BOARD of SUPERVISORS

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

August 20, 2020

The Honorable Gavin Newsom
Governor of the State of California
1303-10th Street, Suite 1173
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 313-20

Dear Governor Newsom:

On July 7, 2020, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 313-20 (Urging to Reduce Prison Population to Protect People Incarcerated and Staff at San Quentin State Prison From COVID-19), which was enacted on July 17, 2020.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 313-20 (File No. 200709)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

c: Members of the Board of Supervisors, Supervisors Dean Preston, Shamann Walton, Hillary Ronen, Matt Haney, Rafael Mandelman
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

[Urging to Reduce Prison Population to Protect People Incarcerated and Staff at San Quentin State Prison From COVID-19]

Resolution urging Governor Gavin Newsom, Secretary Ralph Diaz of the California Department of Corrections and Rehabilitation, and Acting Warden Ron Broomfield to take immediate measures including reducing prison population to protect people incarcerated and staff at San Quentin State Prison from COVID-19.

WHEREAS, as of Sunday, June 28, 2020, over 1,000 incarcerated people at San Quentin State Prison have tested positive for COVID-19, meaning nearly 1 in 3 incarcerated people have now been infected and that the number of cases in the last week has more than quadrupled; and

WHEREAS, 89 staff members at San Quentin have tested positive for COVID-19; and

WHEREAS, Effective social distancing is impossible within the confined environment of a prison, where cramped cells, shared showers, restrooms, and common areas allow COVID-19 to spread rapidly; and

WHEREAS, San Quentin's outbreak began after the May 30, 2020, transfer of incarcerated people from the California Institution for Men in Chino who were not adequately screened for COVID-19; and

WHEREAS, San Quentin is overpopulated and overcrowded, and as of April 30, 2020, San Quentin was incarcerating people at 122.5% of its design capacity at 3,082, with 3,776 occupants; and

WHEREAS, San Quentin's overcrowding prevents effective cleaning or disinfection of the incarcerated people's quarters; and

WHEREAS, San Quentin is already running low on cells with solid doors to isolate incarcerated people who are infected and the infrastructure creates an incredibly dangerous breeding ground for the virus; and

WHEREAS, The San Quentin Inmate Family Council, representing family members of people incarcerated at San Quentin, sent a letter to Governor Newsom and California Department of Corrections stating, “San Quentin is used as the premier example of redemption and rehabilitation. Many people visit San Quentin for the chance to witness the full potential for change and to remember what’s possible, in hopes that they can bring even a small fraction of that same kind of transformation into their own lives. Numerous elected officials, writers, artists, activists, musicians, scholars, and importantly, victims and survivors, have entered those walls in search of humanity. While the people incarcerated in San Quentin have certainly caused harm which led to their imprisonment, many have also worked hard to take accountability for their actions and to do everything in their power to make amends. In addition to what they have taken, they have also given society a lot. They have shown us what is humanly possible when it comes to change and redemption, and they have given CDCR the ability to point to a programming prison as an example of how what they’re doing works. The time has come to honor that depiction;” and

WHEREAS, The San Quentin Inmate Family Council, representing family members of people incarcerated at San Quentin also demand that CDCR dramatically reduce San Quentin’s population by releasing people incarcerated under Government Code, Section 8658 (not transfers) to allow for proper social distancing and include lifers in these releases, and to improve systems of communication between the people inside and their loved ones on the outside; and

WHEREAS, Current plans by the Governor and California Department of Corrections and Rehabilitation to gradually release a small number of incarcerated people are inadequate

and do not go far enough to ensure incarcerated people's safety and prevent deaths at San Quentin; and

WHEREAS, There are a number of incarcerated people over the age of 60 who only have a matter of weeks left on their sentences and yet are still being held in an extremely dangerous environment during a pandemic; and

WHEREAS, A team of UCSF and UC Berkeley health experts has found that San Quentin's prison population needs to be cut by at least 50% in order to prevent a "catastrophic" outbreak; and

WHEREAS, The aforementioned team of health experts remarked that "San Quentin is an extremely dangerous place for an outbreak, everything should be done to decrease the number of people exposed to this environment as quickly as possible;" and

WHEREAS, Judge Jon Steven Tigar, a United States District Judge of the United States District Court for the Northern District of California, stated that "the architecture of San Quentin creates an incredibly dangerous breeding ground for the virus with its cell blocks 5-tiers- high and housing more than 800 men in unsanitary conditions without proper ventilation and that the CDCR's only option for minimizing the harm to the incarcerated population would be to dramatically reduce the population of San Quentin;" and

WHEREAS, A disproportionately high percentage of San Quentin's incarcerated population is made up of African American men and other people of color; and

WHEREAS, The ongoing disproportionate imprisonment of African American men and other people of color is part of a national system of mass incarceration that perpetuates racial inequalities and has been widely considered a modern continuation of Jim Crow segregation; and

WHEREAS, There is currently an international mass movement to recognize that Black Lives Matter, including the lives of African Americans who are incarcerated; and

WHEREAS, It is not enough to merely state that Black Lives Matter, and real action must be taken to combat systemic racism at every level of society; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, California Department of Corrections and Rehabilitation Secretary Ralph Diaz, and Warden Ron Broomfield to commit to cutting the population of San Quentin State Prison by at least 50% via decarceration as rapidly as possible, including by granting clemency to people who are incarcerated based on individualized assessments about their current ability to be safely released, and/or by exercising the power for emergency release under Government Code, Section 8658; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield to provide adequate and free coronavirus testing and personal protective equipment to all incarcerated people and prison staff at San Quentin, as well as free tele-visits for all people who are, for the length of the pandemic; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield to provide increased and consistent information about the situation at San Quentin to both the public generally and incarcerated people's families specifically, including but not limited to a designated point of contact for incarcerated people's families, regular email updates on San Quentin itself, and a phone line for family members of incarcerated people to call to find out their health status; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield to end unsafe transfers to and from San Quentin for the length of the pandemic; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to submit copies of this Resolution to Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200709 **Date Passed:** July 07, 2020

Resolution urging Governor Gavin Newsom, Secretary Ralph Diaz of the California Department of Corrections and Rehabilitation, and Acting Warden Ron Broomfield to take immediate measures including reducing prison population to protect people incarcerated and staff at San Quentin State Prison from COVID-19.

July 07, 2020 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

July 07, 2020 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200709

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 7/7/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

07/17/2020

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

07/17/2020

Date

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August 20, 2020

The Honorable Ralph Diaz
Secretary
California Department of Corrections and Rehabilitation
1515 S Street, Suite #101n
Sacramento, CA 95811

Re: Board of Supervisors Resolution No. 313-20

Dear Secretary Diaz:

On July 7, 2020, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 313-20 (Urging to Reduce Prison Population to Protect People Incarcerated and Staff at San Quentin State Prison From COVID-19), which was enacted on July 17, 2020.

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City and County of San Francisco

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Sophia Kittler, Mayor's Liaison to the Board of Supervisors
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WHEREAS, as of Sunday, June 28, 2020, over 1,000 incarcerated people at San Quentin State Prison have tested positive for COVID-19, meaning nearly 1 in 3 incarcerated people have now been infected and that the number of cases in the last week has more than quadrupled; and

WHEREAS, 89 staff members at San Quentin have tested positive for COVID-19; and

WHEREAS, Effective social distancing is impossible within the confined environment of a prison, where cramped cells, shared showers, restrooms, and common areas allow COVID-19 to spread rapidly; and

WHEREAS, San Quentin's outbreak began after the May 30, 2020, transfer of incarcerated people from the California Institution for Men in Chino who were not adequately screened for COVID-19; and

WHEREAS, San Quentin is overpopulated and overcrowded, and as of April 30, 2020, San Quentin was incarcerating people at 122.5% of its design capacity at 3,082, with 3,776 occupants; and

WHEREAS, San Quentin's overcrowding prevents effective cleaning or disinfection of the incarcerated people's quarters; and

WHEREAS, San Quentin is already running low on cells with solid doors to isolate incarcerated people who are infected and the infrastructure creates an incredibly dangerous breeding ground for the virus; and

WHEREAS, The San Quentin Inmate Family Council, representing family members of people incarcerated at San Quentin, sent a letter to Governor Newsom and California Department of Corrections stating, “San Quentin is used as the premier example of redemption and rehabilitation. Many people visit San Quentin for the chance to witness the full potential for change and to remember what’s possible, in hopes that they can bring even a small fraction of that same kind of transformation into their own lives. Numerous elected officials, writers, artists, activists, musicians, scholars, and importantly, victims and survivors, have entered those walls in search of humanity. While the people incarcerated in San Quentin have certainly caused harm which led to their imprisonment, many have also worked hard to take accountability for their actions and to do everything in their power to make amends. In addition to what they have taken, they have also given society a lot. They have shown us what is humanly possible when it comes to change and redemption, and they have given CDCR the ability to point to a programming prison as an example of how what they’re doing works. The time has come to honor that depiction;” and

WHEREAS, The San Quentin Inmate Family Council, representing family members of people incarcerated at San Quentin also demand that CDCR dramatically reduce San Quentin’s population by releasing people incarcerated under Government Code, Section 8658 (not transfers) to allow for proper social distancing and include lifers in these releases, and to improve systems of communication between the people inside and their loved ones on the outside; and

WHEREAS, Current plans by the Governor and California Department of Corrections and Rehabilitation to gradually release a small number of incarcerated people are inadequate

and do not go far enough to ensure incarcerated people's safety and prevent deaths at San Quentin; and

WHEREAS, There are a number of incarcerated people over the age of 60 who only have a matter of weeks left on their sentences and yet are still being held in an extremely dangerous environment during a pandemic; and

WHEREAS, A team of UCSF and UC Berkeley health experts has found that San Quentin's prison population needs to be cut by at least 50% in order to prevent a "catastrophic" outbreak; and

WHEREAS, The aforementioned team of health experts remarked that "San Quentin is an extremely dangerous place for an outbreak, everything should be done to decrease the number of people exposed to this environment as quickly as possible;" and

WHEREAS, Judge Jon Steven Tigar, a United States District Judge of the United States District Court for the Northern District of California, stated that "the architecture of San Quentin creates an incredibly dangerous breeding ground for the virus with its cell blocks 5-tiers- high and housing more than 800 men in unsanitary conditions without proper ventilation and that the CDCR's only option for minimizing the harm to the incarcerated population would be to dramatically reduce the population of San Quentin;" and

WHEREAS, A disproportionately high percentage of San Quentin's incarcerated population is made up of African American men and other people of color; and

WHEREAS, The ongoing disproportionate imprisonment of African American men and other people of color is part of a national system of mass incarceration that perpetuates racial inequalities and has been widely considered a modern continuation of Jim Crow segregation; and

WHEREAS, There is currently an international mass movement to recognize that Black Lives Matter, including the lives of African Americans who are incarcerated; and

WHEREAS, It is not enough to merely state that Black Lives Matter, and real action must be taken to combat systemic racism at every level of society; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, California Department of Corrections and Rehabilitation Secretary Ralph Diaz, and Warden Ron Broomfield to commit to cutting the population of San Quentin State Prison by at least 50% via decarceration as rapidly as possible, including by granting clemency to people who are incarcerated based on individualized assessments about their current ability to be safely released, and/or by exercising the power for emergency release under Government Code, Section 8658; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield to provide adequate and free coronavirus testing and personal protective equipment to all incarcerated people and prison staff at San Quentin, as well as free tele-visits for all people who are, for the length of the pandemic; and, be it

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FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield to end unsafe transfers to and from San Quentin for the length of the pandemic; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to submit copies of this Resolution to Governor Newsom, Secretary Ralph Diaz, and Warden Ron Broomfield.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200709 **Date Passed:** July 07, 2020

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Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

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File No. 200709

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Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

07/17/2020

Date Approved

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Angela Calvillo
Clerk of the Board

07/17/2020

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August 20, 2020

Ron Broomfield
Acting Warden
San Quentin State Prison
Main Street
San Quentin, CA 94964

Re: Board of Supervisors Resolution No. 313-20

Dear Acting Warden Broomfield:

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WHEREAS, 89 staff members at San Quentin have tested positive for COVID-19; and

WHEREAS, Effective social distancing is impossible within the confined environment of a prison, where cramped cells, shared showers, restrooms, and common areas allow COVID-19 to spread rapidly; and

WHEREAS, San Quentin's outbreak began after the May 30, 2020, transfer of incarcerated people from the California Institution for Men in Chino who were not adequately screened for COVID-19; and

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WHEREAS, San Quentin is already running low on cells with solid doors to isolate incarcerated people who are infected and the infrastructure creates an incredibly dangerous breeding ground for the virus; and

WHEREAS, The San Quentin Inmate Family Council, representing family members of people incarcerated at San Quentin, sent a letter to Governor Newsom and California Department of Corrections stating, “San Quentin is used as the premier example of redemption and rehabilitation. Many people visit San Quentin for the chance to witness the full potential for change and to remember what’s possible, in hopes that they can bring even a small fraction of that same kind of transformation into their own lives. Numerous elected officials, writers, artists, activists, musicians, scholars, and importantly, victims and survivors, have entered those walls in search of humanity. While the people incarcerated in San Quentin have certainly caused harm which led to their imprisonment, many have also worked hard to take accountability for their actions and to do everything in their power to make amends. In addition to what they have taken, they have also given society a lot. They have shown us what is humanly possible when it comes to change and redemption, and they have given CDCR the ability to point to a programming prison as an example of how what they’re doing works. The time has come to honor that depiction;” and

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WHEREAS, A team of UCSF and UC Berkeley health experts has found that San Quentin's prison population needs to be cut by at least 50% in order to prevent a "catastrophic" outbreak; and

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WHEREAS, Judge Jon Steven Tigar, a United States District Judge of the United States District Court for the Northern District of California, stated that "the architecture of San Quentin creates an incredibly dangerous breeding ground for the virus with its cell blocks 5-tiers- high and housing more than 800 men in unsanitary conditions without proper ventilation and that the CDCR's only option for minimizing the harm to the incarcerated population would be to dramatically reduce the population of San Quentin;" and

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