

BOARD of SUPERVISORS



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MEMORANDUM

Date: April 29, 2020

To: The Honorable Members, Board of Supervisors

From: *ACC* Angela Calvillo, Clerk of the Board

Subject: Administrative Code - Safety and Justice Challenge Subcommittee

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 200372 Administrative Code – County Jail No. 4 Closure

Ordinance amending the Administrative Code to require the City to close County Jail No. 4, located on the seventh floor of the Hall of Justice, by November 1, 2020; to require the Sentencing Commission to establish a Safety and Justice Challenge Subcommittee (Subcommittee) to plan for the reduction of the City's daily jail population and closure of County Jail No. 4; and affirming the Planning Department's determination under the California Environmental Quality Act.

- Does a current body address the same or similar subject matter?

No, there is no other body charged with addressing the specific subject of closing County Jail No. 4; although, the Subcommittee would be a part of the San Francisco Sentencing Commission, which is charged with the overall development of criminal sentencing strategies.



- Does the ordinance require the body to meet at least once every four months?

No, the Subcommittee is proposed to sunset when County Jail No. 4 is closed, which is being required by November 1, 2020. The expected length of the Subcommittee's existence will not warrant the need to include verbiage to meet this requirement. If the Subcommittee remains active longer than expected, as members of the Sentencing Commission they are required to meet at least three times a year by Administrative Code, Section 5.25-2(e).

- Does the ordinance include language indicating members serve at the pleasure of the appointing authority?

Yes, members of the Subcommittee are primary members of the Sentencing Commission and the authority of their appointed service and seat is held through Administrative Code, Section 5.25-2(f), which already indicates the public members serve at the pleasure of their appointing authority.

- Does the ordinance include language establishing attendance requirements?

Yes, members of the Subcommittee are primary members of the Sentencing Commission and the authority of their required attendance is held through Administrative Code, Section 5.25-2(f), which already indicates the public members may be removed if they fail to attend meetings without express approval.

- Number of seats and qualifications:

There are a total of 9 seats consisting of the following members:

- *District Attorney, or their designee;*
- *Sheriff, or their designee;*
- *Public Defender, or their designee;*
- *Representative for Adult Probation;*
- *Representative from the Department of Public Health;*
- *Representative from the Reentry Council;*
- *Member of a non-profit organization that works with ex-offenders, chosen by the Family Violence Council;*
- *Member of a non-profit organization that works with ex-offenders, chosen by the Reentry Council; and*
- *Representative from the Superior Court, at their discretion*



- Does the ordinance specify term limits (i.e., commencement date? staggered terms?)?

No, the members are expected to serve for the life of the Subcommittee, which is proposed to sunset when County Jail No. 4 is closed (required by November 1, 2020). The expected length of the Subcommittee's existence will not warrant the need to include verbiage to specify term limits.

- Does the ordinance specify an administering department?

The ordinance does not list a department to provide administrative and clerical support.

Suggest that the ordinance be amended to assign a department to provide support to the subcommittee.

- Does the ordinance include any reporting requirements?

Yes. The Subcommittee shall, by October 1, 2020, develop measures and strategies to accomplish the goal of reducing and sustaining an average daily total jail population of no more than 1,044 incarcerated people combined in County Jail Nos. 2 and 5.

The Subcommittee shall prepare and submit to the Board of Supervisors two reports that describe the Subcommittee's progress in fulfilling the duties set forth in the ordinance by August 1, 2020 and October 1, 2020.

- Does the ordinance specify a sunset date?

Yes, the Subcommittee will sunset when the Sheriff certifies in writing that County Jail No. 4 is closed, which is the proposed ordinance is requiring by November 1, 2020.