



CITY AND COUNTY OF SAN FRANCISCO

**BROOKE JENKINS
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September 26, 2023

Honorable Ahsha Safai
District 11
City Hall, Room 244
San Francisco, CA 94102

RE: Hearing on the Office of the Chief Medical Examiner's report on Accidental Overdose Deaths

Supervisor Safai,

A priority area for my administration has been combatting open-air drug markets and holding drug dealers accountable. Shortly after taking office, I revoked over 30 lenient plea offers made by the previous administration that had not been accepted and quickly got to work setting new policies and directives for how narcotics prosecutions would be handled. Recognizing the extreme public safety risk posed by some suspected drug dealers, my office has sought pre-trial detention in the most egregious cases and made it clear that any suspected drug dealer who can be linked to a fatal overdose will be charged with murder.

Between July 8, 2022 and July 7, 2023, my office filed 819 felony narcotics cases (out of 915 cases presented / 90% filing rate) compared to 476 (out of 557 cases presented / 85% filing rate) for the same time-period the previous year, which represents a 72% increase. Of cases filed between July 8, 2022 and July 7, 2023, 38 cases were convicted compared to 26 in the previous time-period, representing a 46% increase in convictions for felony narcotics cases, including a jury trial conviction for a felony narcotics case.

As of September 19, 2023, my office has filed 248 motions to detain the most egregious drug dealing suspects because of the extreme public safety risk they pose. Of the 248 detention motions filed, the court has granted 19. Additionally, as of September 14, 2023, there were 511 individuals with open bench warrants who failed to appear for narcotics sales cases who were released by the court. 128 of these individuals in bench warrant status have more than one open case. One individual has five open cases. Fewer narcotics cases have been resolved via diversion as we have limited the practice to narcotics users and focused on ensuring there is appropriate accountability and consequences for suspected drug dealers. Reserving collaborative courts for people with substance use disorders, and not suspected drug dealers who peddle death, is critical to restoring accountability and the public's faith in the criminal justice system.

In addition to more judiciously using our collaborative courts, I implemented a drug use and possession citation bundling policy to help steer users into treatment. Individuals with bundled charges are referred to the Community Justice Center, a unique court that works to connect the community to the criminal justice system and addresses issues that have led to a participant's criminal justice involvement. The bundling policy was first announced in September of 2022 with a five-citation threshold. This has since been lowered to two-citations after clear and consistent feedback from community members across the city in light of the mounting number of fatal overdoses.



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Thank you for your support in helping my office continue to fund the three new narcotics attorneys that we received through the Mayor's Office for the Fiscal Years 2023-23 and 2024-25 budgets, as these additional resources will help us with the increased filings for felony narcotics cases when compared to previous years. Neither I or my staff will be able to attend your Public Safety and Neighborhood Services Committee hearing scheduled for Thursday, September 28th, but we avail ourselves to you and your staff to continue partnering on this critical issue.

Since taking office, I have worked with my staff to advance smart reforms, enhance public safety, stand-up for and serve victims of crime, and fight for justice in the courtroom. I am proud of the progress we have made in these areas, as residents and businesses now know that their District Attorney is committed to prosecuting crimes and fighting for each of our diverse neighborhoods.

Sincerely,

A handwritten signature in blue ink that reads "Brooke Jenkins".

Brooke Jenkins