

Citywide Public Safety Landscape Analysis

Draft for discussion

Sept 2021

**Human Rights Commission
City and County of San Francisco**

PURPOSE AND SUMMARY	1
NEED AND CONTEXT	1
PROCESS	2
FINDINGS	3
RECOMMENDATIONS	5
Glossary	8
Appendix A	9
Appendix B	10

PURPOSE AND SUMMARY

In May 2021, the Board of Supervisors of the City and County of San Francisco passed a resolution denouncing the rise of hate violence targeting Asian American and Pacific Islander communities. This resolution called for “an inventory and an analysis of existing policies and programs” related to hate violence prevention and victim support.

In response to the resolution, this analysis was prepared by the Human Rights Commission. The primary findings include:

- Hundreds of programs are funded and delivered across the City, with varying frameworks for understanding and addressing hate incidents and crimes, and no consistent training or reporting.
- There are no established restorative justice or transformative justice pathways specifically for hate incidents.
- A referral is not a relationship, and a referral does not ensure support is received.
- Despite the existing Language Access Ordinance, the City is still not providing full language access to its services.

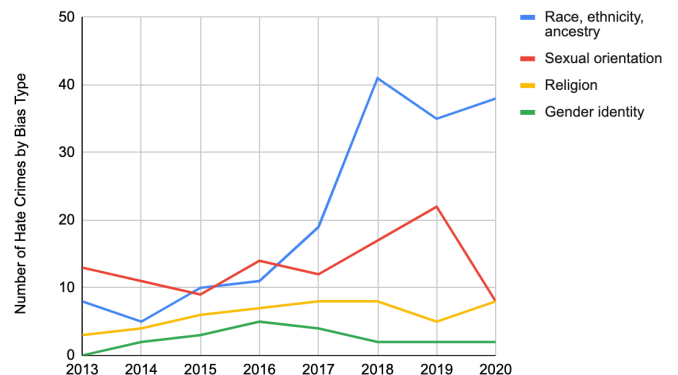
NEED AND CONTEXT

Hate violence across communities in San Francisco is increasing and escalating. Over the last five years, the annual number of hate crimes in San Francisco reported by the police has more than doubled.¹ In particular, the number of hate crimes due to racial bias has quadrupled since 2015; in recent years, there have also been increases in hate crimes due to bias against sexual orientation.

According to SFPD, the neighborhoods with the most number of hate crimes in 2020 were Southern, Bayview, Taraval, and Central. Two-thirds of the hate crimes reported to SFPD in 2020 took place in those neighborhoods. The remaining hate crimes occurred in Northern, Mission, Richmond, Tenderloin, Park, and Ingleside. The most common type of hate crime motivation in 2020 as documented by SFPD was anti-Black bias, followed by anti-Latinx bias, anti-Asian or Pacific Islander bias, and bias based on sexual orientation.

However, these statistics on hate crime understate the frequency of hate violence in San Francisco. Throughout the COVID-19 pandemic, community organizations have witnessed a tremendous increase in hate violence, especially in Asian American and Pacific Islander communities. For instance, Stop AAPI Hate received over 350 reports of hate violence in San Francisco in 2020, including 71 reports of physical assault.²

Hate Crimes in San Francisco (2013-2020)

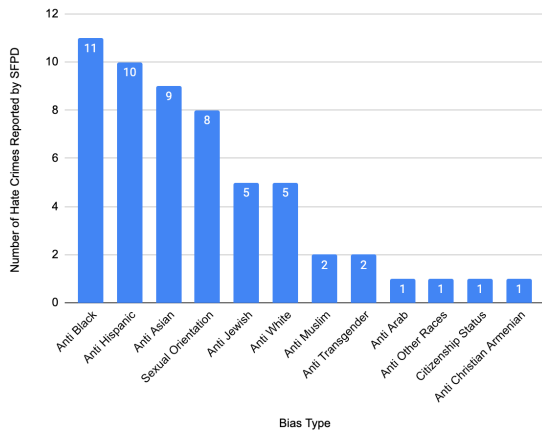


¹ FBI Hate Crime Statistics, 2013-2019; SFPD Victim Demographic Data Reports, 2020. Note that these statistics do not include a small number of hate crimes reported through university systems and BART.

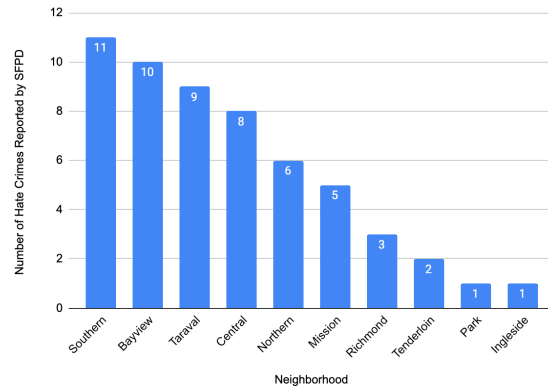
² Coalition for Community Safety and Justice, Presentation to Board of Supervisors Public Safety and Neighborhood Services Committee, April 8, 2021; Stop AAPI Hate, July 9, 2021.

Due to the narrow legal definition of a hate crime, SFPD and FBI statistics do not capture the full extent of hate violence that people in San Francisco are experiencing. Furthermore, many community organizations have noted that their members and clients are unwilling to report hate incidents and hate crimes because of fear and distrust of justice agencies.

2020 Hate Crimes by Bias Type (SFPD)



2020 Hate Crimes by Neighborhood (SFPD)



Existing City systems are not fully meeting the needs of people affected by hate violence. Existing City processes, as well as state and federal processes, were not designed to address hate incidents that do not meet the narrow legal definition of a hate crime. Community organizations have responded to the increases in hate violence by providing mutual aid-type support for individuals ranging from counseling to emergency funds, and helping them decide whether to pursue the few government processes available for justice. The gaps in City services for people who have been harmed has further increased fear and traumatization, not only at the individual level, but also at the community-wide level.

PROCESS

From May to June 2021, the Human Rights Commission (HRC) worked with City departments to collect information about existing programs, processes, and services related to hate violence (see Appendix A). This included:

- Compiling data about City-funded violence prevention and victim support services, including programs delivered directly by departments as well as community organizations;
- Developing case study exercises based on recent community incidents and facilitating workshops with City staff to collectively assess departmental responses and identify unmet community needs;
- Interviewing City staff to gather individual perspectives on gaps in services and processes.

In addition to the information provided by City departments, HRC conducted interviews and panel discussions with community organizations and residents around issues of crime and violence, especially experiences with access to City-funded violence prevention and victim support services. In August 2021, HRC held a community summit with over a hundred people to discuss potential elements of a broader citywide violence prevention framework.

Case study exercises used in workshops

In the height of the COVID-19 pandemic, a woman goes out to walk her newborn twins. A young man approaches her without a mask. She asks the man to put on a mask. The young man begins to chase her and the twins, yelling racial slurs and throwing items at her. She makes it home, where her partner comes out and chases the young man off.

Later that day, the young man comes back and leaves a note with racial slurs and veiled threats of violence and tells the couple they are not welcome here.

She calls the police. Her family, friends, and community told her nothing would come of it, the system doesn't care about them and she shouldn't draw attention to herself or the community, it just makes them targets.

A workforce partnership between a City agency and community partners that serves people from diverse backgrounds, including formerly incarcerated and justice systems-involved people, is seeking help with a recent incident.

As participants were arriving for the program, someone came by and shot at one of the participant's car. The community partners have questions about how participants are selected. There are also questions about what resources are available for the participants after such a traumatic event. What protocols are in place for a program working with people at risk of being involved in violent crimes?

FINDINGS

Hundreds of programs are funded and delivered across the City, with varying frameworks for understanding and addressing hate incidents and crimes, and no consistent training or reporting.

Departments provided lists of several hundred programs related to violence prevention or victim support that they either deliver directly or fund through community organizations (see Appendix B). There was no common framework for addressing hate violence.

Across and within departments, many programs had overlapping or intersecting purposes, but there were no established venues for either department staff or community organizations to coordinate services for people who have been harmed by hate violence and/or who have caused harm. There was also no consistent approach to evaluating program outcomes. Existing data was unreliable, with several programs reported as receiving significant funding yet serving only a handful of community members.

Approaches commonly mentioned by department staff included “restorative justice” and “trauma-informed systems.” Some departments have begun to share training resources for specific skills. However, there were no standard definitions, curriculums, or resources available for employees and service providers across all of the City-funded programs, especially for responding to hate violence.

There are no established restorative justice or transformative justice pathways specifically for hate incidents. State and federal law narrowly define what constitutes a hate crime. For hate incidents that do not meet the legal definition or standard of evidence for a hate crime, there are no established restorative justice or transformative justice pathways for people to seek accountability or support.

Many community members have also been reluctant to report hate incidents or even hate crimes to the police due to lack of trust, especially if they or their family members have experienced trauma or harm from justice agencies. As a result, hate violence is left underreported and unresolved, causing high levels of fear that is interfering with daily life for many community members.

Lack of resources or access to resources can present itself as a hate incident. Lack of resources or access to resources can also prevent recovery and healing from hate incidents. Department staff

observed that in some circumstances, individuals have been arrested for suspected hate crimes while community members perceived their behavior as directly related to lack of resources and/or an ongoing crisis. In these situations, it was unclear to community members what the criteria for a hate crime was and how the charge would improve outcomes for either the person who had caused harm or the person who had been harmed. Moreover, some of the hate incidents recalled by community members and department staff might have been avoided if the root causes and issues of inequity had been addressed.

Department staff also noted that lack of resources was one of the most common obstacles to recovery and healing from hate violence, for both people who had been harmed as well as people who had caused harm. In particular, staff noted that the high cost of housing in San Francisco made it difficult to impossible for people to relocate from a building or neighborhood where the violence took place.

A referral is not a relationship, and a referral does not ensure support is received. During interviews and discussion groups, community members had heard of almost none of the violence prevention or victim support programs that were submitted by City departments. Instead, they named a very small number of individual employees they had seen working in the neighborhood or who had reached out to them previously.

Relationship building and trust is essential to providing effective support and advocacy for community members. While departments often described programs as including “case management”, there were no commonly held standards as to what level of support qualified as case management. Similarly, many departments referenced “referral” processes, but there were widely varying experiences with referring community members to other programs for support. Some employees noted that existing referral processes were inadequate to securing services for people, given limited capacity and long waitlists. Guidelines for referrals were often not clearly documented and actually securing services required significant escalation and advocacy on behalf of individual community members.

Despite the existing Language Access Ordinance, the City is still not providing full language access to its services. Lack of reliable language access has been consistently raised by community organizations and residents as an obstacle to receiving support during or after a hate incident or hate crime. In interviews and workshops, department staff acknowledged that language access is uneven, especially in languages other than Spanish and Cantonese; many of them noted that they rely on a small number of bilingual employees for interpretation.

In recent years, many government agencies have adopted telephone interpretation due to its convenience. However, in sensitive situations involving public safety, violence, or trauma, studies have found that telephone interpretation is often inadequate compared to in-person interpretation, especially for specific populations such as seniors and people with medical needs.

The existing Language Access Ordinance mandates the highest level of language access if 10,000 people across the City speak a given language and have limited English proficiency (LEP). The City has identified three languages that meet this threshold, yet community members have routinely described not being provided with interpretation in even these languages. Moreover, people who live or work in San Francisco speak over a hundred languages.³ In the years since the original ordinance was passed, the State of California has adopted more expansive language access requirements for essential services such as elections and the Census.

³ OCEIA, 2021 Language Access Compliance Report.

Legislation or guideline	Standard or threshold	Languages identified for San Francisco
San Francisco Language Access Ordinance	“Substantial number” of language speakers (10,000 LEP people)	Chinese, Spanish, Filipino
California Elections Code Sections 14201, 12303	Required languages (3% of voting-age population in a precinct)	Chinese, Spanish, Korean, Filipino, Vietnamese, Korean, Burmese, Japanese, Thai ⁴
California Census Language and Communication Access Plan⁵	Required languages (3% of LEP population or 3,000 people)	Cantonese, Chinese, Spanish, Tagalog, Vietnamese, Russian, Mandarin, Korean
	Languages that are not required but have at least 100 speakers	Japanese, Filipino, French, Thai, Arabic, Burmese, Hindi, Min Nan Chinese, Italian, Farsi, Armenian, Greek, Indonesian, Portuguese, Khmer, German, Ilocano, Punjabi, Other Central and South American languages, Cebuano, Turkish, Other and unspecified languages, Ukrainian, Lao, Hebrew, Other languages of Asia, Urdu, Amharic, Bulgarian, Mongolian, Other Philippine languages, Gujarati

RECOMMENDATIONS

Initial recommendations to address the gaps identified in the landscape analysis are described below. Many of these recommendations could potentially be implemented through initiatives that have already been proposed for the FY 21-22/22-23 budget, such as the Office for Justice Innovation, the Victim Rights Advocate, and funding for various community services. Specific implementation plans for each recommendation should be designed in collaboration with community members.

For near-term implementation (complete within 3 months)

Create a citywide response protocol for both people who have been harmed by hate violence and people who have caused harm.

- Establish citywide values and practices for addressing hate violence, including the desired outcomes for public safety, victim support, and violence prevention. Clarify the roles of police vs. non-police responders, as well as the support services that are available from the City vs. community organizations and the referral requirements and timelines. Differentiate between true case management vs. information/referral services.
- Ensure City staff who may be responders or service providers receive the same training and resources for intervening and responding to hate violence. The training should include an anti-racist framework. Make similar training and resources available to staff of City-funded programs, as well as community members at large.
- Create regular reporting and public dashboards not only for arrests and charges for hate crimes, but for all complaints and reports of hate violence. Explore coordination with justice agencies and

⁴ Asian Americans Advancing Justice, [Voices of Democracy: The State of Language Access in California’s November 2016 Elections](#); Secretary of State Elections Division, [Additional Languages Required Under California Elections Code Section 14201, Language Minority Determinations, May 21, 2020](#).

⁵ California Complete Count - Census 2020, [Language and Communication Access Plan](#).

victim support services across the entire Bay Area, recognizing that San Francisco is a part of the broader region.

Centralize and prioritize language access resources across City programs.

- Collaborate with community organizations to confirm which languages to prioritize for support immediately, incorporating Census data, data from existing service programs, and an equity lens. Ensure that languages that may commonly be considered a “dialect” are not undercounted in this process.
- Coordinate through OCEIA to ensure that City departments provide full access in these languages. In-person specialized interpretation should be readily available for all sensitive or emergency situations (e.g., violence, trauma), and interpreters should be familiar with specific neighborhoods and communities.
- Update the Language Access Ordinance to mandate language access in more diverse languages and distinguish between general bilingual fluency and specialized interpretation or translation skills gained through experience and/or training.

For medium-term implementation (complete within 6 months)

Create a restorative justice pathway through civil rights enforcement.

- Create a restorative justice pathway in the administrative code to provide accountability for hate incidents that do not meet the narrow legal definition of a hate crime, similar to existing processes for resolving discrimination complaints in housing, employment, and public accommodations. Establish processes for people who have caused harm to take steps to repair harm, to the extent that is possible and appropriate to individual circumstances. Streamline coordination with other City departments, especially SFPD and the District Attorney.

Create a transformative justice pathway through community partnerships.

- Create a transformative justice pathway with community organizations for hate violence where a restorative justice process is not possible or not desired by the person who has been harmed. Integrate a variety of violence prevention, intervention, and harm reduction skills to create safety and address community conflict for all people who have been affected: the individuals who caused harm, individuals who were directly harmed, and individuals who may have been witnesses or indirectly harmed. Establish processes for people to address the heart of why an incident happened and create appropriate structures to prevent repeated incidents or even first time offenses. Unlike legal prosecution or civil rights enforcement, transformative justice processes do not require anyone to be identified to justice agencies or other government services.

Invest in cross-cultural activities to create solidarity across communities.

- Invest in a variety of cross-cultural activities across neighborhoods and communities that have been most affected by hate violence to develop a collective understanding of cultural values, practices, and experiences. Create opportunities for community members to build meaningful relationships by actively collaborating on education, advocacy, and organizing initiatives.

For long-term implementation (complete within 12 months)

Standardize definitions and reporting across City programs to create accountability for outcomes.

- Create a shared framework for discussing violence prevention and victim support programs and services across departments, such as differentiating between approaches intended for “prevention”, “intervention”, and “transformation”.⁶
- Define standard reporting metrics for City delivered or funded programs that reflect person-centered outcomes for public safety, violence prevention, and victim support. Ensure these are included in relevant RFPs and grant agreements.
- Require City delivered and funded programs to define their standards for services such as “case management” and “referrals” in order to better measure the actual quality of support that people are receiving.
- Consider an independent, third-party audit of the effectiveness of public safety, violence prevention, and victim support programs across all City departments. The audit should focus on person-centered outcomes and be undertaken with community oversight.

Invest in social justice and equity to address race-based structural violence.

- Identify and prioritize the root causes and issues of inequity underlying hate incidents in San Francisco. Focus on prevention and responses from a social justice and equity lens to ensure that not only are those who are harmed have an opportunity to heal, but that there is structured investment in neighborhoods and communities to prevent further incidents.

Explore the possibility of mandating that a percentage of violence prevention grants go towards client stipends/wages and/or other direct support.

- Pilot and study a mandate for City-funded violence prevention programs to include stipends/wages for clients. Given that economic security is both a risk factor and an obstacle to participation for many existing or prospective clients, this mandate would increase the reach and effectiveness of these programs. This support could also be achieved through offering rent vouchers, gift cards for family/personal support, payment of any fines or other justice-related fees, educational fees, and other support needs.
 - An example of how a mandate might work: With a hypothetical mandate for 25% of a violence prevention grant to be used for participant stipends, if an organization receives a \$500k grant from a City department for violence prevention work with 20 participants, then the organization must give \$125k (25%) to those 20 participants. This would mean that each participant would receive approximately \$6,250 in stipends or other economic support over the life of the program.
- Develop Citywide guidelines to ensure that the mandate is implemented consistently across departments and to avoid unexpected complications with tax reporting and eligibility for government benefits. Studies have found that helping to meet the economic and essential needs for those who are at-risk, in-risk, or high-risk creates opportunities for individuals to make choices and set goals, increasing the likelihood that they will be diverted from crime.⁷ Potential innovations like this are especially important given feedback that some programs are “top heavy” and existing funding is not being used effectively to serve low-income community members.

⁶ Keynote address by David Muhammad, HRC Violence Prevention Summit, August 2021.

⁷ [Stockton Economic Empowerment Demonstration](#); Stanford Basic Income Lab, [What We Know About Universal Basic Income: A Cross-Synthesis of Reviews](#).

Glossary

Hate crime: A hate crime is any criminal act (or attempted criminal act) directed against someone, a public agency, or a private institution based on a victim's actual or perceived race, nationality, religion, sexual orientation, disability, gender, or other "protected class." A hate crime includes an act that results in: any physical injury, no matter how slight; property damage; a verbal threat of violence that it is possible to carry out; and/or criminal acts directed against a public or private agency.⁸

Hate incident: A hate incident is any non-criminal act, including words, directed against someone based on their actual or perceived race, nationality, religion, sexual orientation, disability, gender, or other "protected class." Hate incidents include, but are not limited to, slurs/epithets, distribution of hate material (social media posts, mail, flyers, etc.) that does not result in property damage, and the display of offensive material on one's own property. Not all incidents of hatred are crimes under existing laws. Verbal name calling, although offensive, is not a crime. For this to be a crime, it must be accompanied by a credible threat of violence and it must be possible for the actor to carry the threat out. In addition, the crime committed against the victim must be in whole or in part prejudice-based.⁹

Restorative justice: Restorative justice is centered around the principle that creating harm creates an obligation to put right that harm. The focus of restorative justice processes often includes: naming and acknowledging when an individual has harmed another person; allowing those who have been harmed to share their story, grieve their loss, and ask questions; and having those who caused harm accept responsibility and take steps to repair the harm to the extent that this is possible. This may include quantifying the harm that was caused. Restorative justice approaches have been adopted by law enforcement and justice systems and often take the form of mediation.¹⁰

Transformative justice: Transformative justice is centered around the principle that violence is collectively enabled, has a collective impact, and so requires a collective response. In contrast to restorative justice, transformative justice processes typically do not involve state responses such as law enforcement, justice systems, or even social services. It also discourages further violence, such as vigilantism. The focus of transformative justice processes often includes: reducing harm and violence; supporting survivors in healing and safety; and building community members' capacity to interrupt and take accountability for any harm they may witness or be complicit in.¹¹

⁸ StandTogether SF, [Resources for Dealing with Hate Violence, Discrimination, Mental Health Challenges, Intimate Partner Violence, & Domestic Violence.](#)

⁹ StandTogether SF, [Resources for Dealing with Hate Violence, Discrimination, Mental Health Challenges, Intimate Partner Violence, & Domestic Violence.](#)

¹⁰ [Zehr Institute; Transform Harm.](#)

¹¹ Mia Mingus, [Transform Harm.](#)

Appendix A

Information provided by City departments

Department	Program data	Workshops	Interviews
Adult Probation (ADP)	●	●	●
Department of Children Youth and their Families (DCYF)	●	●	●
District Attorney (DAT)	●	●	
Disability and Aging Services (DAS)	●	●	●
Public Health (DPH)	●	●	●
Human Rights Commission (HRC)	●	●	●
Juvenile Probation (JUV)	●		●
Office of Civic Engagement and Immigrant Affairs (OCEIA)	●	●	
Public Defender (PDR)		●	
Police Department (POL)	●	●	●
Sheriff's Office (SHF)	●	●	

Appendix B

[A full list of existing City services related to public safety and violence prevention is available here.](#) Select departments have provided budget amounts and the estimated number of people served by their programs.

Departments that manage services or programs related to public safety or violence prevention

Before a hate crime or incident	During a hate crime or incident	After a hate crime or incident
<ul style="list-style-type: none"> ● City Administrator (ADM) ● Adult Probation (ADP) ● District Attorney (DAT) ● Disability and Aging Services (DAS) ● Children, Youth and their Families (DCYF) ● Public Health (DPH) ● Human Rights Commission (HRC) ● Juvenile Probation (JUV) ● Public Defender (PDR) ● Police Department (POL) ● Sheriff's Office (SHF) ● Status of Women (WOM) 	<ul style="list-style-type: none"> ● Disability and Aging Services (DAS) ● Police Department (POL) 	<ul style="list-style-type: none"> ● City Administrator (ADM) ● Adult Probation (ADP) ● District Attorney (DAT) ● Public Health (DPH) ● Human Rights Commission (HRC) ● Juvenile Probation (JUV) ● Public Defender (PDR) ● Police Department (POL) ● Sheriff's Office (SHF) ● Status of Women (WOM)