

Workgroup to Re-Envision the Jail Status Updates BOS Resolution 02-16

**Board of Supervisors
Public Safety and Neighborhood
Services Committee
October 24, 2018**



Members:
Supervisor Rafael Mandelman, Chair
Supervisor Hillary Ronen
Supervisor Aaron Peskin



Background

- Board of Supervisors Resolution No. 02-16:

"Resolution urging the Director of the Department of Public Health and the Sheriff to convene a working group to plan for the permanent closure of County Jails 3 and 4, and any corresponding investments in new mental health facilities and current jail retrofits needed to uphold public safety and better serve at-risk individuals."

- Co-chairs:

- Sheriff Vicki Hennessy (Sheriff's Department)
- Barbara Garcia* (Now Greg Wagner, Interim) (Director of Department of Public Health)
- Roma Guy (Taxpayers for Public Safety)

- Work Group:

- 37 members from the City and the community.
- Community representation from sectors including formerly incarcerated, youth, criminal justice reform, homeless, mental health, and others.



Highlights of Workgroup Recommendations

Funding and implementation of programs that address:

1. Mental Health community alternatives to jail.
2. Substance Abuse community treatment alternatives to jail.
3. Low income housing for homeless, and those exiting mental health/substance abuse residential treatment or those exiting jail.
4. Reduction of racial disparity of individuals in jail.
5. Reduction of Transitional Age Youth (TAY) in jail.
6. More efficient processing of those arrested.
7. Earlier representation by Public Defender prior to defendant's first court appearance.
8. Better staffing for a more robust Pretrial Diversion process.



Mayor's Budget Investments related to Workgroup Recommendations

Investments made **since** the FY 2016-17 & 2017-18 budget include the following:
\$18.5 M in diversion program spending (next slide)

Affordable housing

FY 2017-18 & 2018-19: **\$177.0 M** spent on 2,781 units of affordable housing

FY 2018-19 & 2019-20: **\$479.0 M** spent on 1,479 units of affordable housing

Homeless services

FY 2017-18 & 2018-19: **\$39.0 M** for expanded permanent supportive housing, rapid rehousing vouchers, shelter beds, and the Hummingbird Navigation Center

FY 2018-19 & 2019-20: **\$60.0 M** for expanded permanent supportive housing, rapid rehousing vouchers, increased services for current clients, TAY navigation center, and additional access points for service connection

Behavioral health services

FY 2017-18 & 2018-19: **\$20.0 M** for new conservatorships beds, expanded services at harm reduction center, and new outreach services

FY 2018-19 & 2019-20: **\$25.0 M** for expanded street medicine, buprenorphine access, outpatient treatment, and inpatient addiction treatment



DPH Actions Based on Recommendations from the Workgroup

- Created 15 Behavioral Health beds at **Hummingbird Place** on the ZSFG Campus
 - All beds currently in use
- Created **34 medical respite** beds
 - All 34 beds currently in use
- Worked with **St. Mary's Healing Center** to fund **30+** conservatorship beds
 - 40 beds current in use through DPH referrals
- Funded **5** detox beds at the **Salvation Army**
 - 5 beds in use at Salvation Army
- **Planning for 47-bed Psychiatric Respite Program at ZSFG**
 - Dependent on G.O. bond construction timeline to seismically retrofit and renovate Building 5.



DPH Challenges

Waiting for Mental Health Beds

Impact on Jail Bed Days:

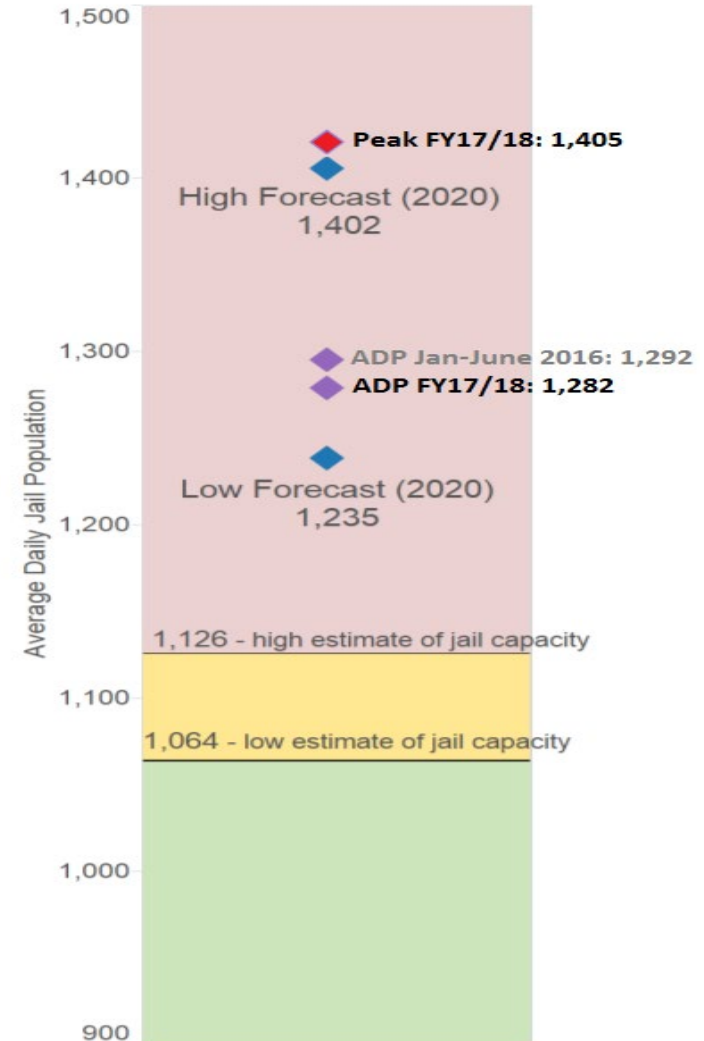
- Metric: Jail bed days occupied by people waiting for transfer to county-funded locked behavioral health facilities
 - Baseline: 35 people, 4,025 bed days
 - FY 17-18: 20 people, 1,743 bed days
- Metric: Jail bed days occupied by people waiting for transfer to residential behavioral health treatment programs
 - Baseline: 276 people, 10,732 bed days
 - FY 17-18: 153 people, 6,523 bed days
- Metric: Jail bed days occupied by people waiting for transfer to State Hospital beds
 - Baseline: 52 people, 3,323 bed days
 - FY 2017-18: 37 people, 3,300 bed days



Controller's Bed Day Analysis

To enable closure of CJ#4,
the count should
reach target
ADP of 1,064

This would be lowest ADP
since 1980 and would need
to be maintained at this
level.





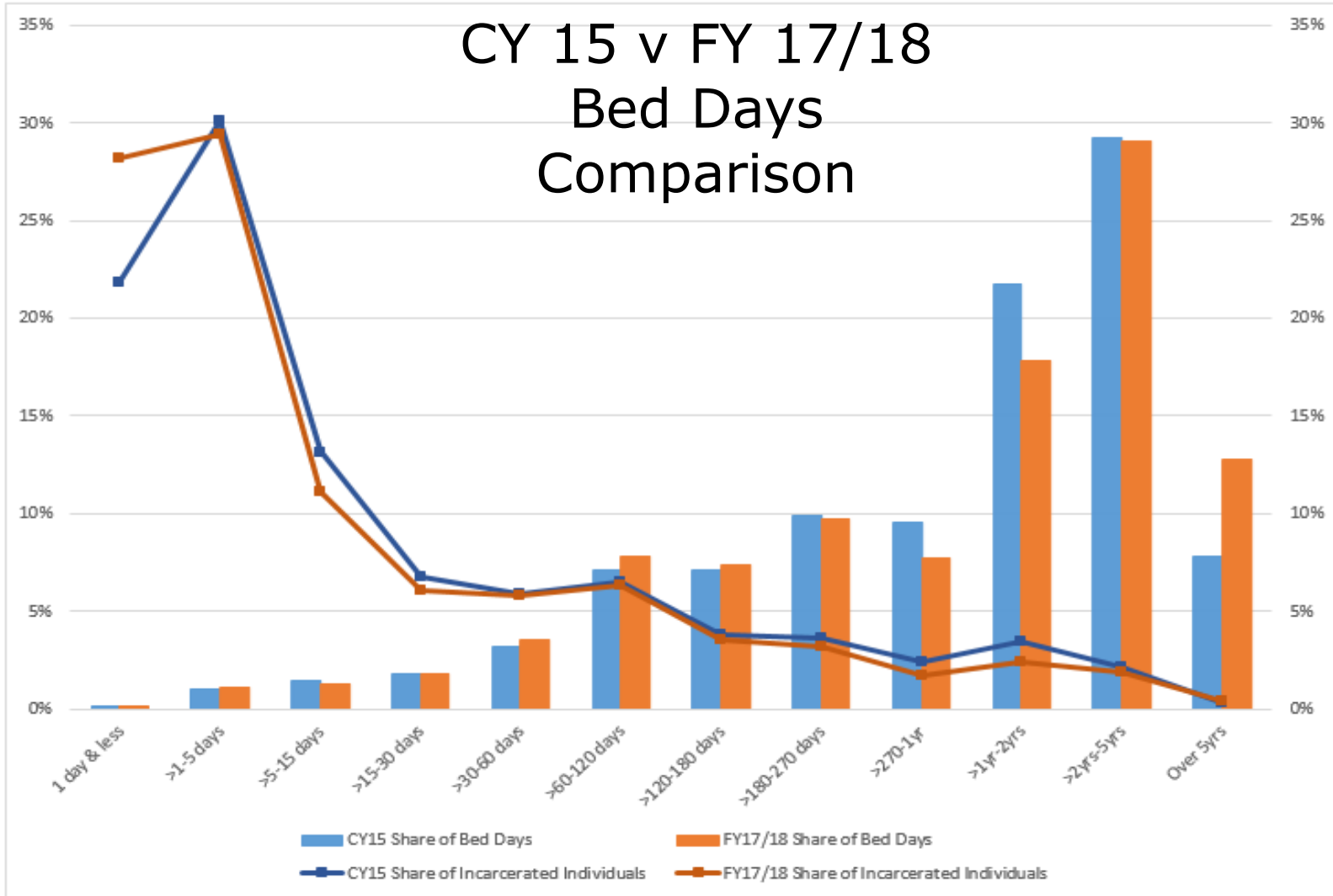
Controller's Take-Away on Bed Day Analysis

FY 2018 Data

- As in 2015, a small proportion of prisoners have long stays in jail, but occupy the majority of bed days
 - No meaningful changes detected in the data overall (see next slide)
 - Based on ADP of 1,282 in FY 17/18, the City would have to reduce the number of occupied bed days in a given year by 79,570 to eliminate the need to build a new jail.
 - FY 17/18 peak jail population (1,405) is in line with 2015 projection
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Relatively few prisoners with the longest stays have the biggest impact on bed days



The jail population using the most bed days remains disproportionately young and black

Percentage of Bed Days

Ethnicity	18-25	26-34	35-45	46-64	65+	Grand Total
Black	15.9%	13.3%	11.2%	12.4%	0.2%	53.0%
White	3.4%	6.3%	5.8%	4.5%	0.3%	20.2%
Hispanic	6.0%	4.5%	3.2%	1.6%	0.3%	15.6%
Samoaan	1.6%	0.1%	0.3%	0.03%		2.0%
NULL	0.7%	0.6%	0.3%	0.2%	0.01%	1.8%
Other Asian	0.3%	0.5%	0.9%	0.1%	0.001%	1.8%
Filipino	0.4%	0.1%	0.8%	0.1%	0.03%	1.4%
Other	0.3%	0.3%	0.4%	0.2%	0.00%	1.2%
Chinese	0.04%	0.1%	0.1%	0.5%	0.1%	0.8%
Vietnamese	0.003%	0.4%	0.1%	0.1%	0.0%	0.6%
Pacific Islander	0.3%	0.2%	0.1%	0.04%		0.6%
American Indian	0.3%	0.2%	0.0%	0.1%		0.5%
Unknown	0.1%		0.3%			0.4%
Grand Total	29%	26%	23%	20%	1%	100%



Public Defender Update

Since the Workgroup convened in 2016 -

Public Defender Programs

- Bail unit (over 800 motions/year with ~40% release/reduce/settle)
- PRU "Pretrial Release Unit" (~11,200 jail bed days/year)

Other impacts on jail population


- PSA (~32 percent increase in pre-AN release)
- DA rebooking
- Mental Health Diversion
- LEAD
- Prop 47 (~2% decrease in re-arrest rates)
- Prop 57
- Prop 64
- SB-10
- *Humphrey*

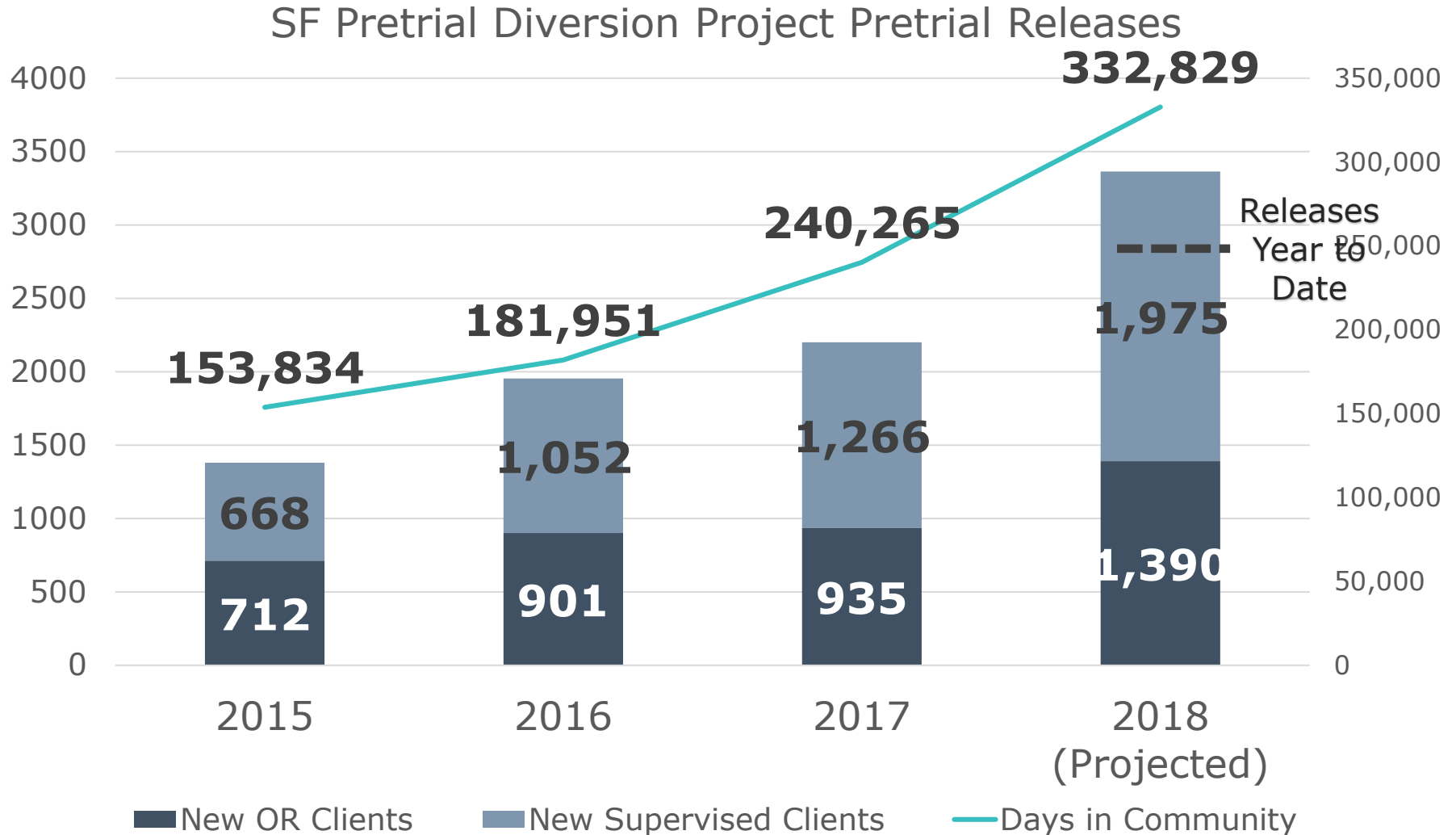
So many new things are working and improving



SF Pretrial Accounts for the Most Releases in the last two years

Reason for Release	Booked in 16/17	Booked in 17/18	Difference	Percentage Difference
<i>Pretrial Diversion</i>	3965	4433	+ 468	11%
<i>Local Citation</i>	2419	2414	- 5	0%
<i>Released on Bail</i>	2273	1905	- 368	17%
<i>Delivered to other Jurisdiction</i>	2106	2061	- 45	2%
<i>Charges Discharged or Dismissed</i>	1383	1618	+ 235	16%
<i>Criminal Matters Adjudicated</i>	1579	1113	- 466	35%
<i>Sentenced Served</i>	1133	1017	- 116	11%
<i>Out-of-County Citation Issued</i>	495	585	+ 90	17%
<i>CTS - Credit Time Served</i>	394	395	+ 1	0%
<i>Other</i>	608	592	- 16	3%
TOTAL	16355	16133	- 222	1%

 Use of the Arnold PSA and the result of the Humphrey decision has increased the number of pretrial individuals out of custody





Snapshot data reveals that releases on alternatives have steadily increased between 2016 and 2018

On August 23, 2016:

2,237

Est. jail population without alternatives to incarceration

1,371

Actual jail population

866

Individuals out of custody on pretrial release and sentenced alternatives



39% of total out on alternatives

On August 23, 2018:

2,912

Est. jail population without alternatives to incarceration

1,329

Actual jail population

1,583

Individuals out of custody on pretrial release and sentenced alternatives



53% of total out on alternatives



SFDA Report on Weekend Rebooking

Per the Controller's Office Evaluation:

- SFPD presented 16% of weekend felony bookings to SFDA
- Weekend Rebooking potentially reduced the stay of 4.4 suspects per week, on average
- Assuming a 50% reduction in bed days per suspect, Weekend Rebooking may save 824 bed days annually
- If arresting agencies presented 100% of weekend felony bookings to SFDA, Weekend Rebooking could save 4,358 bed days annually (5% of reduction goal of 83,220)



SFDA Identified Jail Population Drivers

According to analyses conducted by the Controller (2016) and JFA Institute (June 2018), key drivers of the jail population fall into **2 categories**:

1. Those booked and released more than once in a year;
2. Those who spend months – and years - in custody before their cases are resolved, or jail sentences completed.

Service gaps continue to impact the jail population. For example, individuals in Behavioral Health Court wait in jail an average of 120 days for a bed in the community.

San Francisco's \$2 Million MacArthur Foundation Grant Award seeks to address the drivers identified above.



SF Taxpayers for Public Safety Recommendations

1. Establish bi-annual report of budget priorities at Neighborhood Committee public hearing at Board of Supervisors for accountability, transparent strategies, measurable timelines & objectives to reduce incarceration.
 2. End increased practice of arresting & incarcerating homeless.
 3. Build strong re-entry option with community-based non-profits & public services to reduce high levels of recidivism.
 4. Develop and monitor system of reporting key indicators of racial and ethnic disparities.
 5. Eliminate inappropriate paths to incarceration and reduce recidivism rates.
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SF Taxpayers for Public Safety Recommendations

6. Address systemic racial disparities of incarceration rates.
 7. Accept & implement cis/transgender female working group Strategic Plan.
 8. Incorporate priorities of JRP housing group (community-based residential treatment, supportive housing, co-ops).
 9. Preserve the current status of SF Pretrial Diversion Project.
 10. Invest in TAY population to establish specific & measurable strategy & budget to reduce incarceration.
 11. Develop behavioral health services and appropriate housing.
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SUMMARY

Taxpayers for Public Safety

- Suspend timeline implementation of CJ6 at San Bruno & transfers out of county.
 - Challenge & invest in relevant community interventions and continue reform of Criminal Justice system to close CJ4.
 - Insist on comprehensive overview, specific measurable objectives and timelines of all outcomes with all invested City/County, community partners on a bi-annual basis at Board of Supervisors, Public Safety & Neighborhood Committee.
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December 2016 Final Report Excerpt

Next Steps

Previous studies by the Controller's Office project: (June 2015)

- 1) continued population growth in the City
- 2) additional police officers deployed in the city; and,
- 3) projected jail count of 1,235-1,402

The Workgroup co-chairs propose the following steps to monitor the impact of strategy implementation and close the Hall of Justice and its jails by 2019:

1. Report Progress to the BOS by December of 2017
2. BOS to review the ADP in September of 2018
3. Begin planning for the re-opening of County Jail #6 to expedite the closure of County Jail #4 in the event that the implemented strategies do not consistently reduce the daily population by 166-228 people



Sheriff's Proposed Next Steps

Identify options to close County Jail #4 in the event the count is not sufficiently reduced in the next year.

Preferred Option:

- Immediately begin planning for a portion of replacement beds by renovating County Jail #6 at San Bruno
 - Est. planning time prior to construction : 18 months
 - Est. time to begin construction: Late 2020
 - Est. time for completion: 2023
- Not Preferred: Once Hall of Justice is closed to all SF employees and CJ6 has not been renovated – Close CJ4 and send 250 to 300 inmates to Alameda County for several years