

1 [Creation and Operation of Reentry Court]

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3 **Ordinance amending Administrative Code Chapter 5, Article I, Section 5.1-4, to require**  
4 **the Reentry Council to collaborate with the Superior Court on the creation and**  
5 **operation of a Reentry Court to divert parolees and probationers from prison and to**  
6 **promote the successful transition of parolees and probationers into the community**  
7 **and to require certain City departments to create a plan to provide supportive services**  
8 **in conjunction with the Reentry Court, and amending Section 5.1-6, to extend the date**  
9 **of sunset for the Reentry Council until June 1, 2012.**

10 NOTE: Additions are *single-underline italics Times New Roman*;  
11 deletions are ~~*strike-through italics Times New Roman*~~.  
12 Board amendment additions are double-underlined;  
Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. The San Francisco Administrative Code is hereby amended by amending  
15 Sections 5.1-4 and 5.1-6, to read as follows:

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

17 The Council shall have the following powers and duties:

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

24 (b) **Identifying Programs Serving Individuals Exiting the Criminal Justice**  
25 **System.** The Council shall identify programs serving individuals exiting the criminal justice

1 system who reside in San Francisco or who will be released to San Francisco, including  
2 program capacity.

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

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

9 (e) **Reentry Court.** The Council shall work with the San Francisco Superior Court in the  
10 creation and operation of a Reentry Court designed to divert parole violators and probation violators  
11 from prison by using collaborative justice principles to provide enhanced supervision and services.  
12 The Council shall establish a subcommittee that shall communicate and coordinate with the Superior  
13 Court and develop partnerships with law enforcement, health and social service agencies to provide  
14 appropriate services for parolees and probationers. The Human Services Agency, the Department of  
15 Public Health, and the Office of Economic and Workforce Development shall prepare written  
16 proposals for the supportive services needed to support the Reentry Court.

17 (f) ~~(e)~~ **Reports.** At least once a year, the Council shall prepare and submit a report that  
18 shall include but not be limited to information required under subsections (a), (b), (c), ~~and~~(d)  
19 ~~and (e)~~ above. City departments shall respond within 30 days to reasonable requests for  
20 information submitted by the Council relevant to its ability to discharge its powers and duties  
21 under this Chapter, provided that the disclosure of such information shall not be required  
22 where it would violate Federal or State law. The Council shall provide the reports to: 1) the  
23 Mayor, 2) the Board of Supervisors, 3) any City department or program identified by the  
24 Council in a report: and 4) the public. These reports shall be public documents. Any City  
25 department identified in a report may provide a response, within 30 days of issuance of the

1 report, for inclusion into the final report submitted to the Mayor and the Board of Supervisors,  
2 among others, consistent with this subsection.

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

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

9 This legislation shall expire June 1, 2012 ~~2011~~, unless the Board of Supervisors adopts  
10 an ordinance continuing its existence. The Council shall submit a report to the Board of  
11 Supervisors no fewer than six months prior to the expiration date recommending whether the  
12 Council should continue to operate, and if so, whether the Board of Supervisors shall consider  
13 legislative changes that would enhance the capacity of the Council to achieve the goals that  
14 the ordinance creating the council identifies, amendments that further the Council's goals. The  
15 Council's recommendations shall include drafts of ordinances that would implement its  
16 recommendations.

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19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

21 By: \_\_\_\_\_  
22 Linda M. Ross  
23 Deputy City Attorney

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