

File No. 190840

Committee Item No. 3

Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Sept. 16, 2019

Board of Supervisors Meeting

Date SEPTEMBER 24, 2019

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (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 |
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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young Date Sept 12, 2019
 Completed by: Victor Young Date _____

1 [Administrative Code - Street-Level Drug Dealing Task Force]

2
3 Ordinance amending the Administrative Code to establish the Street-Level Drug
4 Dealing Task Force to advise the Board of Supervisors, the Mayor, and City
5 departments regarding policies to eliminate address harms related to street-level drug
6 dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market
7 neighborhoods; and setting forth the membership and duties of the Task Force.

8
9 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
10 Additions to Codes are in *single-underline italics Times New Roman font*.
11 Deletions to Codes are in *strikethrough italics Times New Roman font*.
12 Board amendment additions are in double-underlined Arial font.
13 Board amendment deletions are in ~~Arial font~~.
14 Asterisks (* * * *) indicate the omission of unchanged Code
15 subsections or parts of tables.

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

17
18 Section 1. The Administrative Code is hereby amended by adding Article XXII,
19 consisting of Sections 5.22-1 through 5.22-6, to Chapter 5, to read as follows:

20 **ARTICLE XXII: STREET-LEVEL DRUG DISTRIBUTION TASK FORCE**

21 **SEC. 5.22-1. CREATION OF TASK FORCE.**

22 The Board of Supervisors hereby establishes the Street-Level Drug Dealing Task Force (the
23 "Task Force") of the City and County of San Francisco.

24 **SEC. 5.22-2. MEMBERSHIP.**

25 The Task Force shall consist of the following 12 voting members.

1 (a) Seats 1, 2, and 3 shall be held by persons with experience or expertise relevant to
2 multifaceted approaches to eliminating addressing harms related to street-level drug dealing, and
3 shall have a background in law enforcement, reentry, public health, harm reduction, community-based
4 accountability, and/or restorative justice, nominated by the District 6 Supervisor and appointed by
5 the Board of Supervisors.

6 (b) Seats 4, 5 and 6 shall be held by persons who are directly impacted by the harms
7 related to street-level drug dealing, including and who are persons at-risk for experiencing crime,
8 formerly incarcerated people or their family members, individuals with past experiences of substance
9 addiction, and/or members of other vulnerable communities, nominated by the District 6 Supervisor
10 and appointed by the Board of Supervisors.

11 (c) Seat 7 shall be held by a person with experience or expertise relevant to street-level
12 drug dealing, including people with experience as or with former street-level drug distributors,
13 economics of street-level drug distribution, and/or local drug distribution practices, nominated by the
14 District 6 Supervisor and appointed by the Board of Supervisors.

15 (d) Seats 8 and 9 shall be held by persons who are directly impacted by the harms related
22 to street-level drug dealing in the neighborhoods of the Tenderloin, Mid-Market, South of Market,
17 and/or Civic Center, including and who are residents, or small business owners in those
18 neighborhoods, nominated by the District 6 Supervisor and appointed by the Board of
19 Supervisors.

20 (e) Seat 10 shall be held by an employee of the San Francisco Police Department who shall
21 assist in providing data and statistics to the Task Force, appointed by the Chief of Police.

22 (f) Seat 11 shall be held by an employee of the Public Defender's Office, appointed by the
23 Public Defender.

24 (g) Seat 12 shall be held by an employee of the District Attorney's Office, appointed by the
25 District Attorney.

1 Seats 1, 2, 4, 5, 7, 8 and 9 shall not be held by employees of the City and County of San
2 Francisco. Seats 3 and 6 may but need not be held by employees of the City.

3 In making appointments to the Task Force, the appointing authorities shall give preference to
4 residents of the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

5
6 **SEC. 5.22-3. ORGANIZATION AND TERMS OF OFFICE.**

7 (a) Members of the Task Force shall serve at the pleasure of their respective appointing
8 authorities and may be removed by the member's appointing authority at any time. Each member may
9 remain on the Task Force until the termination of the Task Force under Section 5.22-6, unless removed
10 by the member's appointing authority. A seat that is vacant on the Task Force shall be filled by the
11 appointing authority for that seat as provided in Section 5.22-2.

12 (b) Members of the Task Force shall receive no compensation from the City, except
13 that ~~the~~ Task Force members in Seats 10, 11, and 12 may receive their regular City salaries for time
14 spent on the Task Force, and if members in Seats 3 and 6 are City employees, they also may receive
15 their regular City salaries for time spent on the Task Force. The Office of Economic and
22 Workforce Development may provide a meeting stipend of up to \$50 per meeting to other
17 members of the Task Force if that Office has sufficient funds appropriated in its budget and
18 the director of the Office determines that such a stipend would advance the mission of the
19 Task Force.

20 (c) Any member who misses three regular meetings of the Task Force within a six-month
21 period without the express approval of the Task Force at or before each missed meeting shall be
22 deemed to have resigned from the Task Force 10 days after the third unapproved absence. The Task
23 Force shall inform the appointing authority and the Clerk of the Board of Supervisors of any such
24 resignation.

1 (d) The Office of Economic and Workforce Development shall provide administrative and
2 clerical support for the Task Force. All City officials and agencies shall cooperate with the Task Force
3 in the performance of its functions.

4
5 **SEC. 5.22-4. POWERS AND DUTIES.**

6 (a) The Task Force shall identify and assess the nature and magnitude of harms related to
7 associated with street-level drug distribution, including the costs and benefits of criminalization and
8 its alternatives, and shall evaluate options for effectively addressing negative impacts of street-level
9 drug distribution in the Tenderloin, South of Market, Civic Center, and Mid-Market neighborhoods.
10 The Task Force shall make public recommendations to the Board of Supervisors, the Mayor, and
11 appropriate City departments, commissions, boards, and agencies regarding:

12 (1) Strategies, Pprograms and policies focused on addressing combatting and
13 eliminating street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market
14 neighborhoods;

15 (2) Safety, crime prevention, recidivism, outreach programs, and alternatives to
22 incarceration in those neighborhoods; and

17 (3) The development of a Citywide, coordinated evidence-based strategy to combat
18 address and reduce street-level drug dealing.

19 (b) Beginning March 31, 2020 and every six ~~three~~ months thereafter, the Task Force shall
20 submit to the Board of Supervisors and the Mayor a report summarizing data regarding harms related
21 to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market
22 neighborhoods, and making recommendations regarding policies, funding levels and sources,
23 enforcement strategies, and other pertinent matters, with the goal of addressing harms related to
24 combatting and eliminating street-level drug dealing in those neighborhoods.

1 (c) In collaboration with City departments and taking into account community input at
2 public meetings, the Task Force shall prepare and submit to the Board of Supervisors and the Mayor
3 by December 2, 2020, a Vision Zero Plan for the Tenderloin, Civic Center, Mid-Market, and South of
4 Market neighborhoods. The Plan shall include a comprehensive review of the City's policies,
5 procedures, and practices that involve harms related to street-level drug dealing, and
6 recommendations on options to eliminateaddress the prevalence of harms related to street-level
7 drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

8 (d) In conducting the assessments and making the recommendations required under this
9 Section 5.22-4, the Task Force shall consider best practices and approaches from other jurisdictions.
10 The Task Force shall also consider the perspectives of those most deeply affected by the harms
11 associated with street-level drug dealing. In soliciting these perspectives, the Task Force
12 should recognize that many people within the neighborhood, residents (including housed and
13 unhoused residents), business owners, youth, families, seniors, pedestrians, commuters, service
14 providers, and service consumers, interact with people who use and deal drugs. In making its
15 recommendations, the Task Force shall consider strategies beyond street level enforcement,
22 including intelligence-led and high-visibility policing. The Task Force shall seek to recommend
17 achievable, systems-level, trauma-informed, data- and evidence-based policy and administrative
18 solutions through a racial and economic equity lens that will have a short-term and long-term impact
19 on the community.

20 (e) To assist the Task Force, all City departments, including but not limited to the
21 Police Department, District Attorney, Public Defender, Sherriff, and Department of Public
22 Health, shall provide data and statistics upon request from the Task Force, to the extent
23 permitted under federal, state and local law. The Task Force may request, and the
24 departments shall provide the following types of information:

25 (1) Historical data and law enforcement strategies, and outcomes;

1 (2) Calls for police, fire or medical services, and outcomes;

2 (3) Calls for 311 service connection, and outcomes;

3 (4) Measures of community strengths including commercial activity and civic
4 engagement;

5 (5) Measures of community well-being, including essential needs, services
6 and cleanliness; and

7 (6) Community safety measures as determined by the Controller's Office.

8 For each quarterly report, if the Board of Supervisors or a committee of the Board does
9 not schedule a hearing regarding the report within 30 days of its receipt, the Office of
10 Economic and Workforce Development shall schedule a special meeting of the Task Force to
11 receive additional public input and feedback.

12
13 **SEC. 5.22-5. MEETINGS AND PROCEDURES.**

14 (a) The Task Force shall hold its inaugural meeting not more than 90 days after the
15 effective date of the ordinance in Board File No. _____ enacting this Article XXII. There shall be at
22 least 10 days' notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall
17 hold a regular meeting not less than once each month until the sunset date set forth in Section 5.22-6.

18 (b) The Task Force shall elect its officers and may establish bylaws and rules for its
19 organization and procedures.

20
21 **SEC. 5.22-6. SUNSET.**

22 Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article
23 XXII shall expire by operation of law, and the Task Force shall terminate, three years after the effective
24 date of the ordinance in Board File No. _____ enacting this Article. After that date, the City Attorney
25 shall cause this Article XXII to be removed from the Administrative Code.

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Section 2. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: 
JON GIVNER
Deputy City Attorney

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LEGISLATIVE DIGEST
(Revised 09/16/19)

[Administrative Code - Street-Level Drug Dealing Task Force]

Ordinance amending the Administrative Code to establish the Street-Level Drug Dealing Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies to address harms related to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the membership and duties of the Task Force.

Existing Law

There is currently no City advisory body dedicated to providing advice regarding policies to address harms related to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

Amendments to Current Law

The proposed ordinance would create a 12-member advisory body called the Street-Level Drug Dealing Task Force. The Task Force would provide advice and recommendations to the Board of Supervisors, the Mayor, and City departments regarding policies to address harms related to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods. The Task Force would prepare reports every three months beginning in 2020 summarizing data regarding street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods, and making recommendations regarding policies, funding levels, and enforcement strategies to combat drug dealing in those neighborhoods. The Task Force would also prepare a Plan to address harms related to street-level drug dealing in those neighborhoods. The Plan would include a comprehensive review of the City's policies, procedures, and practices that involve street-level drug dealing, and would make recommendations on policy options for the City. The ordinance would also require City departments to provide information to the Task Force.

Nine members of the Task Force would be appointed by the Board of Supervisors. The remaining three members would be employees of the Police Department, Public Defender's Office, and District Attorney's Office, appointed by the heads of those departments.

Background Information

This legislative digest reflects amendments adopted by the Rules Committee on September 16, 2019.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: All City Department Heads via Sophia Kittler, Mayor's Office
Chief William Scott, Police Department
Manohar Raju, Public Defender
George Gascon, District Attorney

FROM: Victor Young, Assistant Clerk
Rules Committee

DATE: August 8, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation on July 30, 2019:

File No. 190840

Ordinance amending the Administrative Code to establish the Street-Level Drug Dealing Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies to eliminate street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the membership and duties of the Task Force.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Kanishka Karunaratne Cheng, Mayor's Office
Andreas Powers, Mayors, Office
Rowena Carr, Police Department
Asja Steeves, Police Department
Deirdre Hussey, Police Department
Christine Soto DeBerry, Office of the District Attorney
Maxwell Szabo, Office of the District Attorney

BOARD of SUPERVISORS




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TDD/TTY No. 544-5227

MEMORANDUM

Date: August 13, 2019

To: The Honorable Members, Board of Supervisors

From:  Angela Calvillo, Clerk of the Board

Subject: Administrative Code - Street-Level Drug Dealing Task Force (File No. 190840)

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. 190840 Administrative Code - Street-Level Drug Dealing Task Force

The Ordinance would establish the Street-Level Drug Dealing Task Force (SDDTF) to advise the Board of Supervisors, Mayor, and City departments regarding policies to eliminate street-level drug dealing in the Tenderloin, Civic Center, Mid-Market and South of Market neighborhoods.

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

No. There is no other body charged with addressing the same subject matter.

- Language requiring the body to meet at least once every four months

Page 5, Lines 8-10, Section 5.22-5(a), entitled "Meetings and Procedures," states "Following the inaugural meeting, the Task Force shall hold a regular meeting not less than once each month until the sunset date set forth in Section 5.22-6."



- Language indicating members serve at the pleasure of the appointing authority

Page 3, lines 5-9, Section 5.22-3(a), entitled "Organization and Terms of Office," states "Members of the Task Force shall serve at the pleasure of their respective appointing authorities and may be removed by the member's appointing authority at any time. Each member may remain on the Task Force until the termination of the Task Force under Section 5.22-6, unless removed by the member's appointing authority. A seat that is vacant on the Task Force shall be filled by the appointing authority for that seat as provided in Section 5.22-2."

- Language establishing attendance requirements

Page 3, lines 5-9, Section 5.22-3(d), entitled "Organization and Terms of Office," states "Any member who misses three regular meetings of the Task Force within a six-month period without the express approval of the Task Force at or before each missed meeting shall be deemed to have resigned from the Task Force 10 days after the third unapproved absence. The Task Force shall inform the appointing authority and the Clerk of the Board of Supervisors of any such resignation."

- Number of seats and qualifications

There are a total of 12 seats: 9 nominated by the District 6 Supervisor and appointed by the Board of Supervisors, one appointed by the Chief of Police, one appointed by the Public Defender, and one appointed by the District Attorney.

- Term limits (i.e., commencement date? staggered terms?)

Each member shall serve an indefinite term or until the termination of the Task Force unless removed by the member's appointing authority.

- Administering department

The Office of Economic and Workforce Development will provide administrative and support duties.



▪ Reporting requirements

Beginning March 31, 2020 and every six months thereafter, the Task Force shall submit to the Board of Supervisors and the Mayor a report summarizing data regarding street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods, and make recommendations regarding policies, funding levels, enforcement strategies, and other pertinent matters, with the goal of combatting and eliminating street-level drug dealing in those neighborhoods.

The Task Force shall prepare and submit to the Board of Supervisors and the Mayor by December 2, 2020, a Vision Zero Plan for the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods. The Plan shall include a comprehensive review of the City's policies, procedures, and practices that involve street-level drug dealing, and recommendations on options to eliminate the prevalence of street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

▪ Sunset date

Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article XXII shall expire by operation of law, and the Task Force shall terminate three years after the effective date of the ordinance in Board File No. 190840 enacting this Article. After that date, the City Attorney shall cause this Article XXII to be removed from the Administrative Code.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date **PM 3:43**

AK

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

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

Sponsor(s):

Haney

Subject:

Administrative Code - Street-Level Drug Dealing Task Force

The text is listed:

Ordinance amending the Administrative Code to establish the Street-Level Drug Dealing Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies to eliminate street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the membership and duties of the Task Force.

Signature of Sponsoring Supervisor: []

Clerk's Use Only

