

CITY AND COUNTY OF SAN FRANCISCO
JUVENILE PROBATION COMMISSION



LONDON N. BREED, MAYOR
JUVENILE PROBATION COMMISSION

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

Commissioners:

Margaret Brodtkin, President
Linda Martley-Jordan, Vice President
Allison Magee
Johanna Laco
Toye Moses
Manuel Rodriguez
James Spingola

Proceedings:

1. Roll Call: Meeting called to order 5:30 pm.

Commissioners Brodtkin, Magee, Moses, Rodriguez and Spingola present.

Remote public comment instructions read by Commission Secretary.

2. Public comment on items not on agenda. No public comment.

3. 2022 Annual Report and Data Portal PREVIEW. (DISCUSSION & POSSIBLE ACTION)

Chief Probation Officer Katherine Miller makes introduction and thanks Celina Cuevas for her work on this project, very excited about this report and how the annual data shall be presented in the future. No longer static charts, the demonstration will be of the new interactive data portals.

Celina Cuevas, JPD Research & Planning: States that new 2022 Annual Report data dashboard will include what is already in the monthly data, however, what is novel is that this will allow public to see recent trends compared to past data. In last 2021 Annual Report, they published static graphs and only compared to prior year. For 2022, they will compare 2018-2022 data. See slide. Dashboard allows for interactivity. You can see data and you can change a year, or criteria, to see your own report: ex. by gender, by race/ethnicity, by age. Give demonstration.

Ex: Slide Average Daily Population. Makes note that as has been the case in prior reporting, we are unable to show data categories that are too small because they can potentially allow for re-identification of young people.

Shows filter for bar and line graphs for each full year and shows how you can see how numbers have changed over time.

Data goes over 5-years. Charts will only display for years where data is available.

When no year is selected, it would display across all years where data is available. Demonstrates demographics page.

Slide *Admissions by Residence 2020-2022*; 3-yrs of data available. Mentions that we do not have comparable data prior to 2020 because JPD previously reported on bookings (some youths are booked more than once during one unique admission) and have transitioned to reporting on unique admissions into the hall.

Gives demonstration of out-of-county youth as a percentage of all admissions increasing over time.

Admissions by Reason 2020-2022: Mentions 2020 is the year they started categorizing admissions by primary detention reason. Talks about admissions due to new law violations that require detention followed by court ordered detentions; demonstrates data being filtered by charges.

Youth Referrals to JPD 2018-2022: Unique young people referred to JPD; for both admissions and referrals, data broken down by unique referrals and admissions.

Demonstrates filtering by county.

Referrals & Offense Details – talks about percentage of referrals resulting in admission to Juvenile Hall has decreased.

Petitions Filed by Demographics, 2018-2022.

Demonstrates how the dynamic charts work. Says some pages show data by month.

Average Daily Population – 2019-2022; same graph as in monthly reports except data goes back to 2019 (pre-pandemic).

Releases from Juvenile Hall & Length of Stay in days by month.

Length of stay – talks about trends and mentions it is important to remember how population in the hall has shifted over time. States that currently 9 of 33 young people are committed, so the population is different now in terms of **detained vs. committed**.

Demonstrates Releases and Stay by month. Mean and median length of stays shown by number. States that average length of stay has remained relatively stable for the past 3 years.

Referrals by month, similar to monthly report. Data goes back to 2018 (pre-pandemic) and shows historical referrals to CARC and MIR dating back to 2020.

Chief Miller talks about importance to look at the number of young people coming in and what is happening to them. We still see lower percentage of young people being arrested being detained, and this data report will show us what is happening. States that it was important to go back to 2019, pre-pandemic, and it is important to look at this full 5-year window. Wants to reiterate, even with number of young people coming in, and being detained, is increasing, the overall trend is decreasing so the policies and other changes are working.

Questions from Commissioners?

(00:24 in recording)

Dr. Moses – Demographics page, admissions by residency. Please explain about the San Francisco neighborhoods. Admissions by Residence. What is “other” SF neighborhoods. Answer: comparing across years, they looked for cell sizes of 10 or more, so ex: in 2022, 54% admission (bottom left) young people from SF, of those 54% ¼ Bayview, 9% Ingleside, 10% Mission, half from other SF neighborhoods (of residence).

For out of county, that other 46% - 45% Alameda, 15% Contra Costa, 6% Solano, and then 33% other.

Chief Miller states we cannot go below 10 youth, we cannot break it down any further due to concerns of identification of young people/ privacy. Celina Cuevas also states that if there are not enough people across all 3 years, then it cannot be broken out. Gives example that one year, there were a number of youths from Sacramento, but could not call that out (specify) because it was not over 3-years.

Manuel Rodriguez – re analysis of data – Talking about “pre-pandemic” levels, would the number of intakes/referrals/length of stay be the “new normal?” or do you think it will return to pre-pandemic levels? Answer: Does not believe so, but looking at historic lows, the only way to go is up. However, states that looking at the data over time made her feel more comforted rather than by month to month. Chief Miller states we cannot control the flow from police, what we can do in SF, we can make policy decisions, about what happens next, ex: Police diversion. Police could decide not to arrest but to divert. Talks about there are so many decision points where things can happen and we can make decisions, make a real impact, about who is being diverted. If this data went back to 1990, you would see number much higher, so as a result of decades of reducing crime numbers so we were already at historic lows when the pandemic started.

Last year at CARC meeting, discussion was about diversion. Celina Cuevas did a deep dive about what would happen to young people and who could or who couldn’t go to CARC. From this analysis, we changed policy to increase eligibility to CARC.

Commission Rodriguez - Out of County young people, are we just getting more kids from out of town, are they moving out and coming back? Do you know? Celina Cuevas answers - Seems to be a curiosity. Nothing in our data on why. Some say that the young people have former connections here. Chief Miller calls out young people being arrested for drug sales in the Tenderloin, and they tend to live in East Bay, as another group of “out of county” youth.

Commissioner Brodtkin – Talks about concern on monthly report, how will this new tool be used?

00: 33

Commissioner Allison Magee – Congratulates JPD on elegant, modern dashboard; well done, “Congratulations!”

Back to understanding the broader context over 5-year. Answer: Admissions goes back to 2020;

Is there a reason we can’t go back earlier? Answer: We can’t go back earlier due to how data was collected previously. This is being presented on data that we have collected. We can estimate.

Commissioner Magee – re: Petitions filed: On process, is this the final draft or are you still adding content? Answer: In QA’ing stage not planning on adding now, however starting 2023 report soon so open to suggestions.

Commissioner Magee wants to look at rate for petitions by year. Answer: Displayed a chart that shows rate by year.

re Out of County – that chart is a duplicated count, correct? Because the increase is so dramatic, is there a way to show the repeats? Answer: Yes, but will have to be figured out to show next year.

Commissioner Brodtkin – Mentions some items in monthly report are not in this report, mentions electronic monitoring.

Answer: EM not in a graph, but it is under program referrals page; states there is chart “terminated programs” which covers EM.

Commissioner Brodtkin – At what point are we going to be able to see what programs are used? Mentions court ordered.

Answer: Chief Miller says that we can look at a program level by referrals, but only contingent on what we know, they may be in multiple programs, ex: CARC as we look to them to make referrals, we'll have to make sure we would KNOW when they are referred. Commissioner Brodtkin doesn't understand how a Probation Officer knows. Shouldn't be that hard to know.

Allison Magee mentions it being in DCYF. Brodtkin states probation should know and DCYF doesn't run all the community agencies. Chief states we can do on a semi-annual basis, but we can't do month to month due to the numbers not being large and not showing a trend. Also, Probation should NOT know everything a young person is doing so they can get services without having it become part of a court record. Gives example of CARE TEAM; connection to CBO, their job is to provide voluntary support and not to be reported back into the system, so truly a place for families to ask for what they need, with dignity and grace without being in record.

Commissioner Brodtkin continues re: referrals and the frustration folks have, they make referrals, but they go nowhere. This is a concern, and it is a goal of the Department to utilize the community resources.

Celina Cuevas: From data perspective, JPD had been doing annual deep dives on **programs data**, there are so many programs in the case management system, she wonders how that rich list would be listed in data visualization charts. The issue is too that a lot of programs offer an *array of services* and are only captured as one program type, so hard to show. It will take a lot more work to make sure we are categorizing/measuring the same things we think we are measuring over time.

Chief Miller mentions that many CBOs are funded by DCYF to do 4-5 different things. Some not even funded by DCYF. Even the way we are measuring now, the number of young people connected is going up.

Commissioner Brodtkin states that she doesn't see what they are doing, Chief Miller states they are actively connected with that program, but to your point, it is hard to measure with the very small number of kids.

Commissioner Allison Magee suggests that this just becomes a deep dive twice annually (on program data), perhaps from the Program Committee.

00:48

Commissioner Brodtkin thinks the numbers beg interpretation. Answer – The Annual Report will include some narrative and that might help. Commissioner Brodtkin brings up the secure track youth and the long-term youth in the hall. Answer: still working on how to distinguish in the data. Will take more work with IT and coding, and on her to-do list.

Chief Miller states we won't be changing this report, but open to adding in 2023. Celina Cuevas states there historically the annual report has contained a lot of narrative, which will continue, but now there is some opportunity to go back to look at older data.

Commissioner Brodtkin would like to see more clarity for the difference between young people in juvenile hall and those who have been committed. Continues that this is very different. Discussion follows.

Commissioner Brodtkin asks how data is used? Chief Miller states that this will make data available to the public. Chief Miller states this annual report will be on the website, open to the public and is part of the department being transparent. This is a big step – and different – for us.

Commissioner Allison Magee states this is data she looks at all the time and important for the entire community and for transparency. Celina Cuevas states mentions making data more “digestible” so more people will be tempted to dive into it.

Chief Miller talks about what we are looking into, what we are investing in, and what kind of programs are we looking at, what needs to happen in the hall. Ex: how many girls coming in as an example, etc., this helps how we respond. We look at data a lot as a department internally and this directly relates to our response(s) and what we urge the city to invest in. Gives out-of-county data is a great example; the data has aimed our response.

Dr. Moses states that their goal is to reduce the number of youths coming into the system, based on this data 4-5 years ago, he asks Chief Miller, “Are we making progress – and if not – what can we do?”

Chief Miller asks are we making progress in terms of how many young people and who is detained? She does think we are doing better and finding other ways in SF to address what happens at the moment of arrest, than relying on detention. Then, we are doing a better job – particularly in the last few months – at insuring that young people are being directed/connected to community providers. Mentions 70% being connected to CBO. Also, wants to focus the commission on another measure – as a reminder, when young people were waiting a long time to go to out of home placement – because of conversations here, we have made investment in care homes so young people are not waiting as long. These are measurable. However, where we have not made progress, there is disparity, it is getting worse, in the number of young black youth in the system. We know we have work to do here, and you are on point to bring that up. We all need to figure out strategies, but we have made some concrete pathways forward.

Dr. Moses asks about any solution to handle kids coming in from outside San Francisco. Chief states this is hard question but not a new problem; mentions this has been happening for decades. Talks about Young Adult Court; states this is worth remembering that the bulk of the folks coming into the system are adults, and we only work with the young people. We are trying strategies, working with Huckleberry by bringing on a case manager within Instituto.

Commissioner James Spingola thinks commissioners are asking the wrong questions when it comes to how we operate or support young people in the community. He states this is not the Commission's nor the Chief's to know how/why they come in. Data important, but the question of what is happening with juveniles, is not their role. The role of CBO and community is to make sure the kids don't become part of this data. His job as a community member is to make sure that kids never get to you. Does appreciate we have come a long way as a city. Appreciates the Department trying to work with community – but states it is not their role to find solutions. He can tell us a lot about the why, but at the end, let's ask the right questions. He reiterates his job in community is to make sure kids never get to you; kids are going through issues, need space. Not for us to know everything, but our responsibility if they do make it to Chief Miller, that we have the resources to help them. "We are plummeting right now." Commissioner Brodtkin proposes that defining what the Commission role is can be a topic at the retreat. What are our responsibilities?

Public Comment

Mollie Brown, Budget Analyst for JPA – Thinks presentation is great. Thanks staff. Wants to remind everyone about CARC referrals. Try to look at those eligible, whether or not they are referred, and if referred, whether or not they took services. Need to know how many are eligible. Also wants to see AB12 youth on the (annual report) program.

Commissioner Brodtkin believes it is their job to see the vision and make things happen; play an aggressive part. "Our job is getting the right thing to happen."

4. Chief's Report – Chief Katherine Miller and staff

Department Operations Updates

Changes to workforce: new hires, promotions, separations, retirements

New Hires: IT team, new stationary engineer and 3 new hall counselor and 1 on-call counselors.

- This is important; very big for our counselors in the hall.
- States more in background.
- Talks about mandatory overtime, so these new folks will relieve that.

Promotions – 2 new Supervising Probation Officers: Jessica Bishop and Joanna Fernandez.

New Probation Officer, Marcus Mackey, formerly Counselor II, has come over to probation and states this will lead to another promotion in hall.

Separations: Mila Baranov, Supervising Probation Officer left for Alameda County Probation. A huge gain for Alameda!

1 Stationary engineer moved on.

Retirement: Liller Jackson, 34 years working in the hall at night, retired.

New Race Equity update: In 2019, the Board of Supervisors adopted a resolution establishing the Office of Racial Equity.

OER required every department to develop a racial equity plan, and required departments to look at workforce. Talked about disparities; states the department looked internally. Mentions the JPD 37-page Race Equity Plan which was approved by the Commission, and mentions there were things for the Commission to do. For JPD to create this plan, there were 5 leaders and 15 staff who did surveys, etc. States that this is "HR heavy" for example: how do you change recruitment? States this work revealed a larger problem of people feeling there was different treatment due to color of their skin. States JPD needed dedicated resources to make this happen; they converted 2 positions to new positions to do this work:

- 1) Diversity, Equity and Inclusion Specialist, Naomi Wright, and
- 2) Wassila George, Training Manager. Mentions need for departmental professional development.

In past years, they ran race equity staff surveys. Said staff were worried about retaliation if they answered.

See Slide – Operations.

50% of staff answered. In each division, Admin, Hall, Probation – 50% answered.

DEI Manager, Naomi Wright joins.

States she is relatively new having started with JPD, February 2023. She has been getting to know staff and their feelings. Getting to know "key players" by going to peoples' offices, holding focus groups, having conversations, and then did a series of "data walks" with each division to share last year's survey results. States they are now in the process of developing a robust plan and training.

Commissioner James Spingola asks "who" are "folks?"- only black staff? Answer, she means JPD staff. Commissioner asks what they learned. "Can you elaborate?" Ms. Wright states a lot of black staff feel lack of belonging. People also asked we did survey, now what? So now moving forward with more robust professional development, hiring more diverse self.

Commissioner Spingola states this data means truth. People have been clear they feel there has been inequity.

See slide, *Operations JPD Staff Racial Equity Survey*

Chief Miller states that administration has more White/Asian staff, and Hall is more black staff. Chief talks about data walks wherein staff got to go over the survey results. States that we know in the next year, we need to work on professional development, and there are fewer opportunities in our department for promotion. We will need help and training. Mentions they will be returning to the Commission with contracts to be approved to cover these goals. Happy to have Office of Racial Equity to help.

Naomi Wright – States they have been intentional in calling out black racism.

Commissioner Brodtkin, seems very staff focused, but how does this filter down to the treatment of young people?

Commissioner Dr. Moses – States that “Rome was not built in a day.” Would like to hear recommendations.

Commissioner Manuel Rodriguez – Thanks her for bringing data back to people.

Commissioner Allison Magee – Thanks her and looks forward to future reports.

Juvenile Justice System Transformation Updates

Confiscated Funds – JPD had \$63,000 waiting, under Steve Arcelona’s management, they did everything they could think of to try to reach those folks and we were able to return some of the funds. At this point, there is \$43,000 left. Also states a new process has been installed so this can’t happen again.

They want to come back to the Commission about what to do with these funds. Would like to use money for emergencies. Mentions young person losing their own baby, and department paid for the funeral. States JPD would like this to be part of the budget to meet emergency needs.

Agreed that this should be a “Future Agenda Item” – “Discuss and vote to use these (remaining, unreturnable) confiscated funds for emergencies.”

Dr. Moses mentions helping **grandparents** on fixed incomes who are now caring for their grandchildren. Chief Miller states we do now have funds to help grandparents.

Discussion on use of these funds. Commissioner James Spingola mentions these being unrestricted dollars.

To close the loop, Chief Miller states that they do not pay the money directly to the young person, but rather to the vendor providing services.

DCYF “Mega RFP” being released shortly. 5-year cycle. Makes announcements for all CBOs to watch for the RFP coming out shortly.

Commissioner James Spingola – re: Hiring, are you anticipating the number of young people increasing in the hall?

Chief Miller answers: No, we are only hiring currently vacant positions, and this has taken us months to go through interviews, background checks, etc. – This only brings us up to our current staffing level and reminds all about the overtime (OT) that has been spent and the human toll on staff (working mandatory double shifts).

Multi-system Therapy (MST) – Maria McKee, Director Research & Planning

Mentions that one model we do not have at our disposal is multi-system therapy. States this has had immensely positive results according to research. Being used in Los Angeles, Alameda, Contra Costa, and Sacramento. Mentions this helping younger youth, fundamental tool to keep a young person at home, they are very interested in bringing MST back to SF. Continues that we are now able to use some state and federal funding, **FFPSA Families First Prevention Services Act** funding for this purpose and states we must use it or lose it.

They have been talking to DCYF about how they can procure a contracted provider, but also states we need to have this happen soon, Neither DPH, H S A nor DCYF “have bandwidth to take this on,” therefore, JPD will be putting out an RFP.

Ms. McKee states they will bring more detail at future meeting. Reiterates this will not cost JPD anything, this is funding to be used specifically to keep youth out of placement; the program is nationally recognized.

Additionally, Maria McKee says this is MediCAL billable, and federal funding will allow us to pay for training for CBOs.

Mentions **Family Mosaic Project** did it previously.

Commissioner Allison Magee asks why it was stopped. Answer: Had been considered too costly, over \$100,000/annually. Requires very low caseloads; designed to be used only 3-5 months. Ms. McKee wants this to be part of our tool kit and to provide culturally relevant care to our families.

Commissioner James Spingola – States that he doesn’t believe they will have enough qualified clinicians to work this, says “money won’t be enough.” Mentions high rate of trauma in the communities.

Chief Miller says that with some of the youngest kids in hall, the courts really struggle with their release programs and how they are supported outside. States that JPD doesn't want to be in the RFP business and mentions an RFP doesn't have to be approved by Commission, only contracts.

Monthly Report Program Committee Recommendations from 6-27-23 meeting – Maria McKee

The Program Committee talked about trends; Commissioner Laco made the request to develop a timeline of interventions. Also, a request was made for recidivism data. Ms. McKee proposes that since we need data over time, and this will also be found in performance measures and mayor's budget book, they will propose some other measures and the Chief will bring back to Commission at another meeting.

Monthly Data Report – Celina Cuevas

See Executive Summary for 7-10-23 Snapshot, # has gone down to 23. Percentage of girls decreased, 9% from about 25%. By age, about a third of all youth are 18 or older, 70% reside in SF, and 1/3 commitments either to the hall or to secure track. Slide JH Charts 3.2 pg. 14 – Average length of stay for young people released, flags that in May, this has dropped to a median length of stay in the hall of 3-days before young people are released. Slide 3.3, pg. 15. – Will be breaking out LOS for youth in custody next month by detained versus committed. Slide JH Chart 4, pg. Admissions by Primary Reason – 34 admissions in May, 12 firearm-related, accounted for over 1/3 admissions in May. Slide PS Chart 1. Pg. 21– Probation Referrals CARC & MIR intake; 83 referrals in May, 70% felonies, 24 CARC intakes and 6 MIR referrals, so 2nd month in a row w/20 or more CARC intakes. Slide Chart 2.4, pg. 28, Active Caseload Demographics – re out of county, states they discovered a quirk in data causing high numbers which has now been repaired; resulting in the percentage of Out of County youth decreasing to 38%. Slide PS Chart 3, pg. 31, Active Caseload Active in Programs – as of May, 77% on active caseload were connected to at least one community organization.

Commissioner Brodtkin asks if DA's policies changed or are police up-charging. Mentions page 45 (Petition Dispositions) are they overcharging? 58 felonies, only 9 are 707bs. It is disturbing. Huge increase in referrals, but in the end, the numbers in juvenile hall don't look different. Chief Miller says that it takes a long time to see how cases will resolve; it can take months for cases to resolve. President Brodtkin states she wants to see petitions filed vs. sustained vs. dispositions. Celina Cuevas Says petitions filed and petitions sustained is not included in monthly report *but will be* included in Annual Report dashboard. Chief Miller mentions the 10 referrals to MIR in the last 2 months, much higher number than in past, supposed to be for serious felonies. States this doesn't mean the police were not right in making the arrests. Commissioner Spingola wants the age group of young people carrying guns; Chief Miller states all young people who came on gun charges are all under 18. Celina Cuevas - Despite any fluctuations in police behavior, there are new policies we put in place that affect what happens after arrest, such as the DDT limiting criteria for admissions. States that overcharging is not something they explore in the data. Dr. Moses talks about people migrating from Bay view to Tenderloin, asks if offense data shows that. Ms. Cuevas states this is based on where young people reside, not where the offense was made. Data only broken down in top 4-5 zip codes.

Public Comment

Mollie Brown, Budget Analyst for JPA – Mentions CJHWG Report talks about up-charging, but looking at the offenses, and what they are ultimately charged with, states there was a discrepancy.

5. Discuss and Appoint Hiring Committee for Commission Secretary.

Commissioner Brodtkin states the (JPD) HR department have identified 5 candidates. States it makes sense is to make an ad hoc committee to interview. Manuel Rodriguez, Allison Magee and Margaret Brodtkin will do interviews. She asks if the commission will you give us permission to make decision? Commissioners Spingola and Dr. Moses agree with allowing the committee to make decision. JPD HR will manage the entire process and have a new person by September. No public comment Motion to delegate the hiring decision to the committee. Vote – AYES: Brodtkin, Magee, Moses, Rodriguez, Spingola. NAY: none. Motion passes.

6. Program Committee update.

President Brodtkin states this was done earlier in the meeting (see Chief's Report).

7. President's Report

President Brodtkin states the 2023 JPC Retreat date is set for October 20, 2023, at JPD. Tentative time 10:00am-2:00pm.

States she will bring back a more detailed agenda.

Calls for Topics – Offers: What is our job to move our goals forward?

Manuel Rodriguez – Suggests the Commission's purpose and how to support Chief Miller and JPD staff.

James Spingola in charge of food.

No Public Comment.

8. Future agenda Items

September 13, 2023 - Commission will meet in the Bayview at Southeast Community Center about juvenile hall.

October 11, 2023 – Agenda will be about AB12 youth.

Commissioner Magee wants to talk about **out-of-county** youth if there is time. Mentions this can be beginning of the discussion then send to Program Committee. Maybe bring in H S A, but first get basic data from the Department.

Commissioner Rodriguez confirms there is no meeting in August, and the September meeting will be in the Bayview; asks about tentative agenda? Chief Miller states the Department will present. Director of Juvenile Facilities will be present.

President Brodtkin invited Supervisor Walton. Thinks people will be asking about when they plan on closing the hall. Chief Miller states she too has been asked by other Board Supervisors about the closure status.

Dr. Moses states that the closure of the hall is another matter; not sure to be done at this meeting.

Public comment

Mollie Brown, Budget Analyst, JPA – Asks about going back to the Police Commission.

Commissioner Magee states that juvenile matters are on the Police Commission agenda tonight.

9. Review and approval of June 14, 2023, Minutes.

Vote – AYES: Brodtkin, Magee, Moses, Rodriguez, Spingola. NAY: none.

Motion passes.

10. Adjournment 8:09pm