

1 [Contract - San Francisco Pretrial Diversion Project - Pretrial Services - Not to  
2 Exceed \$18,764,430]

3 **Resolution authorizing the Sheriff’s Office to contract with the San Francisco**  
4 **Pretrial Diversion Project, Inc., for pretrial services for a three-year period from**  
5 **July 1, 2021, through June 30, 2024, with two one-year options to extend for a**  
6 **contract total not to exceed amount of \$18,764,430.**

7  
8 WHEREAS, The San Francisco Charter, Section 9.118, requires that agreements  
9 entered into by a department or commission having a term in excess of ten years or  
10 requiring anticipated expenditures of ten million dollars or more be approved by the Board  
11 of Supervisors; and

12 WHEREAS, The Contract Monitoring Division determined Chapter 14B  
13 subcontracting goals do apply, with the Local Business Enterprise (LBE) subcontracting  
14 goal being 5% of the total value of the goods and/or services to be procured; and

15 WHEREAS, The Sheriff’s Office has made it a top priority to provide the San  
16 Francisco Superior Court with options other than detention and cash bail by ensuring a  
17 continuum of pretrial supervision and diversion services with a focus on addressing the  
18 personal barriers that often engender cycles of justice involvement; and

19 WHEREAS, On December 22, 2020, the Sheriff’s Office issued a Request for  
20 Proposals for Pretrial Services and as a result of that competitive selection process,  
21 identified San Francisco Pretrial Diversion Project, Inc. (SF Pretrial) to receive a contract  
22 in the amount of \$18,764,430 over three years to provide Pretrial Services; and

23 WHEREAS, The City and County of San Francisco has been offering pretrial  
24 services and assessment for 45 years through a partnership between the Superior Court,  
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1 Bar Association of San Francisco, Sheriff’s Office, District Attorney’s Office, Public  
2 Defender’s Office, and San Francisco Pretrial Diversion; and

3 WHEREAS, The City and County of San Francisco has utilized a non-profit  
4 provider for pretrial services since 1964, and SF Pretrial Diversion has provided  
5 components of these services since 1976 through grant agreements between the  
6 Sheriff’s Office and SF Pretrial, thereby falling within the outline of San Francisco Board  
7 of Supervisors Resolution No. 437-18, which stated that the operating model for pretrial  
8 services “should reflect the principles of neutrality and structural independence from the  
9 law enforcement functions;” and

10 WHEREAS, SF Pretrial services is a non-profit entity, and thus the proposed  
11 contract also meets the idea supported in Board Resolution No. 437-18 for use of a non-  
12 profit organization to provide Pretrial Services; and

13 WHEREAS, Under the proposed contract SF Pretrial Services will continue its  
14 decades-long experience in working with San Francisco justice involved individuals to  
15 provide a Pretrial Risk Assessment under a 24/7/365 staffing model to guarantee  
16 expedient screening and case processing for prospective pretrial clients; and

17 WHEREAS, The proposed contract will provide for screening of all individuals with  
18 a new misdemeanor or felony charge for pretrial release, which involves the collection  
19 and analysis of case materials, including a completed Public Safety Assessment (PSA)  
20 report, a supplementary criminal history summary, the incident report, and the complete  
21 records of arrest and prosecution (RAP) to be provided to the Court; and

22 WHEREAS, As of February 2020, the Federal Court enjoined the San Francisco  
23 Sheriff from administering the local bail schedule, and instead requires all cases eligible  
24 for pre-arraignment review to be submitted to a judge within 8 hours of the individual’s ID  
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1 confirmation at the county jail, and requires a judge to make a release determination for  
2 that case within 18 hours of ID confirmation; and

3 WHEREAS, The proposed contract will assist not only in complying with the  
4 Federal Court injunction but will also promote the goal of pretrial release of those eligible  
5 for such release; and

6 WHEREAS, The proposed contract agreement with SF Pretrial is on file with the Clerk  
7 of the Board of Supervisors in File No. 210484, which is hereby declared to be a part of this  
8 resolution as set forth fully herein; and

9 WHEREAS, Per the San Francisco Code of Civil Procedure (CCP), Section 1094.5, on  
10 November 18, 2020, the Civil Service Commission approved Personal Services Contract  
11 (PSC) File No. 44812-20/21 for Pretrial Services; now, therefore, be it

12 RESOLVED, That the Board of Supervisors authorizes the Sheriff's Office to execute  
13 the Contract, which is on file with the Clerk of the Board of Supervisors in File No. 210484;  
14 and be it

15 FURTHER RESOLVED, That the Board of Supervisors hereby approves the Pretrial  
16 Services Agreement by and between San Francisco Pretrial Diversion Project, and the City  
17 and County of San Francisco, acting by and through its Sheriff's Office, for a three year term  
18 beginning July 01, 2021, through June 30, 2024, with two one-year options exercisable by the  
19 Sheriff's Office; and be it

20 FUTHER RESOLVED, That within thirty (30) days of the Contract being fully executed  
21 by all parties, the Sheriff's Office shall provide the final Contract to the Clerk of the Board for  
22 inclusion in the Board of Supervisors in File No. 210484.