

1 [Urging the Mayor’s Office to Maintain the Structural Independence of the Pretrial Services  
2 Program in San Francisco]

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3 **Resolution urging the Mayor’s Office to convene a roundtable to recommend a City and**  
4 **County pretrial services model that is consistent with the implementation of statewide**  
5 **bail reform (California State Senate Bill No. 10), and maintains the tradition of**  
6 **independence between pretrial services and law enforcement.**

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8 WHEREAS, The City and County of San Francisco has been practicing pretrial  
9 services and assessment for 42 years through a partnership between the Superior Court, Bar  
10 Association, Sheriff’s Department, District Attorney’s Office, Public Defender’s Office and San  
11 Francisco Pretrial Diversion; and

12 WHEREAS, San Francisco has a tradition of criminal justice innovation and strong  
13 collaboration between criminal justice partners; and

14 WHEREAS, Funding and structure for pretrial services in the Superior Court and San  
15 Francisco should be evidence-based and data-driven; and

16 WHEREAS, California State Senate Bill No. 10 of 2017-18, known as SB10 and titled  
17 “Pretrial release or detention: pretrial services,” requires that pretrial services be a formal  
18 aspect of each county’s criminal justice system; and

19 WHEREAS, SB10 was originally slated for implementation in October 2019; and

20 WHEREAS, The January 2018 “Humphrey Decision” could materially increase the  
21 caseload of pretrial services; and

22 WHEREAS, According to the Secretary of State’s September 11, 2018, communication  
23 “Proposed Referendum Enters Circulation”, on file with the Clerk of the Board of Supervisors  
24 in File No. 181189 which is hereby declared to be a part of this resolution as if set forth fully

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1 herein, signature gathering for a 2019 referendum repeal of SB 10 is underway, and may lead  
2 to a two-year stay of SB10 implementation; and

3 WHEREAS, The Board of Supervisors is committed to reducing financial hardship  
4 caused by money bail, and is resolutely committed to reducing unnecessary incarceration in  
5 San Francisco; now, therefore, be it

6 RESOLVED, That the Board of Supervisors urges the Mayor's Office to allow the San  
7 Francisco Pretrial Services Agency to continue operating in its current form as an independent  
8 non-profit organization; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to convene a  
10 round table group that explores and recommends a new pretrial operating model within the  
11 City and County of San Francisco that is in the best interests of the City and those persons  
12 served by the Pretrial Diversion program; and, be it

13 FURTHER RESOLVED, That the operating model should reflect the principles of  
14 neutrality and structural independence from the law enforcement functions, and that the  
15 timeline for implementation reflect State funding requirements.

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