Criminal Justice Realignment (California Assembly Bill 109) which went into effect on October 1, 2011. This legislation, often known as the "Corrections Realignment Plan" or simply "Realignment," shifts the responsibility of correctional custody and supervisory of lower-level felony offenders (e.g., non-violent, non-serious, and non-sex offenders) from the state to individual counties. All new lower-level felony offenders who would have previously served time in a state prison will now serve time in county jails.

Because San Francisco is both a city and a county, realignment could impact the data captured for the 2012 report. Although none of the new offenders being sent to county jail will be currently incarcerated for domestic violence, some will have been convicted of domestic violence previously. This may or may not result in an uptick of the number of domestic violence offenders captured in the data for next year's report.



# RISE!

# 1 BILLION RISING

## ONE BILLION RISING AT SAN FRANCISCO CITY HALL!

On V-Day's 15th Anniversary we are inviting ONE BILLION women and those who love them to WALK OUT, DANCE, RISE UP, and DEMAND an end to this violence.

THURSDAY, FEBRUARY 14  
4:00-6:00PM

JOIN V-DAY ON  
FEBRUARY 14 TO  
DEMAND AN END  
TO VIOLENCE

ONEBILLIONRISING.ORG

**SIGN UP** to learn more and join the global call at [www.OneBillionRisingSF.org](http://www.OneBillionRisingSF.org)

**FRIEND US** on Facebook.com/OneBillionRisingSF

**FOLLOW** the campaign on Twitter: @BillionRisingSF  
JOIN THE CONVERSATION:  
#1BillionRising

V-DAY is a global movement to end violence against women and girls throughout the world.

V-Day dreams of a world where women thrive rather than merely survive.  
[www.vday.org](http://www.vday.org)

### JOIN:

- Mayor Edwin M. Lee,
- District Attorney George Gascón,
- Board of Supervisors President David Chiu,
- V-Day Executive Director Susan Celia Swan,
- Commission on the Status of Women President Julie Soo,
- Filipina Women's Network President Marily Mondejar

### FEATURING:

- DJ's spinning,
- Flash Mobs dancing
- Special Guests!  
(to be announced)

### WHAT DOES ONE BILLION LOOK LIKE?

On February 14th, 2013, it will look like a REVOLUTION!

**SAY NO** to violence against women and girls, joining this global campaign alongside women and men, girls and boys in over 182 countries.



SAN FRANCISCO  
DEPARTMENT ON THE  
STATUS OF WOMEN



FILIPINA-WOMEN'S-NETWORK



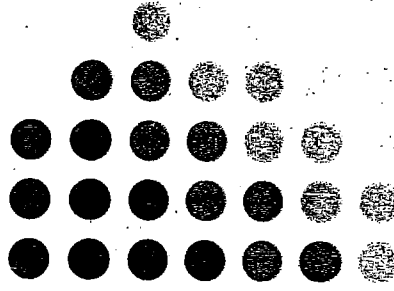
# Office of District Attorney

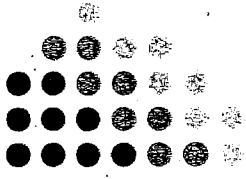


## George Gascón

City and County of San Francisco

### Domestic Violence Prosecution





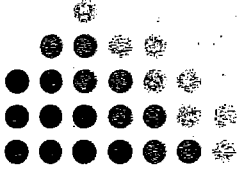
San Francisco District Attorney's Office

## Domestic Violence Unit: Increasing Workload

### Domestic Violence Cases Handled (Monthly Avg.)

- 2010: 143 cases per month
- 2012: 270 cases per month
- **88% increase**





San Francisco District Attorney's Office

## **Domestic Violence Unit: Increasing Workload**

- **Total Domestic Violence Trials**

- 2007: 27 trials

- 2012: 49 trials

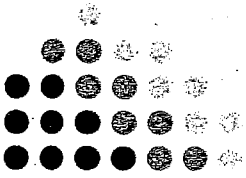
**81% increase**

- **Misdemeanor Domestic Violence Trials**

- 2007: 16

- 2012: 36

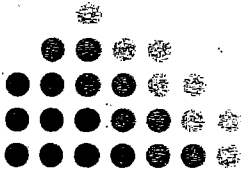
**125% increase**



San Francisco District Attorney's Office  
**Domestic Violence Unit: Pleas**

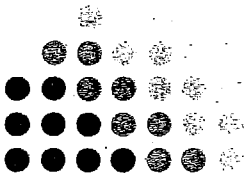
From 2010 to 2012 case settlement by plea saw a 23% overall reduction.

- Felony pleas dropped from 83 to 48, a 42% reduction.
- Misdemeanor pleas dropped from 133 to 121, a 9% reduction.
- Probation pleas dropped from 230 to 173, a 25% reduction.



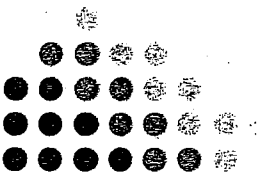
# Domestic Violence Units: San Francisco & Santa Clara Counties

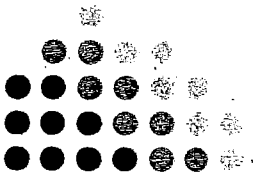
	San Francisco	Santa Clara
<b>Dedicated DV Trial Attorneys</b>	Felony: 4 <u>Misdemeanor: 3</u> <b>Total: 7</b>	Felony: 7 <u>Misdemeanor: 4</u> <b>Total: 10</b>
<b>Dedicated Support Staff</b>	Manager: 1 Charging: 0 Calendar: 1 Paralegal: 1 Advocate: 0 Other Support: 0 <u>DAI: 0</u> <b>Total: 3</b>	Manager: 1 Charging: 1 Calendar: 0 Paralegal: 2 Advocate: 1 Other Support: 5 <u>DAI: 4</u> <b>Total: 14</b>
<b>DV Trials</b>	Felony: 13 <u>Misdemeanor: 36</u> <b>Total: 49</b>	Felony: 13 <u>Misdemeanor: 26</u> <b>Total: 39</b>



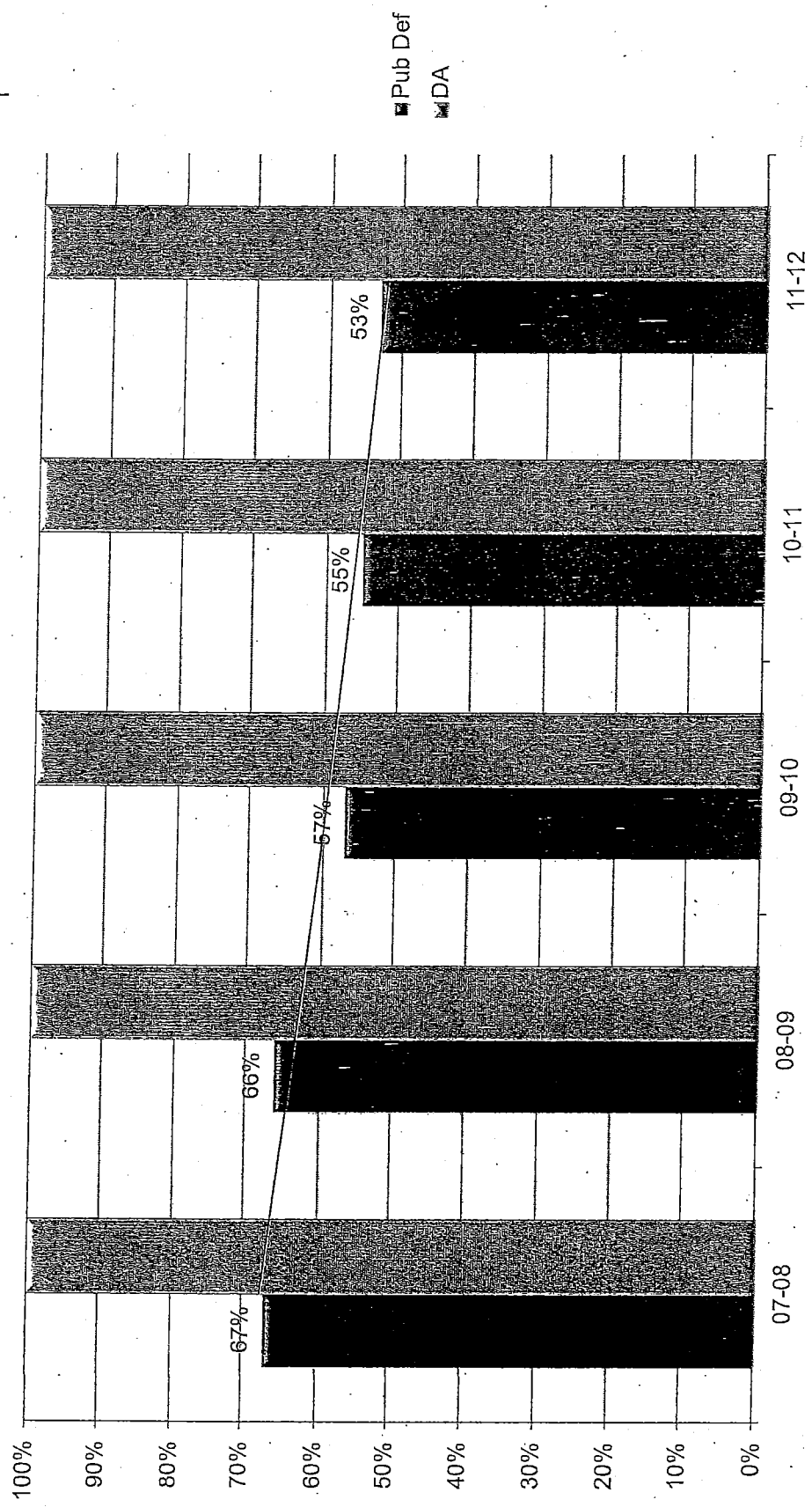
San Francisco District Attorney's Office  
**Victim Witness Support**

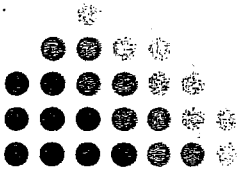
- There are 12 Victim Witness Advocates providing support services to victims of crime.
- Each Advocate assists approximately 444 victims a year resulting in an average caseload of 37 clients per month. This is up 12% over the last three years.
- Domestic Violence victims make up 23% of all victims served by our office, up 19% over the last 3 years.
- Serving victims of domestic violence is extremely case intensive, often requiring additional contacts to ensure victims are able to safely access services and appear in court.



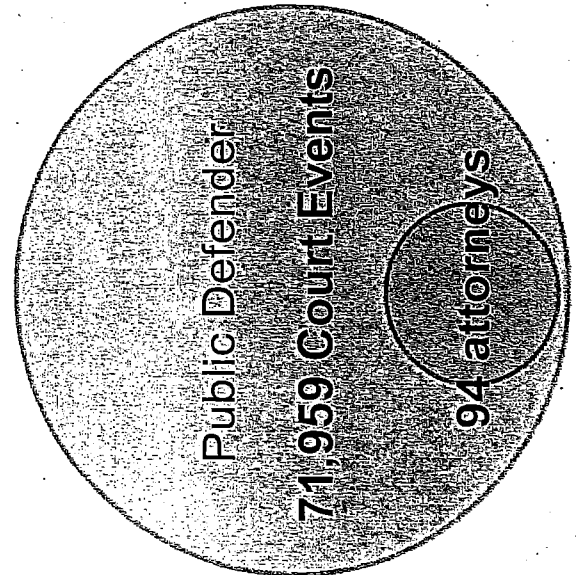
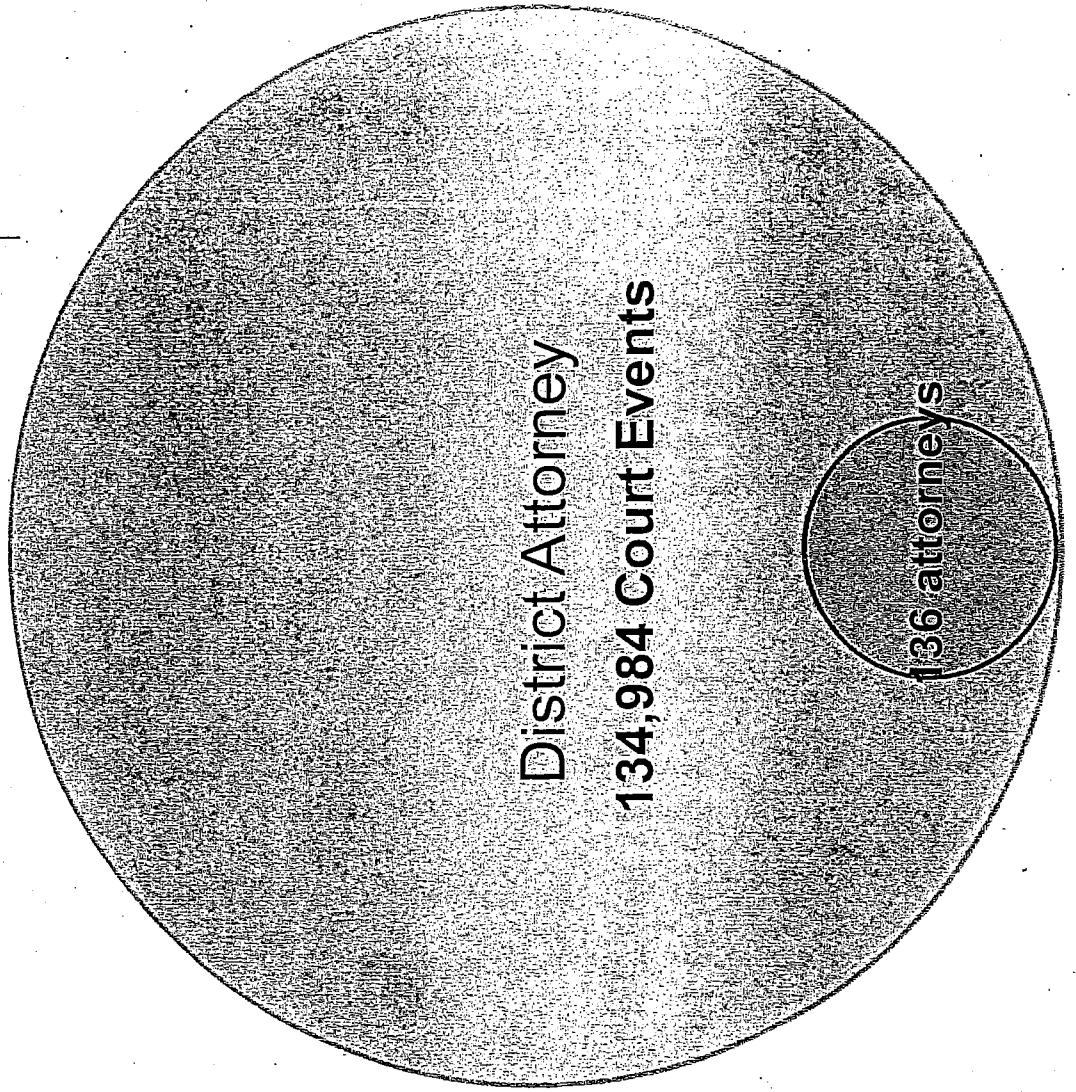


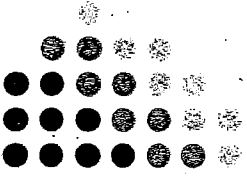
The DA's Office handles 100% of court events.  
In FY 11/12, the Public Defender's Office handled 53%.





**The work load disparity is greater when comparing attorneys: The DA's Office handles nearly DOUBLE the court events, without double the attorneys.**



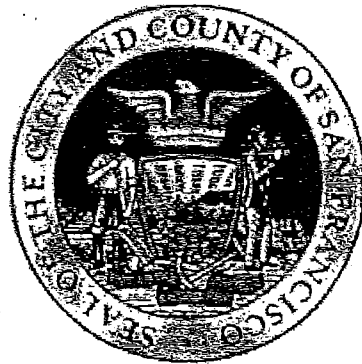


## District Attorney's Office Additional Responsibilities

- Above and beyond the court events workload, the DA's Office has additional responsibilities not required of the Public Defender's Office:
  - Victim Witness Assistance
  - Victim Compensation
  - Witness Relocation
  - Criminal Investigations
  - White Collar Investigations
  - Child and Adolescent Support Advocacy
- None of these activities is accounted for in the workload disparity shown on the previous chart



# San Francisco Public Defender's Office Caseload/Workload Analysis



Submitted by Public Defender Jeff Adachi, December 3, 2012

This report is based on statistics provided by the Superior Court's Case Management System and the case-weighting standards established by the City Controller.

### Public Defender's Office Caseload/Workload Analysis

The following report was prepared in order to assist the Mayor's Budget office and the Board of Supervisors in better understanding the caseloads and workloads handled by attorneys in the Public Defender's office and how these standards correlate to staffing needs of the department. The last caseload/workload analysis was performed and submitted on May 4, 2012. This analysis was done to measure the caseload/workload handled by attorneys as of November 16, 2012.

### Current Staffing

Currently, the Public Defender has a staff of 91 attorneys and 66 support staff. Its staff is allocated amongst six divisions, including the misdemeanor, felony, juvenile, research, specialty courts, mental health, reentry and training division. The office provides "vertical representation," which requires that where possible, one attorney is assigned to handle a case from the arrest to the conclusion of the matter.

### Historical Data and Case Reporting

Traditionally, the Public Defender's office has defined its workload by counting the cases its attorneys handle on an annual basis. The attorney's caseload was determined by taking the total number of cases handled by a particular unit and dividing it among the attorneys in the unit. This analysis provided the mean average of the number of cases handled by an attorney. For example, if the misdemeanor unit handled 4,000 cases in a given year, and 12 attorneys were assigned to the unit, the average number of cases per attorney would be 333. (4,000 divided by 12).

This method of reporting cases, however, provided an incomplete and extremely inaccurate reflection of the attorney's workload. This is because each "case" is treated as equal, both in terms of time spent and importance. A felony drug case is treated the same as a murder case, which requires substantially more time and resources.

The more accurate method of reporting cases is the "case-weighting" method. As was recently explained:

*"Standards as well as ethics opinions, recognize that whether or not a lawyer's workload is excessive requires an individualized determination. Obviously, not all felonies and misdemeanors require the same amount of a lawyer's time. The time demands of a lawyer's workload are influenced by a wide variety of factors, including the complexity of cases, available support services, the experience and ability of the lawyer, non-case-related duties, and a myriad of other factors. However, governments responsible for funding of representation need to be*

*able to predict the future expenses and staffing needs of defense programs. And the programs need a way to explain to their funding sources (with a reasonable degree of certainty) the final support they require to provide representation consistent with professional conduct rules and the Sixth Amendment. To respond to these goals, a number of jurisdictions have arranged for "weighted caseload studies" to be conducted."<sup>1</sup>*

In the past, the Public Defender's office has employed a case counting method, using an average caseload per attorney described above. At the time, the office was unable to apply a case weighting analysis because of the time and effort involved, and the lack of a case management system capable of tracking case-weights. However, the department has now developed and designed a comprehensive case managements system, known as "Gideon," which is capable of managing the department's caseload. Since May of 2012, the office has used a case-weighting method to determine caseload and workload measures.

The case weighting method determines "the amount of time, on average, that defense lawyers need to provide effective and competent representation to their clients." Researchers initially determine the number of work hours per year that defense lawyers have available, and then collect the amount of time defense attorneys spend on the different kinds of cases they handle. Each case is converted into "case weights." Case weights represent the average amount of time lawyers devote to handling particular kinds of cases, such as murders, nonviolent felonies and misdemeanors.

For example, an attorney who devotes 20 hours to a Type 2 felony and has available, on average, 1300 work hours per year, should be able to handle 65 such cases per year. All attorneys handle a mix of case types, depending on their level of experience.

#### **Case-weighting Formula**

In 2003, the City Projects division of the Controller's office spent several months developing a case-weighting formula for the Public Defender's Office.<sup>2</sup> However, the case-weighting method was not implemented at that time because the Public Defender's office did not have a case management system capable of keeping and maintaining automated data to apply the case weighting formula.

Since the office now has the technology to employ case-weighting, the Public Defender has elected to begin using the case-weighting formula instead of the less accurate case counting method used in the past.

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<sup>1</sup> *Securing Reasonable Caseloads: Ethics and Law in Public Defense*, Norman Lefstein, American Bar Association Standing Committee on Legal Aid and Indigent Defendants, page 140.

<sup>2</sup> Public Defender Project: Final Felony and Misdemeanor Caseload Standards, Controller's Office, May 21, 2003.

In determining appropriate case-weighting values for cases, the Public Defender is using a study conducted by the Controller in 2003 which used focus groups, attorney surveys and information from managers in order to develop the case-weighting formula recommended.

The case weighting formula creates five categories of felony case-types:

### FELONY CASE WEIGHTING CHART

Case Type	Charges	Total Hours Allocated Per Case	Average disposition time
Type 1 (Regular Felonies)	HS 11350, 11351, 11351.5, 11352, 11358, 11360; PC 118, 290, 459 second degree, 476, 487, 666, 12020, 12021, 12025a, 12031, probation violations, WC 10980; VC 2800.2; 10851	10 hours	2 months
Type 2 (Serious Felonies)	212.5, 245a1, 273.5, 368, 422, 451, 455, 459 first degree, 503, VC 20001, 23153, any two strikes case or case involving mental illness	20 hours	5 months
Type 3 (Special Felonies)	203, 207, 209, 215, 220, 245a2, 261, 288, 289, 664/187	60 hours	9 months
Type 4 (Murder)	187	250 hours	18 months
Type 5 (Murder with special circumstances)	187 murder with special circumstances	500 hours	2 years

The Controller's study was based on surveys of attorney time spent on cases. The hours allocated per case is based on an average of the total number of hours spent on the specific case-type handled by the attorney. The average disposition time is also based on an average of the length of time between arrest and final disposition of the case.

For misdemeanor cases, the case-weighting formula has five misdemeanor case-types:

### MISDEMEANOR CASE WEIGHTING CHART

Case Type	Charges	Total Hours Allocated Per Case	Average Disposition time
Type 1 (Regular misdemeanor)	PC 484, 647b, 653.22, diversion cases	2 hours	6 weeks
Type 2 (Serious misdemeanor)	HS 11355, 11377, 11550; PC 148, 148a, 166, 459 second degree, 476, 487, 496, 594, 647(f), 647(j), 666; VC 10851, 23103	6 hours	3 months
Type 3 (Driving under the influence)	VC 23152(a) and (b)	12 hours	3 months
Type 4 (Special misdemeanor)	PC 136, 236, 242, 243, 245a1, 273.5, 314, 417, 422, 597, 646.9, 647(A), 23153 2800, 2800.1, 2800.2, 20002, 23104	20 hours	3 months
Type 5 (Vehicular manslaughter and child molestation)	PC 192, 647.6	50 hours	1 year

### Total Work Hours

It is necessary to determine the number of hours a full-time attorney has available to work on cases.

According to the Controller's Study, the number of days per year worked by attorneys in the office is 232 days. This assumes an average of 13 vacation days, 10 furlough days and 5 sick days. Using a 7 hours a day of work time (excluding lunch), the average number of hours per year worked is 1,700.

Each attorney participates in approximately 78 hours of training per year (1.5 hours per week x 52 weeks), and spends an average of 178 hours (10%) working on administrative tasks, including file maintenance, making and returning phone calls and drafting correspondence.

It is also assumed the felony trial lawyers spend at least 30 days a year in trial for a total of 300 hours. Thus, there are 1,300 non-trial hours available per year. The following chart sets forth the breakdown of hours described above for felony attorneys:

Attorneys	Hours Per Year	Detail
Total attorney hours	2080 hours	260 Work days
Less vacation hours	104 hours	Average of 13 days
Less administrative leave	80 hours	Average of 10 days
Less sick leave	40 hours	Average of 5 days
Total hours less vacation administrative and sick leave	1700 hours	232 days
Less training	78 hours	Assumes 1.5 hrs per week training
Less 10% Administrative tasks	178 hours	3.5 hours per week
Total Trial Hours	300 hours	Assumes 3 jury trials per year, 10 days per trial, 10 hours per day
Total Non-Trial Hours Available	1,300 hours	

For misdemeanor attorneys, the total non-trial hours available are 1,200. This is because misdemeanor attorneys try at least 10 trials a year, spend an average of 4 days per trial, work

10 hours a day for a total of 400 trial hours per year per lawyer. Thus, they have 100 fewer non-trial hours available than felony attorneys.

**Weighted Caseload Analysis**

The follow chart summarizes the average hours worked by a felony attorney, and a comparison of caseloads/workloads from FY 2010-2011 to 2012-2013.

The average active caseload is 41.67 cases per lawyer; the average weekly number of hours worked by attorneys on their cases is 46.9 hours. The median hours worked by attorneys on their cases is 49.91 hours. The average hours worked by felony attorneys is 58.4 hours per week.

**SUMMARY FELONY CASE WEIGHTING ANALYSIS**

SUMMARY	FY 2010-2011	FY 2011-2012 (May 2012 Case weighting analysis)	FY 2012-2013 (Projected) (Dec 2012 Case weighting analysis)
Total Felony Cases	8,576	7,682	8,425
Total Felony Average Number of Cases Per Lawyer	N/A	41.28	41.67
Total Felony Average Non-Trial Weekly Hours Worked	N/A	48.86	47.9
Training, Administrative & Jury Trial Hours	N/A	11.5	11.5
Average Hours Worked by Felony Attorney		60 hours	58.4 hours

The weighted caseload analysis for individual felony attorneys/cases is set forth in Schedule 1, attached. In the first five columns, the number of Level 1-5 cases is set forth by attorney, followed by the total number of cases handled by that attorney.

The last five columns shows the number of hours spent on Level 1-5 cases, followed by the total number of weekly hours.

The source of the case data is the Court Management System. The underlying data includes all of the cases handled by each attorney as of April 13, 2012.

The hours reflected in Schedule 1 is the number of non-trial hours worked by the attorney. It does not include the 300 hours of trial time worked by each felony attorney. It does not include the 10% administrative time or the 1.5 hours allotted for training every week.

Here is the caseload/workload analysis for misdemeanor attorneys:

### SUMMARY MISDEMEANOR CASE WEIGHTING CHART

SUMMARY	FY 2010-2011	FY 2011-2012 May 2012 Case weighting analysis	FY 2012-2013 (Projected) Dec 2012 Case weighting analysis
Total Misdemeanor Cases	5,576	4,570	4,895
Total Misdemeanor Average Number of Cases Per Lawyer	N/A	53.83	56.75
Total Misdemeanor Average Non-Trial Hours Worked	N/A	57.59	52
Training, Administrative & Jury Trial Hours	N/A	13.5	13.5
Average Hours Worked by Misdemeanor Attorney	N/A	71 hours	65.5 hours

The average workload and case-weighting analysis of caseloads handled by misdemeanor attorneys is 65.5 hours per week. The average caseload is 46.75 cases per attorney and the



median caseload is 49.96 hours per attorney. The weighted caseload analysis for individual misdemeanor attorneys/cases is set forth in Schedule 2, attached.

For the first time, we are also including a case-weighting analysis of caseloads handled by juvenile attorneys. The case-weighting formula for felony cases has been modified for juvenile cases:

### JUVENILE CASE WEIGHTING CHART

Case Type	Charges	Total Hours Allocated per Case	Average Disposition Time
Type 1 (Regular Felonies)	HS 11350, 11351, 11351.5, 11352, 11358, 11360; PC 118, 290, 459 second degree, 476, 487, 666, 12020, 12021, 12025a, 12031, probation violations, WC 10980; VC 2800.2, 10851.	20 hours	months
Type 2 (Serious Felonies)	212.5, 245a1, 273.5, 368, 422, 451, 455, 459 first degree, 503, VC 20001, 23153, any two strikes case or case involving mental illness	30 hours	16 months
Type 3 (Special Felonies)	203, 207, 209, 215, 220, 245a2, 261, 288, 289, 664/187, any case involving competency	80 hours	2 years
Type 4 (Murder (707(b) Fitness)	187./707(b) WIC	250 hours	18 months

Here is the caseload/workload analysis for juvenile attorneys:

SUMMARY	FY 2010-2011	FY 2011-2012	FY 2012-2013 (Projected) Dec 2012
Total Juvenile Cases	1042	999	1010
Total Juvenile Average Number of Cases Per Lawyer	N/A	N/A	53.17
Total Juvenile Average Non-Trial Hours Worked	N/A	N/A	56
Training, Administrative & Court Trial Hours	N/A	N/A	6.5
Average Hours Worked by Juvenile Attorney	N/A	N/A	62.5 hours

The average workload and case-weighting analysis of caseloads handled by juvenile attorneys is 62.5 hours per week. The average caseload is 53 hours per attorney and the median hours worked per week is 49.9. 1.5 hours per week is allocated for court-judge trials. (There are no jury trials in the juvenile court system.) The weighted caseload analysis for individual juvenile attorneys/cases is set forth in Schedule 3, attached.

**Cumulative Caseloads Handled by Felony, Misdemeanor and Juvenile Lawyers**

According to the Court Management System (CMS) caseload numbers, the Public Defender's office handled a total of 7,682 felony cases and 4,570 misdemeanor cases in FY 2011-2012. For FY 2012-2013, it is projected that the office will handle 8,425 felony cases and 4,895. This represents an increase of 9.67% in felony cases and 7.12% in misdemeanor cases handled by the department over last year.

The caseloads of juvenile attorneys will remain relatively constant. The juvenile division handled 999 cases in FY 2011-2012 and will handle 1,010 cases in FY 2012-2013, representing a 1% increase in cases.

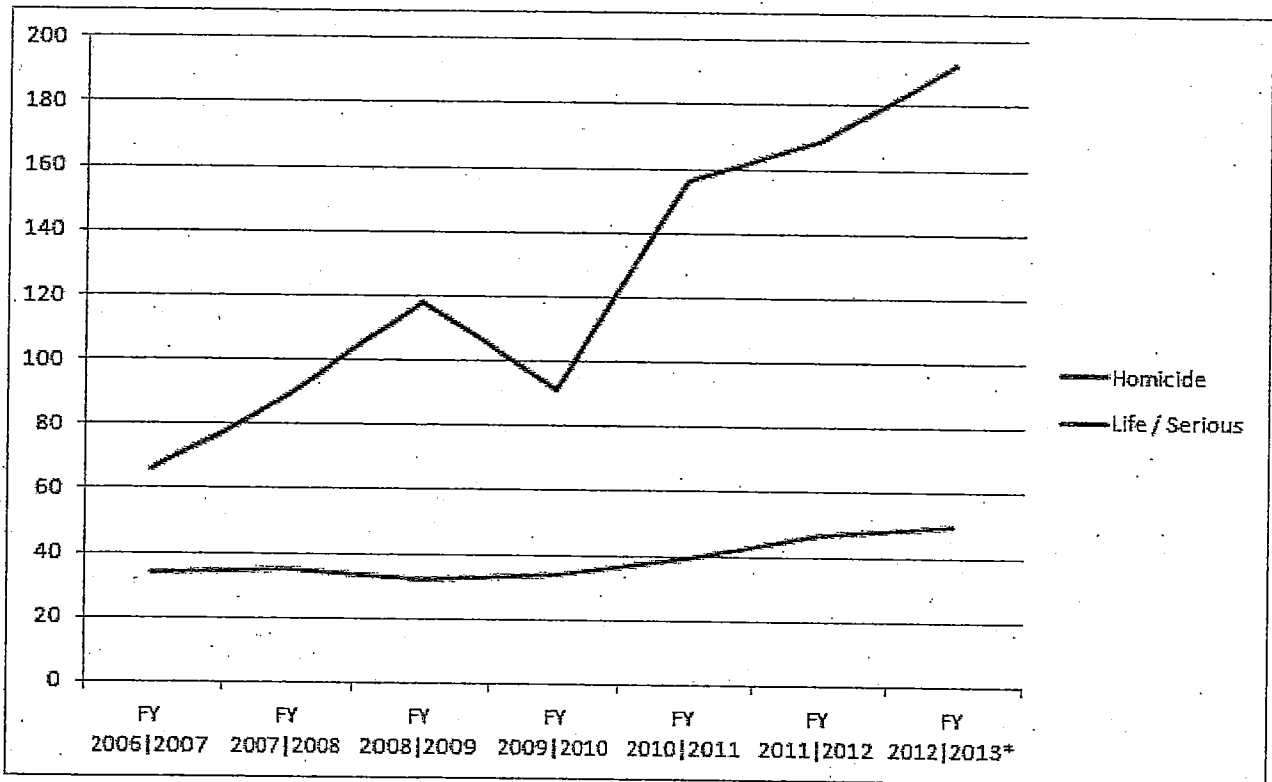
### Impact of the Community Justice Center

The Public Defender began providing representation at the Community Justice Center on March 1, 2012. As of November 28, 2012, the Public Defender is handling 358 cases, which includes 196 felony cases and 162 misdemeanor cases.<sup>3</sup>

It is expected that the Public Defender will be assigned approximately 1,152 cases in FY 2012-2013, 552 felony cases and 600 misdemeanor cases.<sup>4</sup>

### Increase in the Numbers of Level 3 and 4 Cases

Another factor affecting workloads is an increase in the number of life exposure/special felony (Level 3) and homicide (Levels 4 and 5) cases.



These cases are the most serious cases and require the greatest amount of time and attention.

This chart shows the increase from FY 2006-2007 to FY 2011-2012. Between FY 2010-2011 and FY 2011-2012, the number of homicide cases increased from 39 to 47, and the number of

<sup>3</sup> The source of this data is the Public Defender caseload data for the Community Justice Center, May 4, 2012.

<sup>4</sup> This is based on a total expected caseload of 1800, assuming that the Public Defender handles 70% of the total cases. This is based on the total number of cases heard in CJC in 2011: 1815.

serious felony cases was rose from 156 to 169.<sup>5</sup> For FY 2012-2013, it is projected that we will have 50 homicide cases and 193 serious felony cases for FY 2012-2013, a 6% and 14% increase, respectively.

In fact, as of November 2012, we have 47 homicide cases and 172 serious felony cases, so with seven months remaining in the fiscal year, we have nearly exceeded our projected caseloads.

This increase in serious and homicide cases also taxes our investigation, paralegal and support staff, as their workload increases when they are assigned to work on more complex and demanding cases.

#### **Other Factors Affecting Attorney Caseloads and Workloads**

Other factors affecting caseloads include attorney furloughs/voluntary leaves, and increased staffing needs of other units within the office.

In 2012, we continue to offer attorney staff voluntary leaves in order to save money in paying salaries during the FY 2012-2013. Last year, four felony attorneys agreed to take voluntary leaves, ranging from 3 months to 1 year. These leaves will decrease the number of staff available to handle caseloads and will necessarily increase the caseloads of existing staff.

Also, the Mental Health and Juvenile units required more staff in the current fiscal year due to higher caseloads/workloads. One additional attorney was assigned to staff the Mental Health Unit and one additional attorney was assigned to staff the Juvenile Unit.

An additional attorney was assigned in September 2012 to staff the Community Justice Center. This staffing need was anticipated last year when the Public Defender assumed representation of all cases at the CJC. This attorney is also handling cases one day a week for the new Chronic Offender Court, initiated by the court in September 2012.

#### **Representation of Parolees under Realignment**

One additional factor that will affect the caseload is that the department will undertake providing legal representation to state parolees, a responsibility presently handled by CalPap, a program administered by the state. As part of realignment, county public defenders will assume the responsibility of providing representation to parolees beginning July 1, 2013. It is anticipated that as many as 2,200 parole violations will be filed. According to the statistics provided by CalPap, the Public Defender will need to provide representation at 300 hearings and 1,900 probable cause hearings. It is anticipated that we will need at least two full time attorneys, one investigator and one paralegal to handle this work.

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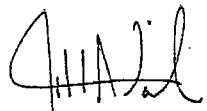
<sup>5</sup> The source of this data is the Public Defender caseload data.

### Conclusion & Summary

In conclusion, the caseload study provides the following information concerning the caseload and workloads of the attorneys in the felony, misdemeanor and juvenile units:

- In the last fiscal year, the department's felony caseloads have increased by 9.67% from 7,682 felony cases in FY 2011-2012 to 8,425 cases in FY 2012-2013.
- In the last fiscal year, the department's misdemeanor caseloads have increased by 7.12% from 4,570 misdemeanor cases in FY 2011-2012 to 4,895 cases in FY 2012-2013.
- In the last fiscal year, the department's juvenile caseloads have increased by 1%, from 999 juvenile cases in FY 2011-2012 to 1,010 cases in FY 2012-2013.
- In the last fiscal year, the department has experienced a 6% increase in homicide cases and a 14% increase in serious felony cases.
- The average hours worked by felony attorneys each week is 58 hours; the average hours worked by misdemeanor attorneys each week is 65 hours; and the average hours worked by juvenile attorneys is 62 hours.
- The average workload handled by felony attorneys is 42 cases; the average workload handled by misdemeanor attorneys is 57 cases; the average workload handled by juvenile attorneys is 53 cases. (based on workload/caseload counts as November 15, 2012)
- In the last fiscal year, the department has undertaken additional responsibilities with its existing staff, including providing two attorneys to staff the Community Justice Center and the Chronic Offender Court.
- Next year, the department will undertake the representation in 2,200 parole violations, and will need 2 full time attorneys, one investigator and one paralegal to handle this work.

Respectfully submitted,



Jeff Adachi, Public Defender

Schedule 1 - Felony Unit Weighted Caseload Analysis  
(Non-Trial Hours Only)

Attorney	Level 1	Level 2	Level 3	Level 4	Level 5	Total Cases	L1 Hours	L2 Hours	L3 Hours	L4 Hours	L5 Hours	Total Weekly Hours
1	26	13	2	1	0	42	29.9	11.96	3.08	3.21	0	48.15
2	38	15	1	0	0	54	43.7	13.8	1.54	0	0	59.04
3	22	5	0	0	0	27	25.3	4.6	0	0	0	29.9
4	12	8	0	0	0	20	13.8	7.36	0	0	0	21.16
5	30	15	2	0	0	47	34.5	13.8	3.08	0	0	51.38
6	15	14	0	0	0	29	17.25	12.88	0	0	0	30.13
7	24	13	2	0	0	39	27.6	11.96	3.08	0	0	42.64
8	26	16	0	0	0	42	29.9	14.72	0	0	0	44.62
9	9	16	1	0	0	26	10.35	14.72	1.54	0	0	26.61
10	15	12	1	0	0	28	17.25	11.04	1.54	0	0	29.83
11	35	23	5	1	0	64	40.25	21.16	7.7	3.21	0	72.32
12	23	13	0	0	0	36	26.45	11.96	0	0	0	38.41
13	12	5	2	1	0	20	13.8	4.6	3.08	3.21	0	24.69
14	28	9	2	1	0	40	32.2	8.28	3.08	3.21	0	46.77
15	29	12	5	0	1	47	33.55	11.04	7.7	0	4.81	56.9
16	18	6	3	0	0	27	20.7	5.52	4.62	0	0	30.84
17	20	13	3	0	1	37	23	11.96	4.62	0	4.81	44.39
18	27	17	2	1	0	47	31.05	15.64	3.08	3.21	0	52.98
19	19	9	2	1	0	31	21.85	8.28	3.08	3.21	0	36.42
20	31	13	1	0	0	45	35.65	11.96	1.54	0	0	49.15
21	19	9	2	1	0	31	21.85	8.28	3.08	3.21	0	36.42
22	20	12	2	1	0	35	23	11.04	3.08	3.21	0	40.33
23	19	21	2	1	0	43	21.85	19.32	3.08	3.21	0	47.46
24	28	9	2	1	0	40	32.2	8.28	3.08	3.21	0	46.77
25	29	11	3	2	0	45	33.35	10.12	4.62	6.42	0	54.51
26	24	16	2	0	0	42	27.6	14.72	3.08	0	0	45.4
27	33	22	2	1	0	58	37.95	20.24	3.08	3.21	0	64.48
28	26	14	4	0	1	45	29.9	12.88	6.16	0	4.81	53.75
29	32	17	2	2	0	53	36.8	15.64	3.08	6.42	0	61.94
30	42	18	3	2	0	65	48.3	16.56	4.62	6.42	0	75.9
31	12	17	1	0	0	30	13.8	15.64	1.54	0	0	30.98
32	29	15	1	1	0	46	33.35	13.8	1.54	3.21	0	51.9
33	20	21	2	1	0	44	23	19.32	3.08	3.21	0	48.61
34	22	9	2	0	0	33	25.3	8.28	3.08	0	0	36.66
35	46	32	3	1	0	82	52.9	29.44	4.62	3.21	0	90.17
36	37	21	1	1	0	60	42.55	19.32	1.54	3.21	0	66.62
Total	897	511	68	21	3	1500	1031.55	470.12	104.72	67.41	14.43	1688.23

Rotation Unit	Attorney	(Average)	(Average)	(Median)
Active Caseload	1500	41.67		
Weekly Hours	1688.23	46.90		
Median Hours		46.77		

Schedule 2 - Misdemeanor Unit Weighted Case Load Analysis  
(Non-Trial Hours Only)

Attorney	Level 1	Level 2	Level 3	Level 4	Level 5	Total Cases	L1 Hours	L2 Hours	L3 Hours	L4 Hours	L5 Hours	Total Weekly Hours
1	4	10	4	15	0	33	1.32	4.6	3.68	23.1	0	32.7
2	5	20	20	13	0	58	1.65	9.2	18.4	20.02	0	49.27
3	4	20	19	22	0	65	1.32	9.2	17.48	33.88	0	61.88
4	3	18	9	26	2	58	0.99	8.28	8.28	40.04	1.92	59.51
5	5	18	15	17	0	55	1.65	8.28	13.8	26.18	0	49.91
6	6	19	19	11	0	55	1.98	8.74	17.48	16.94	0	45.14
7	9	12	22	13	1	57	2.97	5.52	20.24	20.02	0.96	49.71
8	7	19	19	22	0	67	2.31	8.74	17.48	33.88	0	62.41
9	7	20	9	19	1	56	2.31	9.2	8.28	29.26	0.96	50.01
10	1	14	24	19	1	59	0.33	6.44	22.08	29.26	0.96	59.07
11	6	20	19	21	0	66	1.98	9.2	17.48	32.34	0	61
12	13	13	11	15	0	52	4.29	5.98	10.12	23.1	0	43.49
Total	70	203	190	213	5	681	23.1	93.38	174.8	328.02	4.8	624.1

Rotation Unit	Attorney
Active Caseload	681
Weekly Hours	56.75 (Average)
Median Hours	52.01 (Average)
	49.96 (Median)

Schedule 3 - Juvenile Unit Weighted Caseload Analysis  
(Non-Trial Hours Only)

Attorney	Level 1	Level 2	Level 3	Level 4	Total Cases	L1 Hours	L2 Hours	L3 Hours	L4 Hours	Total Weekly Hours
1	37	22	5	1	65	42.55	18.92	7.7	3.21	72.38
2	24	32	4	0	60	27.6	27.52	6.16	0	61.28
3	53	20	7	0	80	60.95	17.2	10.78	0	88.93
4	29	11	3	0	43	33.35	9.46	4.62	0	47.43
5	19	11	1	0	31	21.85	9.46	1.54	0	32.85
6	20	16	3	1	40	23	13.76	4.62	3.21	44.59
Total	182	112	23	2	319	209.3	96.32	35.42	6.42	347.46

Placement Attorney	Level 1	Level 2	Level 3	Level 4	Total Cases	L1 Hours	L2 Hours	L3 Hours	L4 Hours	Total Weekly Hours
7	50	48	5	3	106	24	23.04	2.4	1.44	50.88
Total	50	48	5	3	106	24	23.04	2.4	1.44	50.88

LEAP Attorney	Level 1	Level 2	Level 3	Level 4	Total Cases	L1 Hours	L2 Hours	L3 Hours	L4 Hours	Total Weekly Hours
8	38	17	20	27	102	3.65	3.26	13.46	28.56	48.93
Total	38	17	20	27	102	3.65	3.26	13.46	28.56	48.93

Attorney	Juvenile Unit
Active Caseload	319
Weekly Hours (Average)	53.17
Median Hours (Average)	55.91
Median Hours (Median)	49.91