

ARTICLE XL:
CLOSE JUVENILE HALL WORKING GROUP

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📖 SEC. 5.40-1. CLOSE JUVENILE HALL WORKING GROUP.

The City hereby establishes the Close Juvenile Hall Working Group.
(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

📖 SEC. 5.40-2. DEFINITIONS.

“CARC” means the Huckleberry Community Assessment and Resource Center.

“City” means the City and County of San Francisco.

“Court” means the San Francisco Superior Court Juvenile Division.

“Director” means the Director of the Human Rights Commission.

“DCYF” means the Department of Children Youth and Families.

“Juvenile Hall” means the locked detention facility at 375 Woodside Avenue in the City.

“Working Group” means the Close Juvenile Hall Working Group.

(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

📖 SEC. 5.40-3. PURPOSE AND PRINCIPLES.

(a) The purpose of the Working Group is to create a plan to:

- (1) close Juvenile Hall by no later than December 31, 2021;
- (2) strengthen and expand community-based alternatives to detention;
- (3) provide a rehabilitative, non-institutional place or places of detention, in a location approved by the Court, which is available for all wards of the Court and persons alleged to come within the jurisdiction of the Court;

(4) reinvest any monies saved by the closure of Juvenile Hall in high-quality, effective, community-based alternatives to detention; an alternative, rehabilitative, non-institutional center for youth who are detained; and mental health and educational support for detained youth; and

(5) preserve, protect and aim to expand the role of the public sector in the direct provision of juvenile rehabilitation services, both in community-based alternatives to detention and in any rehabilitative, non-institutional place or places of detention.

(b) In carrying out this purpose, the Working Group shall be guided by the following principles:

(1) A juvenile justice system should balance public safety, positive youth development, family and community health, and victim restoration.

(2) Detention has a devastating impact on youth, their families, and their neighborhoods, and undermines the safety and health of both detained youth and their communities.

(3) The rehabilitative goals of the juvenile justice system can best be accomplished in family-based settings in the communities where youth live.

(4) The vast majority of young people in detention should be diverted from that system and given access to developmentally appropriate, trauma-informed programs and services that address racial and ethnic disparities.

(5) Youth in the juvenile justice system and their families should have a role in identifying what kind of support would be most helpful to them.

(6) Resources invested in Juvenile Hall should instead be invested in youth, their families, and community-based programs, including mental health and educational support.

(7) Community-based programs that serve juvenile justice-involved young people should be supported, strengthened, and where appropriate, expanded.

(8) Youth in the juvenile justice system should be referred to programs and court-ordered placements in the City whenever possible.

(9) Juvenile Hall staff should be given the opportunity, consistent with civil service rules, to transfer to other jobs with the City or the San Francisco Unified School District once Juvenile Hall is closed.

(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

📖 SEC. 5.40-4. MEMBERSHIP.

(a) **Members.** The Working Group shall consist of 15 members as set forth below.

(1) Seats 1 and 2 shall be held by representatives of community-based non-profits that serve juvenile justice-involved youth and are members of the Juvenile Justice Providers Association.

(2) Seats 3 and 4 shall be held by persons under the age of 29 who were previously detained or incarcerated.

(3) Seat 5 shall be held by a parent or guardian of a person who is or was detained as a youth in the juvenile justice system.

(4) Seat 6 shall be held by an expert in the design of small, rehabilitative, and education-focused centers that meet the needs of young people who, following their arrest or detention, cannot return to their home or community.

(5) Seat 7 shall be held by an expert in youth mental illness, with experience serving the juvenile justice population, and expertise in best practices for serving youth with mental illness.

(6) Seat 8 shall be held by an expert in juvenile justice reform with experience in data analysis and the development of alternatives to detention.

(7) Seat 9 shall be held by a member of the labor community.

(8) Seats 10 and 11 shall be held by non-management employees working in Juvenile Hall.

(9) Seat 12 shall be held by the Chief Juvenile Probation Officer or the Chief Juvenile Probation Officer's designee.

(10) Seat 13 shall be held by the Public Defender or the Public Defender's designee.

(11) Seat 14 shall be held by the District Attorney or the District Attorney's designee.

(12) Seat 15 shall be held by a representative of the Court if the Court so chooses. While the Court is not required to provide a representative to hold this seat, it shall be invited to do so.

(b) Seats 1-11 shall be appointed by the Board of Supervisors. The Board shall strive to appoint members to the Working Group from communities disproportionately represented in the juvenile justice system and from the City's most marginalized communities.

(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

📖 SEC. 5.40-5. ORGANIZATION AND TERMS OF OFFICE.

(a) Members of the Working Group in Seats 1-11 shall serve at the pleasure of the Board of Supervisors and may be removed by the Board at any time. Each member in Seats 1-11 may remain in the Working Group until the termination of the Working Group under Section [5.40-7](#), unless removed by the Board. Any vacancy in Seats 1-11 shall be filled by the Board.

(b) Service in the Working Group shall be voluntary. Members appointed to Seats 1 through 9 may receive a stipend in an amount determined by the Board. Members appointed to seats 10 and 11 may receive their regular salaries for time spent on the Working Group because they are serving in an official capacity as representatives of their departments.

(c) The Working Group shall strive to schedule meetings to accommodate the Working Group members so that all members may attend regularly. Any member in Seats 1-11 who, within a six-month period, misses three regular meetings of the Working Group without the express approval of the Working Group at or before the missed meeting shall be deemed to have resigned from the Working Group ten days after the third unapproved absence. The Working Group shall inform the Clerk of the Board of Supervisors of any such resignation.

(d) Subject to the fiscal and budgetary provisions of the Charter, the Director shall designate staff to provide administrative support to the Working Group.

(e) Subject to the fiscal, budgetary, and civil service provisions of the Charter, the Director shall hire and make available to the Working Group an outside consultant with expertise in juvenile justice reform, program evaluation, data analysis, youth development, development of alternatives to detention, and juvenile justice systemic change. The outside consultant shall advise the Working Group, and, to the extent desired by the Working Group, may facilitate its meetings and compile required reports on behalf of the Working Group.

(f) **Quorum.** Eight members of the Working Group shall constitute a quorum.

(g) **Officers.** The Working Group shall elect a Chairperson from its members. The Chairperson shall designate a member to serve in the Chairperson's absence.

(h) **Subcommittees.** The Working Group may establish subcommittees to be convened as directed by the Working Group. The Working Group shall establish a Needs Assessment subcommittee. The Working Group's Chairperson or the Chairperson's designee shall appoint members to the subcommittees, and shall appoint members to the Needs Assessment subcommittee consistent with subsection [5.40-6\(a\)](#) of this Article. Subcommittees shall report findings and make recommendations to the full Working Group for its consideration.

(i) **Meeting Frequency.** The Working Group shall meet at least every two months until Juvenile Hall is closed and a substitute place or places of detention are available for youth placement.

(j) **Roles of Members.** In adopting this ordinance, the Board of Supervisors recognizes that each member in Seats 12-15 retains their authority and duties under State law and that where conflicts may arise out of members' dual roles, State powers and duties shall supersede the duties that this [Article XL](#) imposes on members.

(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

📖 SEC. 5.40-6. POWERS AND DUTIES.

(a) The Working Group shall have the following powers and duties in the work focus areas described below:

WORK FOCUS AREA # 1: Based on data review, conduct a needs assessment for youth detained in Juvenile Hall. To conduct this assessment, the Working Group shall:

(1) Establish a "Needs Assessment subcommittee" to conduct a confidential review of juvenile delinquency case files to the extent that review is authorized by the Court. The Needs

Assessment subcommittee shall consist of the following four Working Group members: the Public Defender or the Public Defender's designee (Working Group Seat 13); a representative of a community-based non-profit that serves juvenile justice-involved youth and that is a member of the Juvenile Justice Providers Association (Working Group Seat 1 or 2); an expert in youth mental illness (Working Group Seat 7); and an expert in juvenile justice reform (Working Group Seat 8): [1](#)

(2) Request that the City Attorney petition the Court and request that the Court authorize the Juvenile Probation Department to allow Needs Assessment subcommittee members to access to [1](#) data contained in juvenile delinquency files and related juvenile records in the possession of the Juvenile Probation Department for the purpose of conducting the needs assessment.

(3) Submit formal requests for aggregate, de-identified statistical data regarding the children detained in Juvenile Hall from the following departments and agencies: the Juvenile Probation Department, the Department of Public Health, the San Francisco Unified School District, and the Human Services Agency. The data requested shall include, but not be limited to: race, gender, age, charged offense and level, sustained offenses and level, disposition, length of stay in custody, number of prior delinquency contacts, number of probation violations or bench warrants, child welfare system involvement, disability status, prior school records that identify educational disabilities, mental health status, and prior referrals to community-based programs and services. The Juvenile Probation Department, Department of Public Health, and the Human Services Agency shall respond to data requests within two weeks of receiving the request.

(4) Identify gaps in existing community-based programs and services.

(5) Evaluate the use of risk assessment tools, both quantitatively and qualitatively, to ensure that all young people who are eligible and safe to be released are in fact being released.

(6) Create plans to transition youth leaving Juvenile Hall to appropriate, local non-institutional settings.

WORK FOCUS AREA # 2: Plan and design a small, rehabilitative and education-focused center for the placement of detained youth ("Center"). In developing the plan and design, the Working Group shall:

(1) Analyze best practices for the administration and management of small rehabilitative non-institutional settings for youth, which may include consultation with designers, architects, experts in alternative models, and mental health and youth development experts. The analysis also may include examination of existing programs in other counties, states, or countries that have demonstrated rehabilitative success.

(2) Collaborate with the Real Estate Division, the Capital Planning Committee, and local community-based organizations to identify local land or existing buildings that may be used for this Center.

(3) Create an implementation plan for this Center.

WORK FOCUS AREA # 3: Determine the community-based residential or day-programs that need to be created, expanded, or reinstated to effectively serve wards of the Court and persons alleged to come within the jurisdiction of the Court who are not ordered detained by the Court. To make this determination, the Working Group shall:

(1) Promptly identify a housing option in the City for youth who, following arrest or release from detention, cannot return to their homes, to replace the Catholic Charities San Francisco Girls Home Shelter closed in 2018 and the Boys Home Shelter closed in 2019.

(2) Identify existing community-based day programs and housing options that may be expanded.

(3) Identify new services or programs, including day services and housing options, which are needed to serve vulnerable youth populations.

(4) In consultation with DCYF, the Department of Public Health, the Juvenile Probation Department, and the Human Rights Commission, create funding plans to ensure both the expansion of existing programs with a demonstrated record of success and the creation of new programs. The programs should include mental health services, educational services, employment opportunities, and mentoring opportunities, which are culturally-relevant, trauma-informed, strengths-based, and rooted in the local community. Where possible, these services should be available to youths' family members.

WORK FOCUS AREA # 4: The Working Group shall develop a plan to transition Juvenile Hall staff to jobs in other City departments or jobs with the San Francisco Unified School District or the alternative Center.

WORK FOCUS AREA # 5: Develop trauma-informed, culturally relevant transition plans, specialized services, and housing options for vulnerable youth exiting detention, including young women, gender non-conforming and LGBT youth, African American youth, immigrant, youth,¹ foster youth, homeless youth, and mentally ill youth.

WORK FOCUS AREA # 6: Develop a reinvestment plan that redirects funds historically allocated for Juvenile Hall to community-based alternatives to detention, the Center, and additional mental health and academic support programs for juvenile justice-involved youth.

WORK FOCUS AREA # 7: Develop policy recommendations for the Police Department, the Juvenile Probation Department, and CARC, which divert youth who have been arrested from the juvenile justice system to alternative, community-based programs and support systems.

WORK FOCUS AREA # 8: Develop policy recommendations for the Juvenile Probation Department that transform the department supervision model into a strengths-based framework so that young people are not sent to detention for probation violations, including technical violations or violations for low-level offenses.

(b) In carrying out its duties, the Working Group shall: 1) collaborate with the Mayor's Juvenile Justice Reform Blue Ribbon Panel; and 2) consult with the Capital Planning Committee, Real Estate Division, Child Welfare Division of the Human Services Agency, Child Crisis Division of the Department of Public Health, the Department of Children, Youth and Their Families, Youth Commission, the Police Department, and the San Francisco Unified School District. The Working Group shall invite a representative of each entity identified in this subsection (b) to all Working Group meetings.

(c) Subject to the fiscal, budgetary, and civil service provisions of the Charter, and to the extent consistent with open government laws, the Working Group shall investigate juvenile justice best practices by visiting other jurisdictions and request that the Director retain subject matter experts, as needed.

(d) **Reports.** The Working Group shall prepare and submit a report every six months that describes the Working Group's progress in fulfilling the duties set forth in this Section [5.40-6](#). The first report shall be due six months after the effective date of the ordinance in Board File No. 190392, creating this [Article XL](#). The Working Group shall submit each report to the Board of Supervisors, along with a proposed resolution to accept the report. The Working Group shall also submit each report to the Mayor, any City department or office responsible for a program identified in the report, and the Director. The Working Group shall submit the final plan to the Board no later than June 1, 2021, detailing the final steps needed to close Juvenile Hall by December 31, 2021. The plan shall be accompanied by a proposed resolution accepting the plan,

and the Board may act by resolution to accept, reject, or modify the plan. Each report shall be available to the public, and the Director [1](#) shall post each report on the Human Rights Commission's website.

(e) In carrying out its duties, the Working Group shall receive prompt and full cooperation and assistance from all City departments, offices, officers, and employees. All components of City government shall promptly produce all records and information requested by the Working Group, unless prohibited from doing so by state or federal law.

(Added by Ord. [117-19](#), File No. 190392, App. 6/28/2019, Eff. 7/29/2019)

CODIFICATION NOTE

[1](#). So in Ord. [117-19](#).

 SEC. 5.40-7. SUNSET DATE.

This [Article XL](#) shall expire by operation of law, and the Working Group shall terminate, when the Chief Juvenile Probation Officer certifies in writing that Juvenile Hall is closed and there is a substitute place or places of detention, approved by the Court, that is available for wards of the Court and persons alleged to come within the jurisdiction of the Court. In that event, after the sunset date, the City Attorney shall cause this [Article XL](#) to be removed from the Administrative Code.