

CITY AND COUNTY OF SAN FRANCISCO  
JUVENILE PROBATION COMMISSION



**PROGRAM COMMITTEE VIRTUAL MEETING**  
**Meeting Minutes**  
**Tuesday, February 21, 2023, 4:00-5:00pm**

Meeting held by teleconference pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency.

**Commissioners**

Johanna Lacoë, Chair  
Linda Martley-Jordan  
James Spingola

**Meeting Minutes**

**1. Roll Call**

Chair Johanna Lacoë called the meeting to order 4:02 pm.

Present: Commissioners Johanna Lacoë and James Spingola. Linda Martley-Jordan arrived later.

Others present: Katherine Mill, Chief Probation Officer, JPD Staff, Staff from Community-based Organizations (CBOs) – see list at end.

**2. Resolution Making Findings to Allow Teleconferenced Meetings** Under California Government Code Section 54953(e)

Motion to approve.

No public comment.

AYES: (2 ) Lacoë, Spingola - Motion passes.

**3. Public Comment**

Margaret Brodtkin states she is participating as a member of the public and not as a member of the committee.

**4. Review and Approval of the Program Committee Meeting Minutes of January 17, 2023.**

No public comment.

AYES: (2 ) Lacoë, Martley-Jordan - Motion passes.

**5. Discussion to prepare for San Francisco District Attorney's presentation at the March 8, 2023, full commission meeting, including developing questions and related data requests. (DISCUSSION & POSSIBLE ACTION ITEM)**

Commissioner Lacoë calls for Program Commissioners to comment:

Commissioner Spingola – Wants to hear what others have to suggest.

Commissioner Martley-Jordan – No comments at the moment.

Commissioner Lacoë - Would like to hear a discussion about *Make it Right (MIR) Program* and asks JPD staff to have most up-to-date data on the referrals to MIR so they know what to base their questions on.

Chief Miller states staff can provide what information JPD normally provides, but strongly encourages Chair Lacoë to ask the DA to bring the most up-to-date information on referrals; states sometimes DA's Office knows before JPD since DA activates referrals; what data they have on referrals to MIR and their own case information is sometimes

more detailed than JPD's information.

Commissioner Lacoë will open to comment from others and will make a list.

Commission Secretary confirms that DA's attendance is confirmed and that Jean Roland (DA's Juvenile Unit) has been made aware of the meeting.

Commissioner Lacoë: Wants to know about eligibility criteria to *Make it Right Program (MIR)* and information on any other diversion program and related questions.

Opens to group comment.

(11:24 in recording)

Patricia Lee, Public Defender's Office – Wants to know not only about MIR data, but mentions there are other programs like *UCAP*. In work with Youth Defender Unit, states Public Defender's Office has kept referral data since new DA took office. Only referral was August 2021. States they have made efforts to reach out to Probation Officers and to DA's juvenile office regarding referrals, but not receiving any; this is cause for great concern. Mentions existing MOU for programs: *UCAP*, *MIR*, and *AFTER* – which provides restitution dollars to victims up to \$2000. Concerned programs are being stalled; wants referrals to go through because their job, along with *BASF*, their role has been to answer questions from youth and encourage families and youth to take advantage of these opportunities. Concerned about any advocacy efforts from their office being removed from process and placing into community. States these programs are successful for clients; programs invaluable and consistent with the current collaborative efforts; encouraged that JPC is looking into these programs now; it is consistent with the recommendations of the Close Juvenile Hall Work Group.

(16:39 in recording)

Commissioner Lacoë – Repeats topics: Referrals, eligibility criteria, and just the “process” – how young people get into the program.

Commissioner Spingola asks for clarification, are they putting in referrals and they are not going through to programs? Patricia Lee states that they do put forward names of youth whom they believe would be good candidates for these programs but ultimately, they are not in the program. Talks about restorative justice program, where youth meet with victims in an onerous 6-month process to work with the victim and receive case management through *Huckleberry*. Believes this is more rewarding; believes youth going through “RJ” programs get more out of it.

Commissioner Spingola agrees. Having youth hear from the victim is valuable, great program; youth see the harm they caused.

Patricia Lee mentions that Chief Miller actually helped start *MIR*.

Dinky Enty, CJCJ – Wants to ask when the last referral was made and why are these referrals not moving forward? Why aren't these young people deemed “appropriate?” Mentions that one year ago, *Huckleberry Youth Programs* met to have *MIR* youth wrapped around other programs/services too. During that year, they met weekly, and unfortunately, no referrals (maybe one). *Huckleberry* can speak to this more, but reiterates CJCJ is eager and ready to have youth attend. Also mentions *TAYA* youth and young people – two pipelines. Wants DA to be specific about which distinction when talking about referrals.

Margaret Brodtkin – As member of the public, wants to know how their (juvenile) charging decisions have changed with the change in administration, are they filing more strikes, how many strikes got filed compared to a year ago, as well as generally other charging decisions. What are they doing to enhance the communication between young person and the victim whether through *MIR* or any other way? Also, they objected to having a judge on juvenile cases, so a judge left, I want to know how they determine whether a judge is competent to hear juvenile case or not. Want to ask about their criteria about a judge is competent (appropriate) or a danger to the community.

Commissioner Spingola – Asks about “competency and danger to community;” was a judge removed? Margaret Brodtkin states that a judge did retire.

Patricia Lee – Not only charging strikes, had that from other DA’s, what is more important, what are the pre-trial negotiations? Are they requiring a plea? Mentions deportable drug offenses and demanding a plea - generally talking about undocumented youth. Mentions the current DA advocating change to Sanctuary Ordinance; thinks this is a “slippery slope” whether adult or not. Is there also a carve out for the young people?

Commissioner Lacoé states the broader topic: What their policies are regarding undocumented youth, and then drilling down, are there any changes forthcoming.

Commissioner Martley-Jordan – How are they prioritizing cases, for detainment, for processing for every entity involved?

Commissioner Lacoé will work on list and figure out how to communicate this to DA’s office.

#### **6. Discussion regarding going back to in-person meetings starting March 2023 and possible meeting time change. (DISCUSSION AND POSSIBLE ACTION)**

Commissioner Lacoé states this meeting will be in-person as of March, 2023.

Secretary Cowan states that 1) Commissioners must meet in person, 2) location Program Committee has historically met at 375 Woodside, and 3) not required to provide remote public comment but most commissions will be doing that, 4) no COVID accommodations for Commissioners to attend remotely. Limited remote availability which can be discussed with commissioners directly. To those listening, they may join in the room or listen remotely.

Jana Clark City Attorney concurs, mentions ADA accommodations exist. Makes correction: If the meeting is noticed that there will be remote public comment available, if a technical glitch arises, the meeting will have to be stopped.

Commissioner Lacoé mentions that due to work schedule, she may need to move the mtg. outside of the workday and may need to change day of week. Will talk to other commissioners.

Commissioner Martley-Jordan concurs.

Commissioner Spingola asks more about the technical side; offers his office for community meeting.

Jana Clark states there are 2 cases when commissioner can be remote (ADA accommodation & pregnancy related issues). Commission Secretary states 375 Woodside room sufficient. Webex is format of choice but changing formats. Hoping this will be better. Each (community) location can be evaluated separately; workarounds made; will talk re: Ella Hill Hutch location offline.

Jana Clark – Confirms that there is a 15-day notice if the location is changed.

Commission Secretary asks if only the time changes, can they keep for 72-hrs posting? Jana Clark will check.

Commissioner Martley-Jordan – Can we use high schools? Commission Secretary we can request but may need to pay overtime for custodial staff.

Rachel Noto, SFUSD – Confirms they could make that work.

Commissioner Martley-Jordan states that schools often have better access with parking, etc. Commissioner Lacoé says they can put together a list.

Confirmed that the commissioners do not have to come up with new time/date during this meeting.

It is confirmed that the DA will be in attendance at the March Full Commission Mtg. therefore no time to check-in with the other commissioners about these topics. A list will be compiled based on the comments from this meeting.

No public comment regarding location or time of future meetings.

## **7. Adjournment 4:47pm**

Others in attendance:

JPD staff:

Steve Arcelona, Gabe Calvillo, Sheryl Cowan, Celina Cuevas, Michael Husak, Maria McKee, Savannah Castaneda, & Preston Treichel.

Jana Clark, City Attorney's Office

Margaret Brodtkin

Dinky Enty, JJPA & CJCJ

Jenny Pokempner, Youth Law Center

Rachel Noto, SFUSD

Taylor Lione (sp)

Hillary Buren, Huckleberry/CARC

Taelor McDonald

Dan MacAllair, CJCJ

Patricia Lee, Public Defender's Office

Constance Walker

DRAFT