

File No. 230550

Committee Item No. \_\_\_\_\_

Board Item No. 38

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: May 16, 2023

#### Cmte Board

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|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | District Attorney's Office Annual Report 2021   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | UCLA School of Law Williams Institute Report - 3/23/21  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | National Library of Medicine: Violence Against People Who Are Homeless: The Hidden Epidemic - 7/14/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | New York Times Article - 5/2/23   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Journal of Criminal Justice   |
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Prepared by: Lisa Lew

Date: May 12, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Urging the Administration of Equitable and Just Victim Services]

2  
3 **Resolution urging San Francisco law enforcement agencies to administer victim**  
4 **services and justice equitably.**  
5

6 WHEREAS, The San Francisco District Attorney's Office Victim Services Division  
7 assists victims of crimes with trained victim advocates who work closely with victims of crime  
8 to alleviate the impact of trauma, navigate the criminal justice system, and rebuild their lives;  
9 and

10 WHEREAS, In 2018, the San Francisco Police Department (SFPD) updated its  
11 Strategic Plan to create a promise to the department and the communities it protects, by  
12 issuing a new strategy statement, "Safety and Respect for All," committing the department to  
13 "engage in just, transparent, unbiased, and responsive policing"; and

14 WHEREAS, According to the San Francisco District Attorney's Office 2021 Annual  
15 Report: The Status of Justice, on file with the Clerk of the Board of Supervisors in File No.  
16 230550, which is hereby declared to be a part of this resolution as if set forth fully herein, the  
17 Office reported serving over 8,500 victims of crime, and the victims were 27% White/Non-  
18 Latino, 25% Latino, 19% Black/African American, 16% Asian American Pacific Islander  
19 (AAPI), and 13% unknown; and

20 WHEREAS, The San Francisco District Attorney's 2021 report states that the primary  
21 language of victims with Limited English Proficiency in 2021 are 62.93% Spanish-speaking  
22 and 26.67% Cantonese speaking; and

23 WHEREAS, The victims of crime in San Francisco are representative of all races,  
24 gender identities, and socio-economic statuses; and  
25

1 WHEREAS, According to a report published by University of California Los Angeles  
2 School of Law, on file with the Clerk of the Board of Supervisors in File No. 230550, which is  
3 hereby declared to be a part of this resolution as if set forth fully herein, transgender people  
4 are over four times more likely to be victims of violent crime; and

5 WHEREAS, Black victims of violent crime were less likely than white victims to report  
6 the crimes to the police, and according to U.S. Department of Justice Bureau of Justice  
7 Statistics, nationally, marginalized groups are less likely to report instances of crime; and

8 WHEREAS, According to a report published by the National Library of Medicine, on file  
9 with the Clerk of the Board of Supervisors in File No. 230550, which is hereby declared to be  
10 a part of this resolution as if set forth fully herein, 48% of women experiencing homelessness  
11 were victims of violent crime; and

12 WHEREAS, In 2000, the Justice Tracking Information System (JUSTIS) Committee  
13 Governance Council was created by the Board of Supervisors to serve as an integrated  
14 criminal justice information system serving participating criminal justice agencies in San  
15 Francisco; and

16 WHEREAS, In March 2022, voters approved an Initiative Ordinance creating the Office  
17 of Victim and Witness Rights, which would coordinate city services for victims and witness of  
18 crime; and

19 WHEREAS, In San Francisco between November 2021 and April 2023, there have  
20 been at least eight known assaults against the unhoused population by a perpetrator using  
21 bear mace on his victims; and

22 WHEREAS, The San Francisco Police Department was aware of the assaults, but took  
23 no action to notify the public of the potential danger to the unhoused population; and

1           WHEREAS, On Thursday, April 27, 2023, a young transgender black man, Banko  
2 Brown was shot and killed after being accused of shoplifting at a San Francisco Walgreens;  
3 and

4           WHEREAS, On Monday, May 1, 2023, the San Francisco District Attorney issued a  
5 public statement, on file with the Clerk of the Board of Supervisors in File No. 230550, which  
6 is hereby declared to be a part of this resolution as if set forth fully herein, declining to file  
7 charges against security guard who shot the victim, and claimed there was credible self-  
8 defense; and

9           WHEREAS, Since that statement, witnesses have come forward and disputed the  
10 District Attorney's decision, leading her to revise her statement claiming that the investigation  
11 is ongoing and charges may still be filed in the death of Banko Brown; and

12           WHEREAS, The disregard of victims who are Black, Indigenous, and People of Color  
13 (BIPOC), transgender, and unhoused by our law enforcement agencies is unacceptable; and  
14 be it

15           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
16 urges San Francisco law enforcement agencies to abide by their own standards and protect  
17 all victims, regardless of race, gender identity, or socio-economic status; and be it

18           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
19 Francisco urges the Mayor of the City and County of San Francisco to create the Office of  
20 Victim and Witness Services; and be it

21           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
22 Francisco urges law enforcement agencies to input data and utilize the JUSTIS integrated  
23 data system; and be it

24           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
25 Francisco hereby directs the Clerk of the Board to transmit a copy of this Resolution to the

1 Chief of Police of the San Francisco Police Department, San Francisco Sheriff, San Francisco  
2 District Attorney, San Francisco Public Defender, Adult Probation Department, and Juvenile  
3 Probation Department.  
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# ANNUAL REPORT

2021

*The Status of Justice*

**San Francisco District Attorney's Office of  
Chesa Boudin**

# Introduction to the Annual Report

February 2022

Dear San Francisco Community Members:

I am proud to share with you the San Francisco District Attorney's Office's 2021 Annual Report: The Status of Justice. Our office has made huge strides in 2021, including expanding our services for victims; improving the transparency of our data; initiating groundbreaking litigation to prevent gun violence; and much more. All of this comes in addition to filing more than 4,500 new criminal cases in 2021—and taking more than 50 cases to trial and more than 300 cases to preliminary hearing despite significant ongoing limits to courthouse capacity.

The year also brought with it many challenges. Our city saw a rise in violence and hate against members of the AAPI community; a court backlog has delayed justice for many victims, their families, and those accused; and gun violence is impacting our community, although fortunately less so than in other cities near and far.

In this report, we share some of the many accomplishments of our office and our dedicated staff. The report includes an overview of our litigation; our data on prosecution and filing rates; various special projects; information about our crime prevention work; some of our community engagement efforts; and other examples of the work we have done across our office in 2021. We can't possibly capture all of the work of our staff, but we hope to offer a sense of our priorities this past year.

In 2022, we are determined to continue our work to promote public safety; center crime victims and survivors; and ensure justice for all San Franciscans.



SAN FRANCISCO DISTRICT ATTORNEY



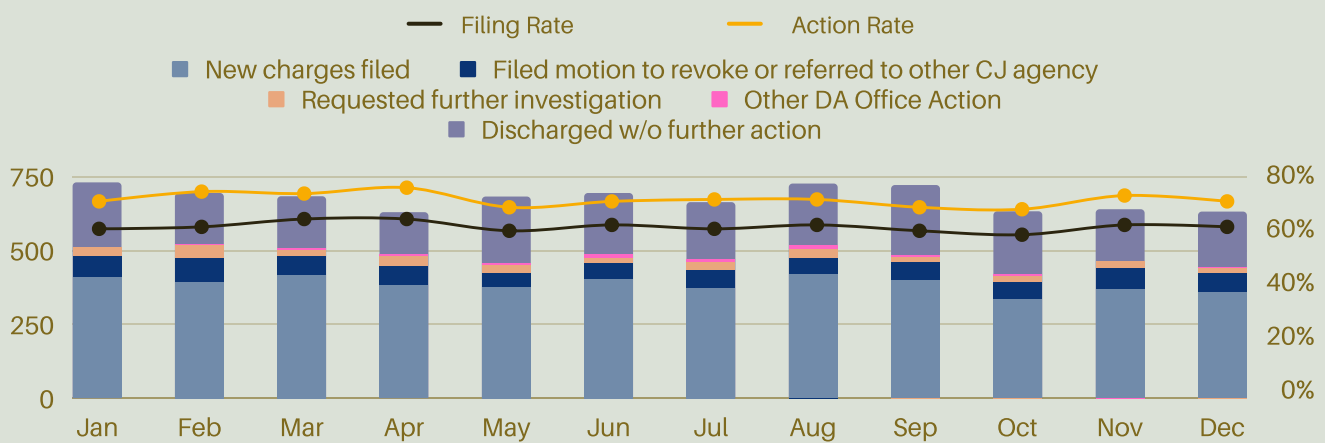
# Promoting Accountability & Transparency

In 2021, the San Francisco District Attorney's Office worked to promote accountability in ways that center survivors, promote healing, and ensure fairness and accountability. The office was able to advance far more criminal cases in 2021, as more courtrooms became available, and we initiated groundbreaking litigation in civil court as well. We also made big strides in improving the transparency of our data around this work.

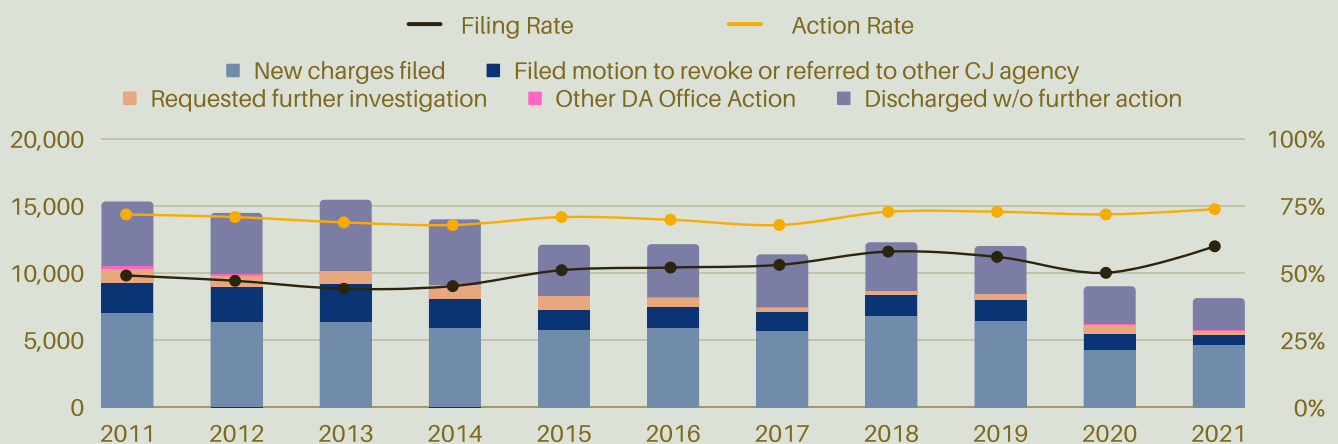
## Cases Prosecuted

In 2021 the District Attorney's Office **filed over 4,500 new criminal cases**—in addition to the thousands of cases still pending from years prior. The District Attorney's Office filed charges in 57% of arrests presented by police in 2021, the highest filing rate in the ten years the DA's Office has been tracking this data. The charts below illustrate this filing rate, as well as the rates over the past decade.

Arrests Presented and Prosecutions, 2021



Arrests Presented and Prosecutions, 2011 - 2021



# 2021 Litigation Summary

In 2021 court closures due to the COVID-19 pandemic continued to affect criminal trials in San Francisco. With only a few trial courtrooms available, the backlog of cases continues to increase. Despite limited available trial courtrooms, in 2021 the San Francisco District Attorney's Office brought **over 50 cases to trial**, including **6 homicide trials**; **4 sexual assault trials**; and **8 domestic violence trials**.

## A Few Notable Criminal Trials in 2021

### **Sexual Assault of a Stranger Trial:**

In March, the District Attorney's Office secured guilty verdicts for a stranger sexual assault of a heavily intoxicated woman who had collapsed outside of her apartment.

### **Sexual Assault of a Child Trial:**

In June, the District Attorney's Office secured guilty verdicts for a sexual assault against a 10 year-old victim. The victim, now 13 years-old, showed tremendous strength during the trial.

### **Homicide Trial:**

In July, the District Attorney's Office secured a first-degree murder conviction and other felony convictions for the shooting and killing of an immigrant victim with a ghost gun.

### **Rape and Sexual Assault Trial:**

In September of 2021, the District Attorney's Office secured guilty verdicts for seven felony offenses—including rape and false imprisonment—for this stranger assault from 2014.

### **Domestic Violence Trial:**

In September of 2021, the District Attorney's Office secured guilty verdicts for domestic battery and violations of a domestic violence restraining order against a defendant for hitting his girlfriend in the head in front of an independent witness.

### **Homicide-Domestic Violence Trial:**

In December, the District Attorney's Office secured a guilty verdict in a domestic violence homicide prosecution.

## Civil Prosecutions

The District Attorney's Office's litigation in 2021 also included the filing of numerous civil prosecutions to hold corporate actors accountable for harms they cause in our community.

**Handy Lawsuit:** In March, the District Attorney's Office's Worker Protection Unit filed a civil suit against [Handy](#) for misclassifying its workers as independent contractors instead of employees, stripping them of crucial workplace protections and worker safety-net benefits.

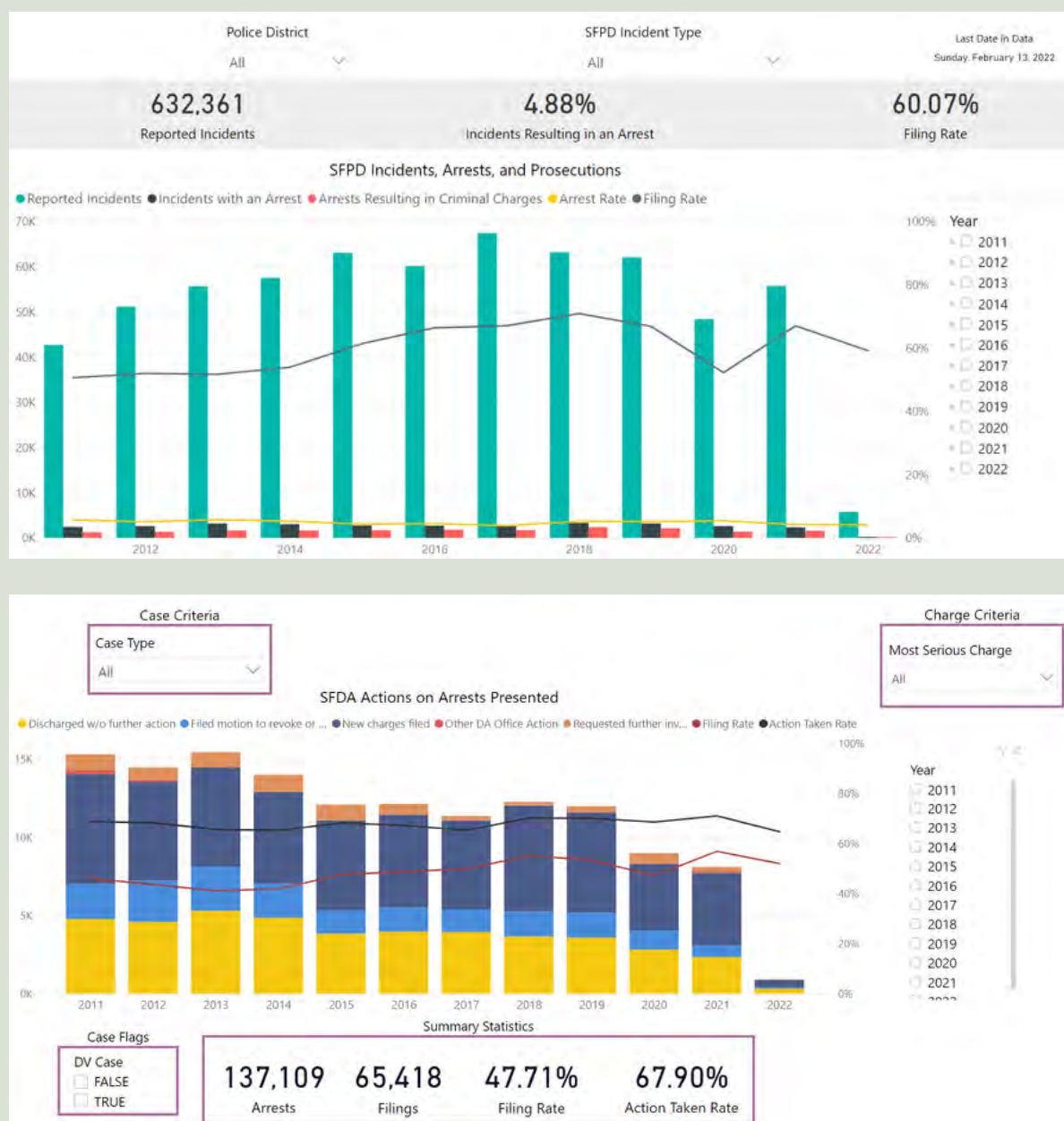
**Ghost Gun Litigation:** In August, together with Keker, Van Nest & Peters, LLP and the Giffords Law Center the District Attorney's Office filed a groundbreaking [civil prosecution](#) against three manufacturers of ghost guns—untraceable and unregulated guns purchased in kits over the internet. These guns can be fully assembled using household tools in well under an hour. In October, Attorney [General Rob Bonta](#) joined our litigation to stop the flood of these dangerous weapons onto our streets.



**Amicus Briefs:** The District Attorney's Office has also filed numerous amicus briefs, including in the U.S. Supreme Court in support of issues ranging from [predatory bail bondsmen](#), preserving reproductive rights, and litigation by the Mexican government to end [gun trafficking](#).

# New SFDA Data Dashboards to Promote Transparency

In 2021, the San Francisco District Attorney's Office released two new [public data dashboards](https://www.sfdistrictattorney.org/policy/data-dashboards/) as part of our commitment to transparency. The first of these dashboards, Incidents, Arrests, and Prosecutions shares data from the San Francisco Police Department (SFPD) in comparison with data from the District Attorney's Office to provide a comprehensive picture of both police clearance rates and District Attorney filing rates. The second new dashboard, SFDA Actions on Arrests Presented, shares data on the office's responses to all arrests presented to the San Francisco District Attorney's Office since 2011, along with detailed information on the most serious charge in each arrest. Our office will be adding additional dashboards in 2022.



<https://www.sfdistrictattorney.org/policy/data-dashboards/>

# Centering Victims

The San Francisco District Attorney's Office's Victim Services Division (VSD) helps victims of crime mitigate their trauma, navigate the criminal justice system, and access services and support. Under the supervision and leadership of Chief of Victim Services Kasie Lee, VSD is committed to centering crime victims and survivors through our work.

In 2021, VSD dramatically expanded to better support victims and survivors. We hired [ten new victim advocates](#)—most of whom are bilingual—and, for the first time in office history, began serving [victims of property crime](#) in addition to violent crime victims.

## Victim Impact Overview for 2021

 **8673**  
victims served

 **9297**  
cases worked on

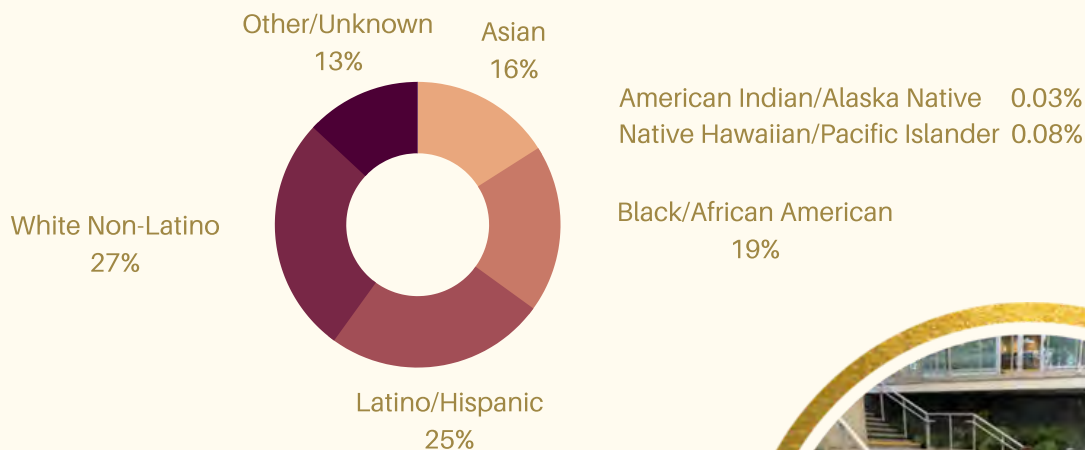
 **\$970,589**  
obtained from the state program  
to compensate victims

 **529**  
staff hours devoted to  
continuing education in  
victim and witness services

 **\$1,291,424**  
of grant funds distributed to  
community-based organizations

 **44**  
Sentencing Planner plans  
adopted

### Race/Ethnicity of Victims Served by VSD, 2021



## Centering Survivors

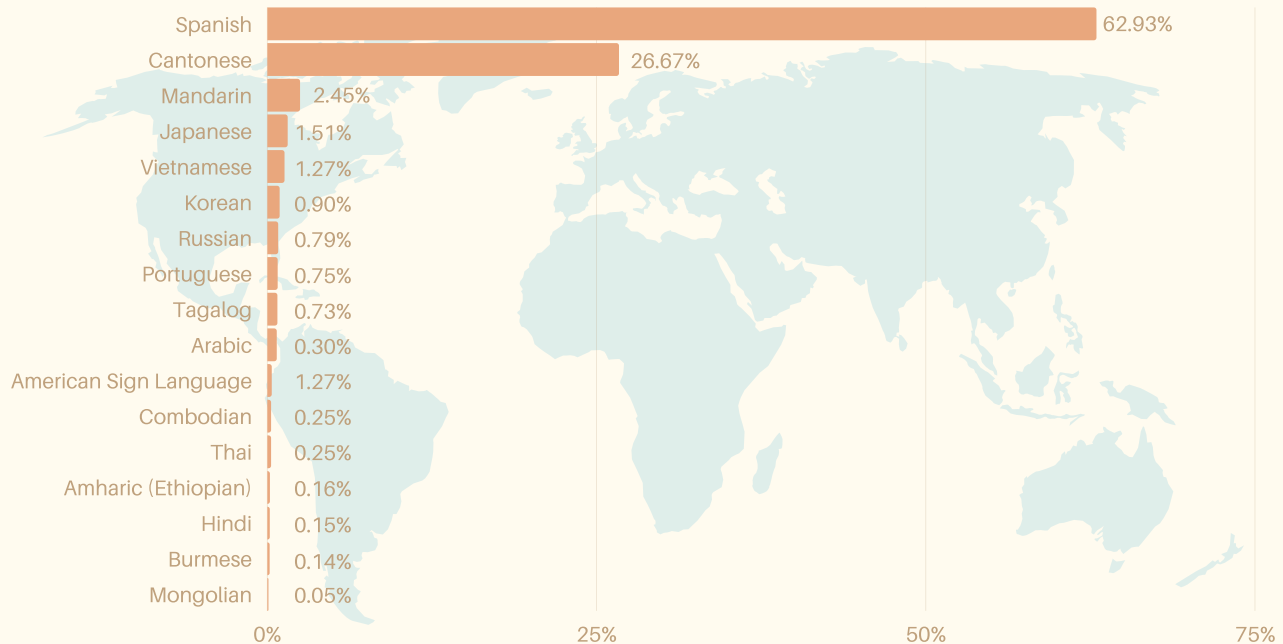
The Victim Services Division works to center victims and ensures their needs are met. To further center the needs of community members most impacted by crime and violence in San Francisco, in 2021 the Victims Services Division and District Attorney Boudin held [listening sessions](#) in the community to hear directly from survivors about their needs to heal and move forward.



# Improved Language Access for Victims

In 2021, our Victim Services Division dramatically increased language access for victims we serve. We hired [ten new victim advocates](#) who are fluent in Spanish, Cantonese, Tagalog, and Creole, while other advocates in VSD are fluent in Cantonese, Mandarin, Khmu, Spanish, Urdu and Hindi. We also created new policies to expand language access, such as our policy ensuring victims of crime with limited English proficiency receive [court interpreters](#) and our new policy allowing our staff to [take language classes](#) during regular work hours.

**Primary Language of Victims with Limited English Proficiency, 2021**



## *An example of a Survivor Served by Victim Services Division*

In 2021, VSD provided services to a Cantonese-speaking survivor of a violent crime. The survivor was retired, disabled, and had no other family members in the U.S. other than the defendant. VSD connected her with resources to shelters, mental health services, and helped find her counseling, temporary housing in a domestic violence shelter, and more long-term housing in a shelter where Cantonese services were available. The advocate also worked with the survivor to apply to senior housing. The survivor was very grateful to have a Cantonese-speaking advocate who stayed with her through the criminal process, assisted her in obtaining services, and ensured her voice was heard throughout the court proceedings.

# Preventing Crime & Promoting Longlasting Safety

At the District Attorney's Office, in addition to our work to hold those who commit crimes accountable, our office is also leading innovative, proactive approaches to prevent crime before it happens and promote long-term public safety.

## Preventing Gun Violence

Holding those who commit violent crime is our office's top prosecution priority, but we also know that responding to gun violence after it occurs is too late for the person harmed. That is why our office has developed numerous innovative approaches to getting guns off our streets and out of the hands of those who pose a danger to themselves or others.

### Ghost Gun Litigation

In August, together with Kecker, Van Nest & Peters, LLP and the Giffords Law Center the District Attorney's Office filed historic litigation against ghost gun companies for the marketing and sale of illegal guns across California. In October, Attorney General Rob Bonta joined our efforts. This is particularly important in San Francisco where we have seen a [dramatic increase](#) in the number of ghost guns used in shootings in recent years. Already, as a result of the litigation, one of the companies named in the lawsuit has ceased sales of ghost gun kits in California.

### Gun Violence Restraining Order Program

In June, we launched a new initiative to assist members of the public in seeking Gun Violence Restraining Orders ("GVROs"). California's Red Flag Law allows people to seek a GVRO under California's Red Flag Law against those who pose a threat to themselves or someone else. As part of the initiative, our office also created a streamlined informational pamphlet providing more information on gun violence restraining orders. The pamphlet is available in English, Chinese and Spanish in hard copy and on our [website](#).

### Stopping Gun Trafficking

In December 2021, we participated in a joint operation and targeting [firearms trafficking](#) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the San Francisco Police Department, which resulted in the arrests of multiple suspects for the sale of illegal firearms and the seizure of 21 guns and extended magazines.



### Supporting Victims of Gun Violence

Our office also entered into a Memorandum of Understanding with UCSF's program, Project Wraparound, to assist victims of gun violence.

# Protecting the AAPI Community

Across the country and here in San Francisco, 2021 brought a rise in hate and violence against members of the AAPI community. The San Francisco District Attorney's Office has improved services, outreach and outcomes for members of the AAPI community in San Francisco through a variety of approaches.

**Hate Crime Prosecutions:** In 2021, the District Attorney's Office filed 20 cases involving hate crime allegations—most of which involved AAPI victims. To name a few, we filed hate crime charges against an individual who had repeatedly targeted Chinese-owned businesses and we charged a defendant with hate crimes for a string of robberies against Asian women.

**Hate Crime Trainings:** The District Attorney's Office dedicated an Assistant District Attorney to focus on prosecuting hate crimes and led more than a dozen trainings with non-profits, government agencies and San Francisco Police Department officers on the evidence needed to prove hate crimes.

**New Hate Crime Field Guide:** The District Attorney's Office created a hate crime field guide for police officers to ensure they ask potential hate crime victims and witnesses the right questions to collect evidence needed to prosecute hate crimes.

**New Chief of Victim Services:** In 2021, ADA Kasie Lee became Chief of Victim Services, and immediately championed language access and community partnerships within the AAPI community. She is the first Chinese-American to lead the unit and speaks Cantonese. She spearheaded new policies to promote language access and cultural competency within the AAPI community.

**Summit on Keeping AAPI Community Safe:** In May, the District Attorney's Office hosted [a summit](#) to address hate crimes against the AAPI community with a keynote address by California Supreme Court Justice Hon. Goodwin Liu.

**Rally Against Hate:** In March, the District Attorney's Office held a [rally](#) with California State Assemblymember Phil Ting; President of the Board of Supervisors Shamann Walton; Supervisor Connie Chan; Former Supervisor Sandra Fewer; Executive Director of the Community Youth Center Sarah Wan; and other leaders in the AAPI community to speak out against recent violence against the community and promote access to justice for those impacted by violence and hate.



# Protecting the AAPI Community

**Community Partnerships:** The District Attorney's Office partnered with the Coalition for Community Safety and Justice in San Francisco ("CCSJ") to promote culturally competent services for victims of crimes—particularly non-English speakers. Together with CCSJ representatives, our office is collaborating with other stakeholders in the AAPI community to identify the root causes of violence.

**Elder Abuse Steering Committee:** The District Attorney's Office launched the [AAPI Elder Abuse Steering Committee committee](#) to address the gaps in services for AAPI elderly victims, led by Chief of Victim Services Kasie Lee and two VSD Advocates, Peter Huynh and Wesley Chu; along with Anni Chung, Executive Director of Self-Help for the Elderly; Alice Chiu, Elder Abuse Prevention Program Supervisor at the Institute on Aging; and Henry Ha, Program Director with the Coalition of Community Safety and Justice (CCSJ).

**Chinatown ADA Lawsuit Investigation:** The District Attorney's Office launched an investigation into reports of possibly illegitimate lawsuits targeting Chinatown merchants with possibly fraudulent suits under the Americans with Disabilities Act (ADA) intended to extort money from vulnerable merchants. This investigation seeks to uphold the value of the ADA, which ensures that people living with disabilities receive the respect and access they deserve in all aspects of life while also protecting immigrant and family owned small businesses.

**Public Service Announcement:** The District Attorney's Office launched a public service campaign to educate the community on how to identify and report elder abuse crimes.



# Protecting Vulnerable Survivors

In 2021, the District Attorney's Office [partnered](#) with San Francisco State Police; the San Francisco Police Department; and the Department of Public Health to prevent and respond to on-campus sexual assaults and hate crimes, enhance the reporting and investigation of campus sexual assaults, violent crimes, and hate crimes, and improve support for survivors. The joint agreement establishes roles, procedures, and practices across these agencies for responding to reports of sexual violence crimes and hate crimes and ensuring that survivors' needs are met.

## Responding to Retail Theft

Organized retail theft generated concern across much of California and the country in 2021. Our office works to hold those who commit these crimes accountable, and in 2021 we filed charges in 74% of arrests presented of organized retail theft crimes. Additionally, we are focused on disrupting, dismantling, and deterring the networks that make organized retail theft profitable. We are engaged in numerous efforts to proactively respond to retail theft crimes and our office is working with state and federal agencies on nearly half a dozen confidential investigations.

**ALTO Partnership:** In June of 2021, the District Attorney's Office [partnered with ALTO](#), an international organization that coordinates the loss prevention efforts of retailers, police, and prosecutors, to address retail theft in San Francisco. When a retail crime occurs, ALTO assists retailers in filing police reports, gathering evidence, and tracking cases through the prosecution process. This partnership helps ensure we are working with retailers to hold those who commit these crimes accountable.

**Bay Area Alliance of Prosecutors:** We joined other Bay Area prosecutors in forming an [alliance to combat retail theft crimes](#). This partnership between counties and local agencies promotes shared data collection, crime analytics, as well as pooled investigative tools to successfully prosecute those involved with organized retail theft schemes.

**DA Office-Led Operations:** Our office led several extensive retail theft operations in 2021.

- **Operation Focus Lens:** The District Attorney's Office secured numerous criminal indictments as part of [Operation Focus Lens](#), a two-and-a-half-year investigation that led investigators to uncover a major, organized retail theft ring with international ties and led to the recovery of approximately \$2 million in stolen property, along with charges for multiple people for organized retail theft, grand theft, possession of stolen property, and money laundering.
- **Operation Wrecking Ball:** The District Attorney's Office also led [Operation Wrecking Ball](#), an investigation into the theft and sale of stolen merchandise at the 7th and Market Street area. Through this operation, the District Attorney's Office has recovered nearly \$750,000 in stolen merchandise from Bay Area retailers.

# Collaborative Justice

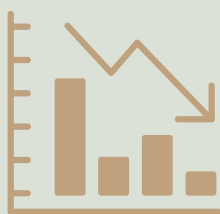
The District Attorney's Office believes that addressing the root causes of crime helps prevent recidivism and promotes justice and safety. When appropriate, our office refers people to a variety of diversion programs and services to promote accountability and reduce the likelihood of future offenses. These diversion programs connect eligible defendants with treatment, employment, targeted programming, and court supervision to address underlying drivers of crime. Upon successful completion of diversion, defendants can avoid criminal convictions that may make it harder for them to stay on track.

## District Attorney Initiated Pre-Filing Diversion Programs

The following programs were created by the District Attorney's Office in partnership with community and justice system stakeholders:

### Make it Right

The Make-it-Right (MiR) restorative justice conferencing program serves youth ages 13 to 17 who would have otherwise faced relatively serious felony charges (e.g., burglary, assault, unlawful taking of a vehicle). Following extensive preparation, participating youth meet with the people they have harmed or a surrogate, accept responsibility for the impact of their actions, and come to an agreement for how the youth can repair to the greatest extent possible the harm they caused. If the youth follow through with the repair actions outlined in the agreement, charges against them are never filed. If they do not, they face traditional juvenile felony prosecution.



**Assignment to Make-it-Right reduces rearrests by:**

**44%**

after 6 months

**33%**

after 1 year

**30%**

after 4 years



Photo credit: Community Works

**DID YOU KNOW?**

In 2021, an [independent evaluation](#) by the California Policy Lab found that young people referred to MiR were 44% less likely to be rearrested than youth who were not referred to the program.

# District Attorney Initiated Pre-Filing Diversion Programs

## Imagining Justice: Arts as Diversion

Spearheaded by Stanford University's Center for the Comparative Study of Race & Ethnicity and with support from Stanford Arts Institute and the Stanford Criminal Justice Center, Imagining Justice is an innovative program that pioneers concrete transformations in the terrain of criminal justice.

## Neighborhood Courts

Cases are diverted to ten venues across the City where trained volunteer "neighborhood adjudicators" resolve matters and issue directives using restorative principles. Participants must take accountability for their actions and complete the directives to avoid having their case filed.

## Supportive Release and Reentry Program

Mental Health Association of San Francisco (MHASF) provides supportive peer counseling, case management services, and more for recently released incarcerated individuals who experience mental health and co-occurring substance use challenges with the goal of connecting participants to ongoing support in the community.

## Unaccompanied Children Assistance Program (UCAP)

UCAP diverts youth out of the juvenile justice system and into a program tailored to meet the needs of unaccompanied minors fleeing violence and poverty. UCAP focuses on linkage to trauma-informed, culturally rooted healing practices, and bicultural/bilingual interventions to meet the youth's basic, educational, vocational, and mental health needs. UCAP also provides legal representation for children in immigration court.

## Success Story

One youth served through UCAP was an unaccompanied minor whose parents both reside in Honduras. After receiving a citation for possessing controlled substances with the intent to sell he was identified as a possible victim of forced labor trafficking, and was given the chance to participate in UCAP. Through UCAP, he was linked to Homies Empowerment, an independent, grassroots, community-based organization in East Oakland for case management. Because he became unhoused immediately after joining the program, he was placed in an emergency shelter and has since relocated to a foster home. He registered in an Oakland Unified High School as a full-time student and was assigned an on-campus case manager. He also began participating in Soccer Without Borders and has attended weekly since last fall. A UCAP law student continues to assist him by meeting with his case managers, his coach, and now his new foster parents. He is awaiting an immigration relief assessment through USF's Immigration and Deportation Defense Clinic. He has also participated in the Art Therapy Pilot Program for young victims of forced labor trafficking run by the DA's Office and Stanford University. He is on track to successfully graduate from UCAP, which will result in his case being discharged and sealed, preventing any adverse impact to any future immigration petition.

# Statutory and Collaborative Court Diversion Programs

In addition to District Attorney's Office-initiated diversion programs, our office supports a variety of other diversion programs, including those established by the California State Legislature and those established locally in partnership with the San Francisco Superior court and other local criminal justice stakeholders.

**There are currently four statutory diversion programs established by the legislature:**

**Mental Health Diversion**, which allows individuals with diagnosed mental health disorders, such as bipolar disorder, schizophrenia, schizoaffective disorder, or post-traumatic stress disorder, to participate in a mental health program for up to two years in lieu of criminal prosecution;

**Military Diversion**, a program for current or former members of the United States Military who suffer from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance use, or mental illness as a result of their military service;

**Pretrial Diversion**, which went into effect in January 2021 and gives judges the discretion to place individuals charged with all misdemeanors into pretrial diversion, unless they are charged with crimes that require sex offender registration, abandonment and neglect of child/ren; domestic violence or stalking/harassing crimes; and

**Primary Caregiver Diversion**, which attempts to reduce the negative effect of parental incarceration on families and children by diverting primary caregivers out of the traditional criminal process.

**In addition, the District Attorney's Office works with the San Francisco Superior Court and other local criminal justice stakeholders to support the following collaborative court diversion programs:**

**Behavioral Health Court**, which serves individuals with serious and persistent mental illness in their efforts towards greater self-sufficiency;

**Community Justice Center**, which addresses underlying issues that have led to a participant's criminal justice involvement primarily in the Tenderloin, Civic Center, Union Square, and South of Market neighborhoods.

**Drug Court**, a program that focuses on individuals with substance use disorders and connects them to outpatient and/or residential treatment.

**Intensive Supervision Court**, which provides high-risk high-needs probationers with intensive court and community supervision as an alternative to state prison.

**Juvenile Reentry Court**, which provides comprehensive case planning and aftercare services for high needs youth returning from long-term commitments and out-of-home placements.

**Veterans Justice Court**, a program that addresses the specialized needs of veterans by connecting them to counseling, housing, educational and vocational supports they need to lead productive and independent lives.

**Young Adult Court**, a groundbreaking model of rethinking how the developmental characteristics of young adults should inform the criminal justice system's response to this population. YAC works with transitional aged youth (ages 18-25) with a focus on education, employment, counseling, and peer mentorship to create new pathways that support positive life outcomes.



*In 2021, 109 parents completed Primary Caregiver Diversion. Of those, 97 people - or 89% - completed the program successfully.*

*In 2021, over 1000 cases were resolved via a successful completion of diversion.*

# Equal Justice Under the Law

One of the commitments of the San Francisco District Attorney's Office is ensuring that the law is applied equally and fairly. That means that no one is above the law: whether an elected official; a powerful corporation; or a uniformed police officer. It also means our office is committed to promoting racial equity and ensuring dignity for all people encountering the criminal legal system.

## Public Corruption Prosecutions

The San Francisco District Attorney's Office is dedicated to protecting public integrity. In 2021, the District Attorney's Office filed many public corruption cases including:

- Charges against a former Forensic Laboratory Analyst in the Office of the Chief Medical Examiner (OCME), for theft and possession of property stolen from the OCME;
- Felony charges against a former Bureau Manager for San Francisco Public Works for failure to disclose over a quarter of a million dollars in outside income on required financial disclosure statements;
- Felony charges against a former San Francisco Department of Human Resources manager for falsifying and forging signatures on a document appearing to be a proposed settlement agreement and providing it to a City employee who had filed an EEO complaint against the City; and
- Felony charges against a now-disbarred San Francisco-based attorney for defrauding a client, two courts, and two insurance companies—all while illegally practicing law after his license was suspended.

## Corporate Prosecutions

Through our Worker Protection Unit—launched by District Attorney Boudin in 2020—and our White Collar Crime Division, the District Attorney's Office holds corporate actors who violate the law accountable.

- **Handy Lawsuit:** In 2021, the Economic Crimes Against Workers Unit filed a [worker protection action against Handy](#), a company that offers and sells household services. The suit alleges that Handy unlawfully misclassifies its workers as independent contractors when, in fact, these workers are employees of Handy. This action protects workers' rights to minimum wage; access to paid sick leave; disability insurance; and unemployment services.
- **Settlement with Angie's List:** The District Attorney's Office [settled](#) a civil false advertising case against Angie's List, Inc., a home services website that provides a crowd-sourced online directory of local businesses and contractors, for misleading consumers about the extent of the company's background checks for workers. The settlement includes both compensation to customers as well as a permanent injunction to safeguard the public from future misrepresentations.

## Police Accountability

The San Francisco District Attorney's Office recognizes the importance of ensuring that police officers who break the law are held accountable. Officers who break the law—by using excessive force, committing perjury, or other unlawful conduct—denigrate the hard work of other officers and shatter the trust our community places in law enforcement. To rebuild that trust, it is critical that officers are held accountable for harms they cause—just like anyone else. At the same time, when officers who use force did so lawfully, the District Attorney's Office's Independent Investigations Bureau ("IIB") unit works to quickly announce declinations to file charges.

In 2021, the District Attorney's Office filed homicide charges against an officer for the 2017 shooting of Sean Moore, which caused his death 3 years later. This is the second homicide charge filed against an on-duty officer in San Francisco history (the first was filed by DA Boudin in 2020 against Christopher Samayoa for the 2017 shooting death of Keita O'Neil, which remains pending).

## Promoting Gender Equity

During June's PRIDE month, the San Francisco District Attorney's Office announced a new [policy directive](#) to require prosecutors and staff members to ask for and then use the correct pronouns for all victims, witnesses, and accused persons. This policy aims to promote acceptance and honor the humanity and respect the dignity of all members of the LGBTQIA community, including transgender, nonbinary, and gender non-conforming people.



# Community Engagement & Advocacy

Community engagement is a critical component of the District Attorney's Office. Through neighborhood walks, community meetings, cultural events, festivals, and more, District Attorney Boudin and other members of our office meet, collaborate, and engage with community members so we can better serve San Francisco. Our office also works to create, sponsor, and advocate for legislation that promotes justice for all community members.

## Community Liaisons Program

In 2021, District Attorney Boudin launched our Community Liaisons program, which pairs District Attorney prosecutors, investigators, and staff with each Supervisor District in the city.

In this role, staff from our office work directly with each district's residents, business owners, and neighborhood associations to provide a direct line of communication to our office. Our Community Liaisons regularly attend district town halls and local events and answer questions from community members.



# Community Convenings

In 2021, the District Attorney's Office began hosting public convenings to engage community leaders, criminal justice experts, and system-impacted persons in nuanced conversations about the most pressing issues affecting San Franciscans.

## Prevention & Protection: Keeping Our AAPI Community Safe:

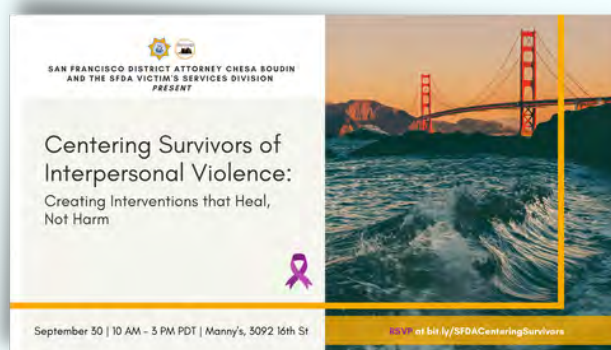
In May, the District Attorney's Office held a virtual summit on [protecting the AAPI community](#) from hate and violence, which featured a keynote by Supreme Court Justice Goodwin Liu. The summit focused on efforts to prevent AAPI harassment and violence, including bystander intervention training and outreach efforts to encourage the reporting of hate crimes.



**Public Health is Public Safety:** Behavioral Health Care in San Francisco: In July, the District Attorney's Office held a live public convening at Manny's Cafe to explore [behavioral health](#) challenges in San Francisco and the criminal legal system. State Senator Sydney Kamlager delivered the keynote speech and DA Boudin moderated three different panels of experts and community members.



**Centering Survivors: Creating Interventions that Heal, Not Harm:** On the eve of Domestic Violence Awareness Month, the District Attorney's Office held a live convening at Manny's Cafe on [Interpersonal Violence](#). University of Miami School of Law Professor Donna Coker delivered the keynote address and District Attorney Boudin moderated two panels focused on centering survivors, preventing violence, and supporting those who are impacted by domestic violence. legal system. State Senator Sydney Kamlager delivered the keynote speech and DA Boudin moderated three different panels of experts and community members.



# Legislative Achievements

In 2021, the District Attorney's Office co-sponsored a number of critical pieces of legislation:

- Legislation to support [universal basic income](#) for vulnerable youth aging out of our foster youth system;
- Legislation to support [victims of hate crimes](#);
- Legislation to ensure that [sexual assault against a spouse](#) is treated the same as sexual assault against any other victim;
- Legislation to [remove barriers to police accountability](#) by expanding who can sign arrest warrant affidavits. This solves the problem of officers refusing to cooperate in the prosecution of one of their own, and was signed into law by Governor Newsom in June.
- Legislation to fund a [pilot program to compensate jurors](#) for their service, which was signed into law by Governor Newsom in October;
- Legislation to [cure the conflict of interest](#) that exists when prosecutors accept support from police unions and then must decide whether to prosecute police officers who belong to those unions; and
- Legislation to [extend victim service compensation](#) to victims of police violence.

# Other Community Events

In 2021, the District Attorney's Office also participated in many other community events. Here are just a few examples:

**Monthly merchant walks:** DA Boudin and staff visiting neighborhood retail corridors to talk directly with store owners and community residents about local public safety concerns.

**National Night Out:** The District Attorney's Office had a strong presence at National Night Out, which promotes community engagement with law enforcement. Many of our community liaisons were present and our Victim Services Division was able to introduce everyone to Red, our Golden Retriever/Lab therapy dog.

**Chinatown Resource Fair:** Our office was proud to sponsor the Chinatown Resource Fair along with numerous community partner organizations. We provided information about protecting seniors; avoiding scams; housing; healthcare; emergency preparedness and more resources to promote public safety.

**Walk a Mile in Their Shoes:** As a part of Domestic Violence Awareness Month, the District Attorney's Office held a ceremony to honor survivors of domestic violence and those who work to promote their safety and support their healing. We honored survivors, members of law enforcement, community leaders, service providers and the District Attorney's Office staff members as we walked a mile in honor of all domestic violence survivors.



**National Night Out 2021**



# In Closing

2021 was a year of tremendous accomplishments in the courthouse; in our office; and in our community. Thank you to our hardworking staff who show such commitment to serving San Francisco. The San Francisco District Attorney's Office will continue to promote public safety and ensure justice for all San Franciscans in 2022.

## Contact Information



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## Transgender people over four times more likely than cisgender people to be victims of violent crime

Transgender people are over four times more likely than cisgender people to experience violent victimization, including rape, sexual assault, and aggravated or simple assault, according to a new study by the Williams Institute at UCLA School of Law. In addition, households with a transgender person had higher rates of property victimization than cisgender households.

Researchers analyzed pooled data from the 2017 and 2018 National Crime Victimization Survey, the first comprehensive and nationally representative criminal victimization data to include information on the gender identity and sex assigned at birth of respondents.

Results showed that both transgender women and men had higher rates of violent victimization than their cisgender counterparts, but there were no differences between transgender men and women.

"The media has rightly given attention to the 2020 increase in murders of transgender women of color," said lead author Andrew R. Flores, Affiliated Scholar at the Williams Institute. "Our study shows that both transgender women and men are also highly vulnerable to non-fatal physical and material victimization."

### Key Findings

- Transgender people (16+) are victimized over four times more often than cisgender people. In 2017-2018, transgender people experienced 86.2 victimizations per 1,000 people compared to 21.7 victimizations per 1,000 people for cisgender people.
- Transgender women and men had higher rates of violent victimization (86.1 and 107.5 per 1,000 people, respectively) than cisgender women and men (23.7 and 19.8 per 1,000 people, respectively).
- One in four transgender women who were victimized thought the incident was a hate crime compared to less than one in ten cisgender women.
- In 2017-2018, transgender households had higher rates of property victimization (214.1 per 1,000 households) than cisgender households (108 per 1,000 households).
- About half of all violent victimizations were not reported to police. Transgender people were as likely as cisgender people to report violence to police.

"Research has shown that experiences of victimization are related to low well-being, including suicide thoughts and attempts," said study author Ilan H. Meyer, Distinguished Senior Scholar of Public Policy at the Williams Institute. "The results underscore the urgent need for effective policies and interventions that consider high rates of victimization experienced by transgender people."

Contact Rachel Dowd at [dowd@law.ucla.edu](mailto:dowd@law.ucla.edu) for the full report.

### About the Study

The report, "Gender Identity Disparities in Criminal Victimization: National Crime Victimization Survey, 2017-2018" appears in the *American Journal of Public Health* and is co-authored by Andrew R. Flores, Ph.D., Ilan Meyer, Ph.D., and Lynn L. Langton, Ph.D., and Jody L. Herman, Ph.D.

March 23, 2021

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# Benioff Homelessness and Housing Initiative



[Home](#) > [Blog](#) > Violence Against People Homeless Hidden Epidemic

## Violence Against People Who Are Homeless: The Hidden Epidemic

By Margot Kushel, MD on July 14, 2022



This week, three homeless people in New York [were stabbed while sleeping, one fatally](#). These attacks follow a spate of similar events across the country, including one assailant [shooting five people](#) sleeping outdoors in New York and Washington, DC this spring. In Los Angeles in 2021, [85 people experiencing homelessness were murdered](#), the highest number ever recorded. Violence against people without homes is a longstanding, if underrecognized, crisis. It is another disastrous result from a series of policy failures that have conspired to leave more than 580,000 Americans [homeless](#) each night.

Without a door to lock, people without housing are vulnerable. Dramatic cases drive headlines, but violence directed at homeless people is constant, mundane, and devastating. On top of that, due to longstanding effects of structural racism, homophobia, and transphobia, [Black and Native Americans](#), as well [lesbian, gay, and transgender](#) Americans are overrepresented in the homeless population. Furthering their vulnerability, the homeless population is [aging](#). As a physician and researcher who studies homelessness, I hear from patients who share how frightened they are—not just when there is a potential serial murderer, but every day.

Violence against people experiencing homelessness is not new. Ample research shows just how often they are victimized. A [2003 study of homeless adults in San Francisco](#) found that one-third of cis- women, one-quarter of cis-men, and almost 40% of transgender participants experienced physical or sexual assault in the prior year. These numbers are far higher than lifetime estimates for the general population. [People with mental health problems](#) are also much more likely to be victims of violence. In addition, a [study of homeless women](#) found that 48% had experienced physical violence without a weapon, 18% with a weapon, and 18% had experienced sexual violence within the past six months. In an ongoing study of homeless older adults, we found that almost 12% had experienced physical or sexual assault in the prior six months. Yet violence is not inevitable. [The study](#) followed participants for years and found that the violence continued; however, when people became housed, their risk of being attacked dropped by half.

Despite such violence, instead of focusing on safety for our unhoused neighbors, the misperception that people without homes are perpetrators, rather than victims, of violence contributes to both criminalizing homelessness and dehumanizing people without housing. Exaggerated attention on rare violent incidents that individuals experiencing homelessness commit (and emphasizing their housing status) leads to [policies supporting criminalization](#) of survival behaviors—like sleeping, sitting, and living in vehicles—while doing nothing to improve safety. Criminalization diverts resources, worsens impoverishment, increases incarceration, and [poses barriers to exiting homelessness](#). It also makes it harder for individuals without homes to report threats or protect themselves. Fear of people who are homeless, rather than compassion on their behalf, contributes to dehumanization—seeing them as less than and not deserving of our protection, care, or equitable policies. These fears, in turn, contribute to violence against people without homes—rates that appear to be [rising](#)—and lessen political will toward lasting solutions. Finally, the false perception of people who are homeless as perpetrators contributes to challenges in siting shelters and housing to meet their needs.

These recent violent events have generated concern and compassion [for the victims](#). Yet, we owe it to all people who experience homelessness to recognize that, while there may have been an isolated perpetrator for the most recent attacks, these were not isolated events. These events are an extreme example of violence against people without housing that takes place every day. This everyday violence is, in part, spurred by false narratives that stoke fear and frame people who are homeless as aggressors. We must reject those narratives and recognize that, instead, they are our friends, family, and neighbors who have been left behind by the [housing shortage](#), lack of funding for rental [assistance](#) for low-income renters, and the ongoing effects of [structural racism](#).

Until we create the political will to invest in solving homelessness, we need to look directly at the dangers our neighbors without homes face and reject solutions that sweep people out of sight or criminalize behaviors of people merely trying to survive. Housing ends homelessness. And, as shown in our research, [immediately reduces the risk of violence](#). True community safety will arise only when we end homelessness—not because it will protect housed Americans from their unhoused neighbors, but because it will protect those who are homeless from the everyday violence impacting their lives.

Benioff Homelessness and Housing Initiative

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## ***Guard Who Fatally Shot Man at a Walgreens Won't Be Charged, Prosecutor Says***

The San Francisco district attorney, Brooke Jenkins, said the security guard “believed he was in mortal danger and acted in self-defense.”

**By Michael Levenson and Derrick Bryson Taylor**

May 3, 2023

A security guard at a Walgreens in San Francisco will not be charged with murder after he fatally shot a man who was accused of shoplifting, the district attorney said this week.

In a statement on Monday, the district attorney, Brooke Jenkins, said that prosecutors could not prove beyond a reasonable doubt to a jury that the guard was guilty of a crime after they reviewed statements from witnesses and the guard, along with video footage of the April 27 episode at a store on Market Street.

“The evidence clearly shows that the suspect believed he was in mortal danger and acted in self-defense,” Ms. Jenkins said in the statement, referring to the private security guard, who was identified by the San Francisco Police Department as Michael Earl-Wayne Anthony, 33.

Although Ms. Jenkins called the killing of the man, Banko Brown, a “tragedy,” she said: “We cannot bring forward charges when there is credible evidence of reasonable self-defense. Doing so would be unethical and create false hope for a successful prosecution.”

The decision by the prosecutor to not bring charges infuriated activists and friends who knew Mr. Brown, whom they identified as a Black trans man who had struggled with homelessness.

In a statement last week, the Police Department said that officers had responded to a report of a shooting at a Walgreens at 6:33 p.m. on April 27 and had found a victim, later identified as Mr. Brown, with a gunshot wound.

Officers rendered aid and summoned medics. Mr. Brown was taken to a nearby hospital, where he died, the police said.

In the statement, the police said that they had arrested Mr. Anthony and had booked him into jail on a charge of homicide.

A preliminary investigation revealed that “during this incident a theft occurred,” the police statement said.

The statements from the police and the district attorney’s office did not include further details about the shooting.

The prosecutor’s office did not immediately respond to questions on Wednesday about what had happened during the encounter or how far Mr. Anthony was from Mr. Brown when he was shot. “We’re not releasing the video as it is part of the evidence that was gathered and although charges have not been filed at this time, this remains an active and ongoing investigation,” the office said in a statement.

In an interview with a CBS affiliate in the Bay Area, Ms. Jenkins said: “This was a shoplifting that, really, based on the facts, turned into and escalated into a robbery, and the armed security guard did, ultimately, end up using lethal force.”

A man who answered the phone at a number that was listed under Mr. Anthony’s name declined to comment.

Ms. Jenkins announced the decision on the same day that demonstrators gathered outside the Walgreens where Mr. Brown was shot to demand justice.

In an interview on Wednesday, Xavier Davenport, 35, a Black trans man who had mentored Mr. Brown since 2000, criticized the district attorney’s decision.

“I’m outraged because this is a prime example of how policing gone wrong is OK in Black and brown communities because our lives don’t matter as much,” said Mr. Davenport, who met Mr. Brown through the Young Women’s Freedom Center, an organization that supports young women and trans youth.

Mr. Brown was quiet and nice and “seemed eager to want to be better and have a better life,” Mr. Davenport said. Mr. Brown would ask Mr. Davenport about relationships and activism and had participated in Zoom meetings that Mr. Davenport helped to organize for Black and brown trans men.

Aaron Peskin, the president of the San Francisco board of supervisors, said in an interview on Wednesday that he was urging Ms. Jenkins to reconsider her decision not to charge the guard. He also urged her to release video footage of the encounter.

“I would like to see the video,” he said. “I think we should all see the video.”

The district attorney’s decision came as many in San Francisco have expressed concerns about violent crime and homelessness.

More than 7,700 people were homeless in San Francisco, and more than 3,300 of them were staying in shelters, according to the city's latest official count, conducted in 2022.

The city recorded 17 homicides from Jan. 1 to April 30, compared with 15 during the period last year according to the San Francisco Police Department. Robberies have risen 11.5 percent, but burglaries have fallen 10 percent, the data shows.

In 2021, Walgreens closed five stores in San Francisco because of what it called "organized" shoplifting in the city. Last month, Whole Foods closed a flagship store there, citing safety concerns for its employees.

In a statement on Wednesday, Walgreens said it was offering "condolences to the victim's family during this difficult time."

"The safety of our patients, customers and team members is our top priority, and violence of any kind will not be tolerated in our stores," the statement said. "We take this matter seriously and are cooperating with local authorities."

The Young Women's Freedom Center said in a statement that Mr. Brown was known as a community organizer who had joined activists in calling for more shelter and other services for people in San Francisco.

"We are beyond devastated by Banko's passing," Julia Arroyo, the co-executive director of the center, said in the statement. "He was a smart and funny young man who, though shy, made friends easily. He was resilient and tenacious and loved by our whole community."

Alain Delaquerière contributed research.



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# The code of the street and cooperation with the police: Do codes of violence, procedural injustice, and police ineffectiveness discourage reporting violent victimization to the police?

Hyounghon Kwak<sup>a</sup> , Rick Dierenfeldt<sup>b</sup>  , Susan McNeeley<sup>c</sup> 

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<https://doi.org/10.1016/j.jcrimjus.2018.11.001> 

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## Abstract

### Purpose

Few quantitative studies have tested [Anderson's \(1999\)](#) suggestion that reliance on codes of violence and mistrust in the police reduce the likelihood of cooperating with the police after being victimized. We examine whether perceived codes of violence, perceived police effectiveness, and perceived procedural injustice influence the decision to report crime to the police. We also examine whether these relationships interact with individual or situational characteristics.

### Methods

This study applies binary logistic regression to a sample of 687 [victims of violence](#) from the Seattle Neighborhoods and Crime Survey.

### Results

The results indicated that procedural injustice had significant effects on crime reporting, though this relationship was conditioned by victim injury. Codes of violence and police effectiveness were related to crime reporting, but only among Black crime victims.

### Conclusions

Taken together, the results underscore the importance of police-community relations, as poor perceptions of the police and reliance on oneself for protection and justice reduce cooperation with the police, especially

## Introduction

Public cooperation with police is imperative: citizens act as the eyes and ears of law enforcement (Bennett & Wiegand, 1994; Gottfredson & Gottfredson, 1988). Victim reporting is a crucial form of public cooperation in modern policing, as it is the primary resource that brings crimes to the attention of the police (Bennett & Wiegand, 1994). However, a substantial number of violent incidents are not known by law enforcement (Baumer, 2002; Goudriaan, Lynch, & Nieuwbeerta, 2004). For example, according to the National Crime Victimization Survey (NCVS), approximately 52% of all violent victimizations were not reported to the police between 2006 and 2010 (Langton, Berzofsky, Krebs, & Smiley-McDonald, 2012). Victims' unwillingness to notify the police may result in failure to arrest perpetrators and increased violence in the community (Kirk & Papachristos, 2011; Skogan, 1984). Thus, it is essential to identify factors that affect victims' decisions to report.

Elijah Anderson's *Code of the Street: Decency, Violence, and the Moral Life of the Inner City* (1999), in addition to outlining a popular explanation of violent offending, describes poor relationships between the police and residents of disadvantaged communities. In particular, high violence, racial discrimination, and mistreatment by the police lead to a reliance on violence to solve problems and a lack of confidence in and cooperation with police. Accordingly, a limited number of qualitative studies suggest that perceived entrenchment of the code negatively influences crime reporting (Clayman & Skinns, 2012; Rosenfeld, Jacobs, & Wright, 2003). Relatedly, prior research has shown that neighborhood structural characteristics such as disadvantage affect victims' decisions to report (Baumer, 2002; Goudriaan & Nieuwbeerta, 2006). However, quantitative studies have not explored how the existence of codes of violence in the community affect crime reporting.

While not designed to study the code of the street, the policing literature is in line with Anderson's observations. Procedural justice – defined by Sunshine and Tyler (2003) as citizens' judgment as to whether they are treated fairly by the police and police decisions are made objectively – affects citizens' willingness to cooperate with the police (Carr, Napolitano, & Keating, 2007; Goudriaan et al., 2004; Tankebe, 2013; Tyler & Fagan, 2008), as do factors related to police effectiveness such as fear of crime (Kochel, 2016; Kochel, Park, & Mastrofski, 2013; Tankebe, 2009). Yet, much of this work has been limited to citizens' *intentions* to report crime and *willingness* to cooperate with the police (Khondaker, Wu, & Lambert, 2017; Skogan, 1984). Largely absent from this research has been an explicit focus on victims' *actual* reporting behavior (Tankebe, 2013; Wolfe, Nix, Kaminski, & Rojek, 2016).

Using a subsample of the Seattle Neighborhoods and Crime Survey (SNCS), we test Anderson's (1999) hypothesis that factors associated with the street code – perceived codes of violence, police ineffectiveness, and procedural injustice – influence decisions to report victimization to the police. As such, this study is the first quantitative examination of the relationship between codes of violence like those described by Anderson (1999) and crime reporting. In addition, we contribute to the code of the street literature more broadly by considering aspects of that subculture beyond the support for violence – namely, the perceptions of police held by the residents of code-stricken communities. We also contribute to the literature by examining actual reporting behavior, rather than willingness to report hypothetical crimes to the police,

controlling for situational characteristics that affect decisions to report (e.g., victim injury, weapon use), and testing whether situational or individual characteristics moderate the influence of the independent variables.

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## Section snippets

### Review of the literature

The decision to report victimization to the police has been explained as stemming from a cost-benefit/rational choice model in which victims' decisions to report are contingent upon their assessments of the costs and benefits of reporting the crime (Felson, Messner, & Hoskin, 1999; Goudriaan et al., 2004). In other words, victims are more likely to contact the police if they believe that the benefits of reporting (e.g., police protection, perpetrator brought to justice) are greater than the...

### Data and methods

To test these hypotheses, we use the Seattle Neighborhoods and Crime Survey (SNCS), conducted in 2002–2003 by computer-assisted telephone interviewing (CATI) of 3759 respondents from all 123 census tracts in Seattle. Two sampling frames were employed: the first randomly selected two block groups in each census tract, then selected nine households for each block group, resulting in a sample of 2220 households. The second oversampled within census blocks with disproportionately high percentages...

### Results

The results for the logistic models predicting crime reporting are provided in Table 2. The first model examines the main effects of the independent variables and crime reporting. Interaction terms are then included in the estimation of subsequent models; only significant interactions are shown. To help provide a meaningful interpretation of the findings, the average marginal effects (AMEs) are reported.<sup>11</sup>...

### Discussion and conclusions

This study was the first to quantitatively examine the relationship between the street code and victims' decisions to report crime to the police. In contrast to Hypothesis 1, perceived codes of violence were not significantly associated with reporting behavior. Our null finding may be due to sample characteristics; the sample included few disadvantaged Blacks relative to college-educated Whites. In line with this idea and consistent with theory (Anderson, 1999; Rosenfeld et al., 2003), the...

### Declarations of interest

None....

R.B. Taylor *et al.*

## Variable links within perceived police legitimacy?: Fairness and effectiveness across races and places

Social Science Research (2015)

S. McNeeley *et al.*

## Low self-control and the adoption of street code values among young adults

Journal of Criminal Justice (2018)

E. Anderson

## The code of the streets: Decency, violence, and the moral life of the inner city (1999)

E.F. Avakame *et al.*

## “Did you call the police? What did you do?” An empirical assessment of black's theory of mobilization of law

Justice Quarterly (1999)

S.W. Baron *et al.*

## Male street youths' conflict: The role of background, subcultural, and situational factors

Justice Quarterly (2001)

E.P. Baumer

## Neighborhood disadvantage and police notification by victims of violence

Criminology (2002)

R.R. Bennett *et al.*

## Observations on crime reporting in a developing nation

Criminology (1994)

M.T. Berg *et al.*

## Illegal behavior, neighborhood context, and police reporting by victims of violence

Journal of Research in Crime and Delinquency (2013)

M.T. Berg *et al.*

## Cynical streets: Neighborhood social processes and perceptions of criminal injustice

Criminology (2016)

F. Boateng

## Crime reporting behavior: Do attitudes toward the police matter

*Journal of Interpersonal Violence*. Advance online publication. (2016)

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2023, Journal of Criminal Justice

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2021, Journal of Criminal Justice

*Citation Excerpt :*

...Discussions of a welcoming or hostile police station typology would be incomplete without an acknowledgement of the racial and ethnic dynamics at play in policing. Studies on public perceptions of police demonstrate that the racial category with which one identifies significantly predicts their affinity for law enforcement (Schuck et al., 2008), which has downstream effects on willingness to cooperate with the police and likelihood of reporting crime (Kwak et al., 2019). It is therefore not hard to imagine that perceptions of police buildings are also racialized....

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### [Income and Calling the Police: Examining a Nuanced Relationship Toward Theoretical Refinement](#)

2023, Victims and Offenders

### [Examining the nuance in adolescents' police encounters: Positive, negative, or both?](#)

2023, Journal of Community Psychology

### [“Who trusts the police?”: Adolescents' attitudes towards police authority](#)

2022, Revista Latinoamericana de Ciencias Sociales, Ninez y Juventud

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Research article

## [The role of income inequality on factors associated with male physical Intimate Partner Violence perpetration: A meta-analysis](#)

Aggression and Violent Behavior, Volume 48, 2019, pp. 116-123

[Show abstract](#) 

Research article

## [Exploring the impact of 9398 demolitions on neighborhood-level crime in Detroit, Michigan](#)

Journal of Criminal Justice, Volume 60, 2019, pp. 57-63

[Show abstract](#) 

Research article

## [Are the effects of parental control/support and peer delinquency on future offending cumulative or interactive? A multiple group analysis of 10 longitudinal studies](#)

Journal of Criminal Justice, Volume 60, 2019, pp. 13-24

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## Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2023 MAY 10 AM 11:58

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☒ 2. Request for next printed agenda (For Adoption Without Committee Reference)  
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [ ] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [ ] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. [ ]
- ☐ 9. Reactivate File No. [ ]
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on [ ]

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission    ☐ Youth Commission    ☐ Ethics Commission  
☐ Planning Commission    ☐ Building Inspection Commission    ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes    ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Chan

Subject:

Administration of Equitable and Just Victim Services

Long Title or text listed:

Resolution urging San Francisco law enforcement agencies to administer victim services and justice equitably

Signature of Sponsoring Supervisor:

