

CITY AND COUNTY OF SAN FRANCISCO
JUVENILE PROBATION COMMISSION



LONDON N. BREED, MAYOR
JUVENILE PROBATION COMMISSION

FULL COMMISSION REGULAR MEETING MINUTES
April 12, 2023, 5:30pm

Commissioners:

Margaret Brodtkin, President
Linda Martley-Jordan
Allison Magee
Johanna Lacoe
Toye Moses
James Spingola

Proceedings:

1. Roll Call: Meeting called to order 5:33pm.

Commissioners Brodtkin, Lacoe, Magee, Martley-Jordan, Moses and Spingola present.

2. Public comment on items not on agenda.

Instructions on making remote public comments read by Commission Secretary.

No public comment.

3. Presentation by the American Institutes for Research® (AIR®): San Francisco Department of Children Youth and Their Families Justice Services Youth Impact Report. The American Institutes for Research® will be presenting findings from their study on differences in justice outcomes related to youth participation in the portfolio of DCYF-funded Justice Services programs.
(DISCUSSION)

Commissioner Brodtkin makes an introduction. (See attached presentation slides.)

Rebecca Brown DCYF states they are going into the funding cycle FY 24-25, releasing RFP in July. For Justice Services, they are starting to think more about prevention work to keep young people out of the system; AIR has done a lot of research thinking about these issues and is providing some guidance about how to proceed and how to target populations more in need.

Candace Hester, AIR – Work started in 2018. Presented early findings last year. Now thinking about the impact of these services on the landscape. Joined by research team. This is part of a broader body of work. Will talk about goals, findings. The goal of evaluation is to estimate **program impact**, focused on 33 DCYF funded programs targeted on youth who have had contact with the justice system and justice services portfolio; mostly DCYF Justice Services and youth who had some participation with the justice services portfolio. Looking at youth entered into JPD records between July 1, 2018 – June 30, 2022. Could have entered into system and then into any follow-up afterwards. (Slide page 4)

Four ways to look at Recidivism & Desistence Outcomes: ever rearrested, number of rearrests, number of petitions, ever petitioned.

Used **Matched Comparison Design** (see Slide page 6; 7:36 on recording); quasi-experimental design which seeks to find non-participants to youth who have not entered justice services programming or any DCYF programming of any sort, who are similar to youth in the juvenile Justice system and potentially other DCYF programming. Only 30% of youth in contact with the system are receiving DCYF services. Large pool of people for the matched comparison. Used matched comparison, to find similar records for youth in the treatment, characteristics listed on Slide page 6.

Commissioner Brodtkin asks how they identified the control group.

Commissioner Lacoë - 30% of youth in system are receiving these services, can you say something about the selection process and why do they get the services and others do not? Are they choosing to?

Ms. Hester states that they don't know a lot about the selection process, they do know that all DCYF services are optional, and they may opt out.

Clearly some selection criteria at work. There may be youth who do not know about the services.

Commissioner Linda Martley-Jordan asks about services not being mandatory.

AIR: They do know who receives services, but not known why they receive services. Qualitative work would be a great addition to this work.

Started with all youth with some contact with juvenile probation (booked for at least 4-hrs) and *have not* entered DCYF funded justice services. Clarification, services offered after their contact, entering justice services within 3-months of their arrest.

Commissioner Brodtkin was disappointed not to see quantitative information - why some kids are in and some not, AIR states this is a core recommendation of theirs at this time. AIR has produced several reports; total payments to AIR is \$200,000/year. (14:19 on recording)

Chief Miller – DCYF doesn't mandate the programs, but the court may order that a youth participate in a program. Also, not just young people in the hall, anyone how has been cited or arrested, or who has come into contact with JPD but may not have been booked.

Commissioner Lacoë –Mentions the 333 participants & that they are drawing on pool of 70% who were matched.

Ms. Hester states they are matching at level of arrest, at the recommendation of their (DCYF) advisor. This offers the opportunity to find matches most similar at the time of arrest. Talks about youth being arrested more than once, statistical artifact, they could have had at level at arrest.

Findings (see slide 8) – Overall findings, no difference between individuals who participated in programing and those who did not. One exception, in 7 % points, program participants are more likely to be rearrested. Don't consider this noteworthy, they experience additional justice contact seems likely at the same rate for both groups.

Differences in triggering arrests – lists 4 categories (see Slide Page 9):

those convicted of 707b felonies, non-707b felonies, misdemeanor, other offenses.

Notice that 707b felonies and non-707b felonies show increased future justice involvement than their non-participant comparison groups July 2018 to June 2022. Commissioner Brodtkin states this is awful. Asks for more clarification.

Ms. Hester explains how to read the chart. (20:00 in recording). Explains what is interpreted as a significant result.

For the non-707b felonies they are 10 percentage points more likely to experience re-arrest, than the comparison group.

For the 707b felonies, they experience .76 percentage points more re-arrests. For the 707b felonies for individuals in programs, they are .17 points more likely to have a petition filed, and for same group, they experience .51 more petitions filed.

Commissioner Lacoë asks about the control group means. Discussion follows; Ms. Hester says the answer is in the paper and can get for her. Commissioner Lacoë wants to understand the starting point. Discussion follows. They have looked at different time periods; so they did not look at rearrest in first year? Answer: Yes; explains the timeline for rearrests. Commissioner Lacoë notes that earlier participants have more time to be rearrested.

Allison Magee – Control group may have been referred but declined to participate, correct? Answer: Yes.

Commission Brodtkin – Demonstrates frustration; thrust of report doesn't explain why.

Ms. Hester continues: By race – Black participants are more likely to be rearrested. (25:45) Males show more likely to be rearrested, .18 more petitions filed.

Slide 12 – Younger youth are more likely to experience future justice involvement; earlier you have contact the less likely the programs have impact on likelihood of rearrest, and AIR did follow youth into the DA records and into the adult system.

Slide 14 – Why are they seeing these outcomes? Might come down to the *selection criteria*. Can only account for observed differences. Will talk about those difference.

Slide 15 – Structural Factors, social determinant of health and well-being, forces within society which undermine the ability for certain groups to have access to resources to survive/thrive. We know that black males are more likely unrelated to other factors – are more likely to have contact with the justice system. Groups are also more likely to experience bias policing and patrolling.

Commissioners discuss who is designing this, is this study helping us do better for these kids? Commissioner Lacoë asks if we know which kids are required to participate and which are not? Chief Miller – Mentions they are not seeing results from the program level, however, an example of Evening Reporting Center (ERC) would be one program the court orders. Commissioner Brodtkin questions whether or not ERC is even on the DCYF list.

Commissioner Lacoë – Mentions groups who are forced to attend and those who chose might have different outcomes.

Commissioner Magee – You must know which kids received services prior to arrest and was there any notable impact if they received services before they reached JPD?

Ms. Hester, AIR – Referral Process Slide 16 – If they could have more understanding about how and why a youth is referred would help; mentions having a central referral system would help to decipher data.

Slide 18 – Strategies for supporting youth – We must deepen approach to addressing structural factors, examine referral processes, elevate youth voices, utilize randomized study design. Mentions helping black males.

She **corrects** the statement: 24% who participate in programs are rearrested compared with 37% in control group, it is reversed.

Commissioner Lacoë – Mentions there are a lot of programs of varying intensity. Not a uniform program we are trying to understand; some are lighter touch and some more intensive.

Commissioner Magee – Timing is important, some receive services after point of contact; interesting to know if prevention services show up here.

Commissioner Lacoë states there might be a lot of variations, this is small sample. Might be some strategies that are working, but hard to say that the funding stream has impact when covering up a lot of variation underneath.

Commissioner Brodtkin – Doesn't like the report; at this for over 5-years, over \$1Mil spent, is this helping DCYF? What did you decide as a result of this? Wants more qualitative stuff, interviews with young people. (38:56)

DCYF Rebecca Brown – Mentions that COVID did affect some research; this does allow us to know more about black youth, and age-related findings. How are we serving different these groups? Are there factors that are leading black youth to respond less well? Discussion continues.

Commissioners Lacoë – Can't make a larger sample. When you have programs that are already implemented, and you are looking back, we are limited in what methods you can use. Commissioner Brodtkin states that you could ask DPOs to call every kid to ask questions would provide more useful information.

Commissioner Magee – Asks DCYF what they were hoping to find? What were you hoping to find in this study and how did you come up with this design?

Jasmine Dawson, DCYF - They understand the reaction, but they did learn what they need to prioritize.

Commissioner James Spingola – At end of the day, all the research won't change anything until you change the environment, a pattern that keeps going on and on. The reason why JPD doesn't have the help is because DCYF doesn't have the people doing the work. At end of the day, he says his group makes an impact, they impact a family – that money is making a difference helping a kid every day. Basically, it is the people on the ground who have the impact. Do we want to make a change? We need to raise these babies up – need to undress their armor – mentions babies with guns. Appreciates DCYF, the Mayor.

Commissioner Brodtkin – States that the study doesn't show that, and continues saying if we are going to invest in a study, why are we doing this?

Commissioner Martley-Jordan – This is not bringing up what she needs either; states looking at the groups culturally, racially would be better to drive more impactful study. Again, mentions kids carrying armor. Asks DCYF to bring Cultural lens/aspects into these studies. (47:57)

Rebecca Brown, DCYF – re AGE, younger kids not affected as much as the TAY youth. Started them thinking what is going on for the younger kids. Very interesting what do services look like for an older or younger kid?

Commissioner Martley-Jordan states something is getting missed. Intervention and prevention aspects are missing.

Commissioner Lacoë states it is more likely that transitional youth are leaving the city and if they are getting rearrested elsewhere, they would not show up in our SF records.

Commissioner Magee, asks about how leaving the city affects the study; discussion follows.

AIR continues that they have just received some COREY records that might be a future pathway for study on young adults. There is a large body of work they are collaborating, they are also working on other studies, interviewing youths in the hall, done video discussion with youth in quarantine unit, gone over case files, and reported to Close Juvenile Hall Work Group. Did implementation report, interviewed staff and 2 other statistical reports. One would hope that this report would be more conclusive, however, we need to think critically, be cautious and not be overly-conclusive.

Commissioner Brodtkin – Seems like it is AIR's responsibility to synthesize this in the report; what are the recommendations? Feels like the definition of insanity is just "doing the same thing over and over." Begs DCYF to figure out what is working? What do we need to know? Why is the referral process stuck? Seems like we need another way to find the information we need.

Commissioner Moses – When he looks at demographics, he's concerned about the SF Districts; this report didn't offer information by Districts. DCYF acknowledges that recommendation.

Commissioner Spingola – Talks about taking the kids out of this environment to feel safe and see them revert to the youth they didn't have, and then raise them from this point. Talks about the conditions in Potrero Hill, Sunnysdale, 8th and Mission, families and kids are not surviving. Would you live like that every day? How do you raise kids like that? The reality is the environment we've created here, there are "3rd world countries" in San Francisco.

Commissioner Lacoë – Can they break it down by program intensity? What is the intent of the program to show what approaches are more effective.

Commissioner Martley-Jordan – Do it with an equity cultural lens; have to include the voices of the people you are building the resources for; AIR agrees. Please include Youth, parents', grandparents' voices.

Jasmine Dawson, DCYF states sounds like they have a lot of marching orders, will do a good debrief and will come back with some answers.

Public Comment 1:02:00

Liz Jackson-Simpson, Success Centers – We don't understand how people are living, by the time they get to JPD, they have been failed by many systems. By the time we get them, when we are referring people to programs, we are not necessarily addressing the dynamic situations they have endured. This has been a lifetime of systemic failure. We need to make appropriate matches of our young people and families to services to get the outcomes they deserve. People are leaving San Francisco. Those resources have positive role models. Must look deeply and systemically. Need to really look at intended impactful outcomes. Focus on structural factors to make sure we are making the best referrals for these young folks.

Kiani Jones – It seems inconsiderate to use resources and time to do research if they are not going to address anything specific that we can target; wants to be wary of research when determining what types of services people need, we need to talk about underserved populations and their communities, wants DCYF to make sure they are using resources for those populations for whom these funds were meant. There are systems in San Francisco that put people/families "on a merry-go-round" and they are not getting the help they need. Mentions needing consistent, honest, culturally relevant services. From District 10, works with kids, says it doesn't make a difference if a program is not culturally relevant and consistent.

Molly Brown, Data Analyst for Juvenile Justice Providers Association (JJPA) – Was it corrected that 31% of those who don't participate in programs recidivate, vs. 24% who do. That was corrected. 24% control recidivate and 31% of treatment group. Hoping the report will be more clear. Thinks it is really hard to look at this data without looking at whether or not the programs are mandated or voluntary. Huge difference in outcomes. She is a resident; these evaluations should be designed to help answer questions to help inform the Commission and Department. The organizations would like to know what is more successful too.

Commissioner Brodtkin thanks DCYF for taking suggestions to heart.

4. Consent Calendar – Submitted for a single vote without discussion unless a Commissioner so requests in which event the matter to be discussed shall be removed from the consent calendar and considered as a separate item (ACTION ITEM)

- a. Submission of request to amend agreement with Nancy H. Rubin for facilitation & consulting services, with the proposed revisions: 1) Update current 12-month term ending 4/14/23 to a 24-month term ending 4/14/24; and 2) Increase current not-to-exceed amount of \$5,250 by \$4,749 for a total revised not-to-exceed amount of \$9,999.

No public comment

Vote - Ayes: Brodtkin, Laco, Magee, Martley-Jordan, Moses, Spingola - Motion passes.

5. Chief's Report

Monthly Data (February 2023) – Celina Cuevas.

Juvenile Hall snapshot, Monday before this mtg., 24 in the hall, 96% boys, 96% youth of color, 54% African American, 38% Latinx, 4% AAPI, 4% white. 29% young adults 18-25; 70% lived in San Francisco. 71% pre-adjudicated or pre-disposition, and 29% committed to Secure Track within Juvenile Hall. One still in county jail but who has been committed to secure track.

JH Chart 1.2 – Average & Peak Population slide (20 young people average)

JH Charts 3.2 – Average Length of Stay for Youth Released; average 6-days, same as 2022 average.

Slide 17, Admissions by Primary Reason. Mentions this will be the last time this slide looks like this since the new DDT went live recently.

Probation Referrals to JPD – 18 CARC intakes, highest number since pre-pandemic. Language has been changed to CARC Intakes rather than “referrals” (young people that they actually see – not necessarily refer = 18 in February)
0 MIR referrals in February.

Active Caseload slide PS Chart 2.1 – 358 young people on JPD active case load, increasing numbers month to month.

PS Chart 3 - Active Caseload in Active Programs – slightly lower average than 2022

PS Chart 4.1 - Alternative Placements by Gender – 27 in committed placements, lower than 2022 average.

PS Chart 5.1 - Active Warrants – 49 active (February); explains that one person can have more than one warrant.

41% were arrest warrants, 20% were petition warrants and 39% were bench warrants.

PS Chart 8 - Petition Dispositions by Month – Says that over last couple months, larger percentage that are dispositions than in 2022.

Chief Miller mentions that the CARC data was new in the last month; mentions that we only go through February, her understanding is that the MIR referrals were started in March and will be seen in future data report.

Discussion follows on referrals.

PS Chart 1: Probation Referrals, CARC intakes & MIR referrals.

Commissioner Magee – Do we know the percentage of young people are referred to CARC?

Celina Cuevas - We haven’t historically tracked diversion at referral level but just started with the rollout of DDT in March 2023.

Chief Miller also raises that when they did analysis of why kids were not going to CARC and found one problem was they were brought in during hours when CARC was closed; they are working on solutions; this is also about our JPD ability to notify CARC if on weekend or nights; had to get a court order to share information (just received about a month ago). This is not an issue of CARC expansion, it is more about our ability to notify them if on weekend or night hours.

Probation Officers are also now sending emails to CARC.

Celina Cuevas also states they are getting more specific data from CARC too.

Commissioner Lacoé asks if they could have a report about the strides JPD has made in this area, or can do in the Program Committee.

Commissioner Moses – re Case Load Demographics Chart 2.4 – Asks about other counties, does SF get reimbursed?

Chief Miller – No reimbursement for us if we are supporting out-of-county youth, in terms of our staff and our community partners, no reimbursement.

Cases going up. Discussion follows. Chief Miller states it is a combination of things including people leaving City.

Commissioner Lacoé wants the Program Committee to dig deeper into some of these upward pointing trends in some of the charts to understand what is going on; is there anything in data that helps us understand why numbers are going up.

Commissioner Spingola says most of the kids are from San Francisco, they just may have had to move to Antioch, etc.

San Francisco has the “draw” they jump on Bart. Most of their parents are from here, this is where their friends are.

Chief Miller mentions that a high number of unaccompanied youths are arrested for drug charges in the Tenderloin but living elsewhere, tend to live in the East Bay. Staff are working on annual report which will show some of this data.

Commissioner Magee would like to have the Program Committee and the full commission discussion about out-of-county youth.

Chief Miller restates that the Program Committee will take up the CARC questions; Commissioner Lacoé would like to include CBOs to hear what they are seeing.

Commissioner Martley-Jordan asks about gender too. Answer by Ms. Cuevas: Percentage of girls has gone up, but not a huge increase.

Commissioner Brodtkin wants to learn/understand more about warrants.

Re PS Chart 2.4: Active Caseload Demographics

Celina Cuevas goes over the new DDT (Detention tool). We don't currently break out types of warrants that result in admission; could be more than one too. Chief Miller states it is not a practice for probation to go out looking for those with warrants, typically when a young person comes to police attention in some way, the Police run them in the system and see they have an arrest warrant.

Chief Miller discusses warrants, once a warrant comes to law enforcement's attention, "there is no discretion for them" nor for probation. We are working with the court establishing a "tier-warrant" system. States that sometimes it does happen we resolve it in court without putting young person in custody.

Commissioner Brodtkin asks about the 70 referrals to probation; how do we get these kids into CARC at front end? Chief Miller states if they are booked into custody, we are not referring to CARC. They are getting referred to the CARE TEAM upon release, which is new. If they are cited, we can refer to CARC. Any young person, not booked, goes to CARC, so booked goes to CARE TEAM, cited goes to CARC.

PS Chart 2.1: Discussion regarding the pre-adjudicated phase, a lot of young people stuck in this phase. Sometimes a defense tactic, the longer the youth can stay in community in program doing well, sometimes the judge may dismiss. Another aspect that is negative is that the kids sit in limbo, there are a lot of court appearances, lots of reports. Judge Chan has stated his strong desire to reduce the number of cases that have been in this limbo. Chart 2.1, page 23 shows the prejudicated percentage rising. Discussion follows. (1:39:20)

Public Comment

Liz Jackson-Simpson, Success Centers - Crazy from the report we just heard, that the number of young people from out-of-county is increasing. Seeing young people being pushed out of City and they come back where they are comfortable; thinks we need to figure that out. We need to learn more about these (legal) defense tactics, which seems contrary to the previous report we just heard. Mentions young people being held long time, while they are engaged in community-based services. There is a lot we need to learn to understand and come up with a plan. 7:17pm

Mollie Brown, JJPA – on Chart 2.1, re: AB12 kids, would like to have a data slide about these young people. States she would like to know about the young people who are successfully out of probation, and wants commission to know how these young people are doing – not those on probation, no longer in the system. Believes Incumbent on Commission to know how they are doing. We all know they are at high-risk, pregnancy, educationally deprived.

Commissioners confirm AB12 youth are on the agenda for a future meeting.

Commissioner James Spingola – Asks, in foster care system, do they go through different homes?

Chief Miller – All over 18, tend to be in programs that make them more independent, more like group homes for older young people that support them being more independent, some are more like apt. settings, some houses.

Commissioner Martley Jordan – How many AB12 young people have gone through the system and how did they do?

Chief Miller states we do not track after they "age-out" since they are no longer in our system, and we do also want to respect them moving on. Commissioner mentions their educational progress, their trade programs, etc.

Commissioner Moses would like to have them devote some time to the home detention program.

Workforce Update

Hiring:

- Tracy Haynes, retired senior counselor has returned as on-call counselor. Thanks him for returning.
- Training Manager hired last week, will help with training for department and racial equity training.

Retirements:

- Deborah Bill – Counselor retiring after 38-years and mentions she was also on CJHWG.

- Steve Arcelona – Will be retiring on May 5; Steve came out of retirement for the past 3-years; Chief Miller thanks Steve for his work for the Department.

Updated Budget instructions received from the Mayor's Office. Deficit higher than first anticipated. Every Department has been asked for an additional 5% general fund reduction. New budget due today. Total reduction is now 10% of FY23-24 and 13% in FY 24-25. Commissioners ask this to be shared; Chief Miller will share once finalized.

Justice Transformation – Slide 4

Chief Miller confirms that all the work discussed at previous meetings is continuing.

Mentions DJJ - Credible Messenger Life Coach Program planning mtgs.; credible messengers coming into the hall to work with young people who are committed to hall for long time (Secure Track). Success Centers won the award; they have held site visits with Success Center and staff to work out details. This is new thing to have community members in the facility at all times.

4-18-23, 3:30pm, JJCC & DJJ Joint Meeting will take place to approve the JJCPA Grant Plan; mentions this state funding brings in several million dollars to the City annually.

4-17-23, 5pm – Youth Commission will be holding a hearing on juvenile hall; Commissioners recently toured the hall.

Commissioners Brodtkin & Moses thanks Steve Arcelona for his work that past 3-years.

Steve Arcelona – Talks about coming out of retirement to JPD; states that much of his career has been working with young people. States it has been an honor to work with Chief Miller and the team at JPD.

Liz Jackson, Success Center – Thanks Steve, thanks him for tutelage. States he gave her first job when she was 18-years old and going to SF State.

Item 6 President's Report

Joint meeting with the Police Commission regarding Police Diversion including presentation of programs that are working elsewhere; working with City Attorneys on how to make this work. Commissioner Brodtkin has been communicating with Police Commission Jesus Yanez.

No public comment.

Item 7 Future Agenda Items

- Commissioner Brodtkin lists topics for future meetings: May = Policy Diversion, June = Mental Health Issue,
- July = Juvenile Hall with a report from the new Director of Juvenile Facilities.
- Commissioner Lacoë: re: New Schedule for the Programs Commission. They will start meeting in person, next mtg. is May 2, 2023, in the JPD Main Conference Room. Hope to talk about what is happening with CARC. Going forward, the Committee will be meeting on the 4th Tuesday of each month. Will need to discuss security with Sheriff's Department.
- Commissioner Moses asks that the election of a Vice President be put on a future agenda.
- Chief Miller will not be in attendance at the May Commission Meeting; attending state-wide training.

Item 8 – Review of Meeting Minutes for March 8, 2023

Motion to approve – Commissioner Moses, 2nd Commissioner Martley-Jordan.

No public comment

Ayes: Brodtkin, Lacoë, Magee, Martley-Jordan, Moses, Spingola - Motion passes.

Item 9 - Meeting Adjourned 7:46pm