

1 [Settlement of Lawsuit - Riana Buffin and Crystal Patterson - City to Comply with New Pretrial  
2 Detention Policies and Provide Funding for Pretrial Diversion Project]

3 **Ordinance authorizing settlement of the lawsuit filed by Riana Buffin and Crystal**  
4 **Patterson against Sheriff Vicki Hennessy in her official capacity as Sheriff; the**  
5 **settlement prohibits the Sheriff from using the existing bail schedule for arrested**  
6 **individuals and from using any similar policy that determines the existence or length of**  
7 **pre-arraignment detention based on an arrestee's ability to pay, requires the Sheriff to**  
8 **release certain arrestees within 18 hours from the time of booking under some**  
9 **circumstances, and is conditioned on the City providing additional funding to the Own**  
10 **Recognizance Project of the San Francisco Pretrial Diversion Project; the lawsuit was**  
11 **filed on October 28, 2015, in U.S. District Court for the Northern District of California,**  
12 **Case No. 15-CV-04959-YGR; entitled Riana Buffin and Crystal Patterson, on behalf of**  
13 **themselves and others similarly situated v. Vicki Hennessy in her official capacity as**  
14 **the San Francisco Sheriff, et al.; the lawsuit involves claims that the Sheriff's use of the**  
15 **San Francisco Superior Court's bail schedule as a basis for pre-arraignment detention**  
16 **or release of arrestees violates the United States Constitution.**

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

19 Section 1. Consistent with the terms of a stipulated final judgment entered on  
20 September 3, 2019, the Board of Supervisors hereby approves the stipulated final judgment in  
21 the action entitled Riana Buffin and Crystal Patterson, on behalf of themselves and others  
22 similarly situated v. Vicki Hennessy in her official capacity as the San Francisco Sheriff, et al.,  
23 U.S. District Court for the Northern District of California, Case No. 15-CV-04959-YGR, by the  
24 terms set forth in the stipulated final judgment, available in Board of Supervisors File  
25 No. 190994. Under the stipulated final judgment, the Sheriff will be prohibited from using the

1 bail schedule or any form or derivative thereof that determines the existence or length of pre-  
2 arraignment detention based on an arrestee's ability to pay; and the Sheriff will be required to  
3 release certain arrestees within 18 hours from the time of booking unless certain conditions  
4 are met. The stipulated judgment is conditioned on the City providing additional funding to  
5 enable the Own Recognizance Project of the San Francisco Pretrial Diversion Project to  
6 operate 24 hours a day, seven days a week. The lawsuit involves claims that the Sheriff's use  
7 of the San Francisco Superior Court's bail schedule as a basis for pre-arraignment detention  
8 or release, as required by state law, violates the United States Constitution.

9 Section 2. The above-named action was filed in U.S. District Court for the Northern  
10 District of California on October 28, 2015, and the following parties were named in the lawsuit:  
11 Plaintiffs Riana Buffin and Crystal Patterson, on behalf of themselves and others similarly  
12 situated; Defendant Vicki Hennessy in her official capacity as the San Francisco Sheriff;  
13 initially named and later dismissed Defendants City and County of San Francisco, State of  
14 California, and Attorney General of the State of California; and Intervenor Defendants  
15 California Bail Agents Association.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

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WAYNE SNODGRASS  
Deputy City Attorney

FUNDS AVAILABLE:

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BEN ROSENFELD  
Controller

RECOMMENDED:

SHERIFF'S DEPARTMENT

\_\_\_\_\_  
VICKI HENNESSY  
Sheriff

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