

Reentry Council

City & County of San Francisco

Subcommittee on Legislation, Policy & Practices

AGENDA

Wednesday, February 28, 2023

2:00pm to 4:00pm

CASC, 564 6th Street, SF, CA 94103; 2nd Floor Rm 226/227

Note: Public comment will be taken throughout the meeting or by email to reentrycouncil@sfgov.org

1. Introductions/Roll Call (*discussion only*)
2. Ohlone Land Acknowledgement (*discussion only*)
3. Reentry Council Retreat – Priorities Discussions (*discussion and possible action*)
4. Reentry council Retreat – Identified Working Groups Finalization (*discussion and possible action*)
5. 2024 Scheduled Meetings (*discussion and possible action*)
6. 2024 State Legislation Identified Thus Far (*discussion and possible action*)
7. Member Roundtable and Agenda Items for Next Meeting (*discussion only*)
8. Adjournment (*discussion and possible action*)

Next Meeting:

April 10, 2023

2:00pm – 4:00pm

CASC, 564 6th Street, 2nd Floor, Rm 226/227

San Francisco, California 94103

Reentry Council

City & County of San Francisco

SUBMITTING WRITTEN PUBLIC COMMENT TO THE REENTRY COUNCIL

Persons who are unable to attend the public meeting may submit to the Reentry Council, by the time the proceedings begin, written comments regarding the subject of the meeting. These comments will be made a part of the official public record, and brought to the attention of the Reentry Council. Written comments should be submitted to: Victoria Westbrook, Reentry Division Director, Adult Probation Department, 564 Sixth St., San Francisco, CA 94102, or via email: victoria.westbrook@sfgov.org.

MEETING MATERIALS

Copies of agendas, minutes, and explanatory documents are available through the Reentry Council's website at <http://sfreentry.com> or by calling Victoria Westbrook at (415) 930-2202 during normal business hours. The material can be Faxed or mailed to you upon request.

ACCOMMODATIONS

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Victoria Westbrook, at reentry.council@sfgov.org or (415) 930-2202 at least two business days before the meeting.

TRANSLATION

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For either accommodation, please contact Victoria Westbrook, at reentry.council@sfgov.org or (415) 930-2202 at least two business days before the meeting.

CHEMICAL SENSITIVITIES

To assist the City in its efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's web site at: www.sfgov.org/sunshine.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE:

Administrator
Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place,

Reentry Council

City & County of San Francisco

San Francisco, CA 94102-4683.

Telephone: (415) 554-7724

Fax: (415) 554-5163

E-Mail: soft@sfgov.org

CELL PHONES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Co-Chairs may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance (SF Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco CA 94102, telephone (415) 581-2300, FAX (415) 581-2317, and web site <http://www.sfgov.org/ethics/>

Reentry Council

City & County of San Francisco

LPP Subcommittee 2024 Suggested Priorities

- State Legislation to present to Reentry Council for support or opposition (10 bills)
- Formerly Incarcerated/Justice Involved as a Protected Class
- Strengthening the Fair Chance Ordinance to include all housing instead of just Affordable housing
- Words/Terminology, terms such as “Ex-Con” re-tooled to ‘Returning Community Members’ to shed stigma. (See Humanizing Language Resolution, beginning on Page 5 in Public Packet – perhaps we just need to revise/amend this??)
- Allow International Attorney Access for immigrant clients in custody.
- Address staffing shortages in case management and legal systems to facilitate quicker client-interface, create and manage more Re-Entry Programs, and facilitate administrative functions efficiently.
- Allow access to Medi-Cal services for the incarcerated population

Warm Handoffs

- Release times that correspond with daytime hours to facilitate receiving of services.
- Post release transport to areas of their choice.
- During incarceration, have case managers meet their clients so action plans can be created. Pre-planning for receiving of Re-Entry services up to and including the completion of administration work.
- Housing Protection Policy; intertwine protection policy with protected class status to ensure safe and equitable treatment for returning community members.
- Adopt 90 day medicine plan like in state prison.
- Refrain from forwarding policies that criminalize mental health. Emphasize policies that treat causes and symptoms of mental illness.
- Create “Re-Entry Pods” that allow Returning Community Members to plan, organize, and understand Re-Entry services prior to release to facilitate a more seamless transition.

1 [Adopting and Utilizing Person-First Language When Referring to People With a Criminal
2 Record]

3 **Resolution recognizing the harmful impacts of the institutionalization of the use of**
4 **pejorative language to refer to formerly incarcerated people, and urging the City and**
5 **County of San Francisco to adopt person-first language.**

6
7 WHEREAS, Approximately one in every five California residents has a criminal record;
8 and

9 WHEREAS, People with criminal records endure intense legal and social sanctioning,
10 including segregation, harassment, and harm; and

11 WHEREAS, People with criminal records are part of our communities, schools,
12 workplaces, and places of worship; and

13 WHEREAS, Language shapes the ideas, perceptions, beliefs, attitudes, and actions of
14 individuals, societies, and governments; and

15 WHEREAS, Language usage that emphasizes or prioritizes a criminal record over the
16 individual undermines, devalues, dehumanizes, demoralizes and dishonors the humanity of
17 that individual; and

18 WHEREAS, Dehumanizing language like “prisoner,” “convict,” “inmate,” or “felon” only
19 serve to obstruct and separate people from society and make the institutionalization of racism
20 and supremacy appear normal; and

21 WHEREAS, Inaccurate information, unfounded assumptions, generalizations, and
22 other negative predispositions associated with justice-involved individuals create societal
23 stigmas, attitudinal barriers, and continued negative stereotypes that affect access to
24 employment, housing, healthcare, professional licensing, travel, support services, and other
25 integral aspects of community life; and

1 WHEREAS, People-first language places the individual before the criminal record by
2 using neutral, objective, and non-pejorative language; and

3 WHEREAS, People-first language promotes positive, sound, and unbiased
4 communication and diminishes categorization and segmentation for people with a criminal
5 record, such that an individual is not defined solely or primarily by a criminal record, arrest, or
6 other contacts with the criminal justice system; and

7 WHEREAS, The District Attorney's Sentencing Commission, the Reentry Council, and
8 the Youth Commission have all passed resolutions supporting the adoption and utilization of
9 person-first language; now, therefore, be it

10 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
11 recognizes that language that is not people-first obstructs the integration, inclusion,
12 participation, and respect of justice involved individuals; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
14 Francisco urges all agencies and departments, both executive and judiciary, to adopt people-
15 first language with respect to people with criminal records in all its official written, voice,
16 audiovisual, and signed communications; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
18 Francisco urges adoption and utilization of people-first language in all legislation, co-
19 sponsorship memos, reports, policies, and other documents; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
21 Francisco recognizes that some agencies, including but not limited to Adult Probation,
22 Juvenile Probation, the Police Department, the District Attorney, and the Sheriff, will need
23 training and ongoing support to implement this shift in culture; and, be it

24 FURTHER RESOLVED, Where possible the City and County of San Francisco should
25 provide adequate support to those agencies; and be it

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FURTHER RESOLVED, That the following examples serve as models of the appropriate use of person-first language:

- 1) “formerly incarcerated person,” “returning resident,” or “justice involved,” not “felon” or “offender;”
- 2) “person on parole” or “person under supervision” not “parolee” or “probationer;”
- 3) “currently incarcerated person,” not “convict” or “inmate;”
- 4) “person convicted of a drug offense,” not “drug offender”
- 5) “a person convicted of a violent/serious offense,” not “violent offender” or “serious offender;”
- 6) “person” or “individual” not “returning citizen” or “illegal alien;”
- 7) “person with a felony conviction” not “felon;”
- 8) “young person with justice system involvement” or “young person impacted by the justice system,” not “juvenile offender” or “juvenile delinquent”
- 9) “person with a history of substance use” not “addict,” or “substance abuser”



City and County of San Francisco

Tails Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190769

Date Passed: July 16, 2019

Resolution recognizing the harmful impacts of the institutionalization of the use of pejorative language to refer to formerly incarcerated people, and urging the City and County of San Francisco to adopt person-first language.

July 16, 2019 Board of Supervisors - ADOPTED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee
Excused: 1 - Mar

File No. 190769

I hereby certify that the foregoing Resolution was ADOPTED on 7/16/2019 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

7/26/19
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

7/26/19
Date

2024 Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	AB2099	Asm. Rebecca Bauer-Kahan [D] , Asm. Kevin McCarty [D]	Crimes: reproductive health services	The bill would make a violation of the following provisions: post personal information or an image of a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against the reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address, willfully injure, intimidate, interfere with, oppress, or threaten another person in the free exercise or enjoyment of a right or privilege secured by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of specified actual or perceived characteristics of the victim, including disability, gender, religion, race, or sexual orientation.	https://legiscan.com/CA/bill/AB2099/2023
	AB2055	Asm. Eloise Reyes [D]	Criminal procedure: expungement of records.	This law allows a defendant to petition the court to have the pleading dismissed, releasing the person of any penalties and disabilities of conviction congruent to successful participation in the California Conservation Camp program as an incarcerated individual hand crew member, or successful participation as a member of a county incarcerated individual hand crew, or participation at an institutional firehouse.	https://legiscan.com/CA/bill/AB2055/2023
	AB2045	Asm. Josh Hoover [R]	Controlled substances: fentanyl trafficking penalties.	The bill would increase the penalty for the following crime as it relates to fentanyl to 5, 8, or 11 years and would make the following enhancement applicable to offenses involving fentanyl. The applicable offenses are: encouraging or soliciting a minor to commit specified crimes relating to controlled substances, to hire or employ a minor to transport or sell controlled substances, or to sell or give controlled substances to minors and impose a punishment for a period of 3, 6, or 9 years.	https://legiscan.com/CA/bill/AB2045/2023
	AB2040	Asm. Marie Waldron [R]	Prison and parole: California Reentry Officer.	This bill would establish the position of the California Reentry Officer, operating independent from the CDCR, to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts to ensure successful reentry services are provided to incarcerated individuals. The bill would require the officer to focus on programming through the period of incarceration that supports successful reentry to society, facilitate the smooth transition of individuals from prison to release, and raise awareness of continuity of care for incarcerated individuals with health and substance use disorders during community supervision and parole.	https://legiscan.com/CA/bill/AB2040/2023
	AB2036	Asm. Joe Patterson [R]	Sexually violent predators.	This bill would state the intent of the Legislature to enact legislation that would require the State Department of State Hospitals to notify the victims of a person who has been committed as a sexually violent predator of that person's release date and placement location.	https://legiscan.com/CA/bill/AB2036/2023

2024 Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	AB2035	Asm. Joe Patterson [R] Asm. Juan Alanis [R] Sen. Marie Alvarado-Gil [D] Sen. Brian Dahle [R] Asm. Diane Dixon [R] Asm. Bill Essayli [R] Asm. Heath Flora [R] Asm. James Gallagher [R] Sen. Brian Jones [R] Sen. Roger Niello [R] Asm. Greg Wallis [R] Sen. Scott Wilk [R]	Sexually violent predators: conditional release	This bill would state the intent of the Legislature to enact legislation that would require the State Department of State Hospitals to notify the victims of a person who has been committed as a sexually violent predator of that person's release date and placement location.	https://legiscan.com/CA/bill/AB2035/2023
	AB2034	Asm. Freddie Rodriguez [D] Asm. Mike Gipson [D] Asm. Blanca Rubio [D] Asm. James Ramos [D] Asm. Stephanie Nguyen [D] Asm. Carlos Villapudua [D]	Crimes: loitering for the purpose of engaging in a prostitution offense.	This bill would make it a misdemeanor to loiter in a public place with the intent to commit prostitution, as defined, and make other conforming changes. By creating a new crime, this bill would impose a state-mandated local program.	https://legiscan.com/CA/bill/AB2034/2023

2024 Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	AB2031	Asm. Reginald Jones-Sawyer	One California Program	<p>This bill would make changes to the criteria for organizations providing legal services to unaccompanied undocumented minors, including adjustments to qualifications based on the organization's history of professional experience. Furthermore, this bill would expand qualifying services to persons having an intent to reside in and having a nexus to the state, and would expand the scope of services to include legal representation and related services for removal defense. The bill would further make changes to the definitions of various terms relating to legal services and immigration remedies. Existing law prohibits the use of grant funds to provide legal services to individuals who has been convicted of, or is currently appealing conviction for a violent or serious felony, the bill would remove the prohibition of funds. This bill would expand the scope of reportable information and would instead require the department to update the Legislature through an annual report, and to post the reports on the department's internet website and make them publicly available. The bill would also require the department to update the Legislature through a publicly available report, every 3 years, commencing on July 1, 2026, that provides information and analysis on the costs associated with service provision and that provides recommendations for any program administration updates addressing these costs. The bill would make conforming changes to related provisions. The bill would require the Section Chief of the Immigration Services Bureau, at the department, or their representative, to convene an ongoing advisory committee, with a specified composition, to be established by January 1, 2026. Under the bill, the committee's purpose would be to create voluntary guidance and make recommendations to the department and to the Legislature on policies and procedures to ensure that indigent immigrant Californians receive the vital legal services and other concomitant resources needed to set up immigrants and their families to thrive in the state.</p> <p>Under the bill, personally identifiable information, collected by the department as related to the above-described services, would not be a public record and would be prohibited from disclosure by the department, except where necessary to comply with a court-issued order, warrant, or subpoena.</p>	https://legiscan.com/CA/bill/AB2031/2023
	AB2024	Asm. Blanca Pacheco [D]	Domestic violence: restraining orders	<p>The bill would prohibit denial of an ex parte restraining order prior to review by a judicial office for failure or incompleteness relating to ancillary custody, property, or other requests.</p>	https://legiscan.com/CA/bill/AB2024/2023

2024 Legislation to Consider

Bill ID/Topic	Author	Bill Name	Summary	LegiScan
AB1909	Asm. Sharon Quirk-Silva [D]	Criminal fines: collection	Any portion of a restitution order that remains unsatisfied after a defendant has completed diversion enforceable. It would also authorize a local collection program to enforce restitution orders after a defendant has completed diversion.	https://legiscan.com/CA/bill/AB1909/2023
AB1898	Asm. Heath Flora [R]	Crimes: child pornography: early release credits.	This bill would include specified felonies involving the knowing depiction, production, distribution, advertising, possession, control, and use of material depicting a person under 18 years of age engaging in simulating sexual conduct as defined in the list of felonies that the commission of which make a person ineligible for credits against a sentence as provided under existing law. This bill would expand the prohibition of lewd and lascivious acts on a child under 14 years of age to include acts that do not require the use of force, violence, duress, menace, or fear.	https://legiscan.com/CA/bill/AB1898/2023
AB1896	Asm. Diane Dixon [R]	Secure youth treatment facilities.	Following commitment to a secure youth facility, the youth would be prohibited from being found ineligible for continued commitment to a secured youth treatment facility as a result of subsequent adjudicated petitions. Furthermore, it would prohibit the court from increasing a youth's current baseline term of confinement based on subsequent adjudications.	https://legiscan.com/CA/bill/AB1896/2023
AB1877	Asm. Corey Jackson [D]	Juveniles: sealing records.	A county probation officer shall be permitted, once the person who was the subject of a petition or cited to appear before a P.O has reached 18 years of age, to petition the court for sealing of certain records unless otherwise specified. It would require the court to order all records sealed if the court finds the person has not been convicted of a felony or misdemeanor involving moral turpitude and that rehabilitation has been successfully fulfilled. Furthermore, the probation department will be required to notify the person in writing that their record has been sealed pursuant to these provisions or that they do not qualify for the sealing of their record under these provisions, reason, or reasons for not sealing. The bill would additionally authorize the court, a state or local agency and, upon approval by a court, a researcher or research organization to access juvenile records sealed by the court as a result of a petition filed by the probation department pursuant to the aforementioned provisions.	https://legiscan.com/CA/bill/AB1877/2023
AB1874	Asm. Kate Sanchez [R]	Crimes: disorderly conduct	The bill would increase the punishment for a second or subsequent offense of that prohibition, if the victim was a minor at the time of the offense, to imprisonment in state prison for 2, 3, or 4 years and a fine not exceeding \$10,000. As the bill would increase the punishment of a crime, it shall impose a state-mandated local program.	https://legiscan.com/CA/bill/AB1874/2023
AB1260	Asm. Joe Patterson [R]	Parole: notice of release date.	For defendants serving time for a violent felony under the umbrella of child abuse or sex offense, existing law requires the Board of Parole Hearings to notify the sheriff or chief of police and the D.A where the person was convicted and where the person is scheduled to be released at least 60 days prior to the scheduled release date. Based on the sentence of the court and any credits rewarded or expected to be rewarded, the department will be required to make a determination of the date for the minimum eligible parole. It would also require the department to post the inmate's new release date on the public inmate locator system if it awards additional credits, revokes credits, or changes the rate of accrual of good conduct credits wherein the inmate's eligible parole date changes by more than six months.	https://legiscan.com/CA/bill/AB1260/2023

2024 Legislation to Consider

Bill ID/Topic	Author	Bill Name	Summary	LegiScan
SB1017	Sen. Susan Eggman [D] Asm. James Gallagher [R]	Available facilities for inpatient and residential mental health or substance use disorder treatment.	The bill would acquire the State Department of Health Care Services to develop a solution to collect, aggregate, and display information about beds in specified types of facilities, including licensed community care facilities and licensed residential alcoholism or drug abuse recovery or treatment facilities; identify availability of inpatient and residential mental health or substance use disorder treatment. The tentative solution date would be operational by 1/6/26, or the date the State Dept. of Health Care Services communicates to the Dept. of Finance in writing that the solution has been implemented to meet these provisions. Facilities will be required to submit accurate and timely data to the solution that includes, among other information, the facility's license type, whether a bed is available, and the target population served at the facility. It would require the solution and information in the solution to be in compliance with state and federal confidentiality laws. The solution and information within the solution will be kept from being publically available. The bill would authorize the State Dept. of Health Care Services to impose a corrective plan against a facility that failed to comply with the requirements of the solution. If a facility fails the corrective plan, the State Dept. of HCS will be authorized to impose civil penalties, subject to an appeal and hearing process. It would create the Available Care for Inpatient and Residential Mental Health or Substance Use Disorder Treatment Solution Maintenance and Oversight Fund for the receipt of any penalties.	https://legiscan.com/CA/bill/SB1017/2023
SB1011	Sen. Brian Jones [R] Sen. Catherine Blakespear [D] Asm. Juan Alanis [R] Sen. Marie Alvarado-Gil [D] Sen. Brian Dahle [R] Asm. Laurie Davies [R] Sen. Bill Dodd [D] Asm. Bill Essavli [R] Asm. Heath Flora [R] Asm. James Gallagher [R] Sen. Shannon Grove [R]	Encampments: penalties	Bill would prohibit a person from sitting, lying, sleeping, loitering, using, maintaining, or placing personal property on a street or sidewalk if a homeless shelter is available to the person. In addition, they would not be able to do the aforementioned within 500 ft of a public and private school, open space, or major transit shop. It shall be specified that the violation of this prohibition is a public nuisance that can be abated and prevented, as specified. A violation of the prohibition may be charged as a misdemeanor or an infraction at the discretion of the prosecutor. The person will not be found in violation of the bill's provisions unless given notice within 72 hours before enforcement operations commence. In addition, no reimbursement is required by this act.	https://legiscan.com/CA/bill/SB1011/2023
SB1005	Sen. Angelique Ashby [D]	Juveniles	For certain offenses, probation officers will be authorized, upon receiving consent from the minor and the minor's parents, to refer an offense to youth court as specified. Existing law authorized probation officers to delineate specific programs of supervision for the minor not to exceed six months, and attempt to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within the jurisdiction. Existing law allow the probation officer is also authorized to provide or contract for services including sheltered-care facilities, crisis resolution homes, or counseling and educational centers upon receiving consent from the minor and the minor's parents.	https://legiscan.com/CA/bill/SB1005/2023
SB1002	Sen. Catherine Blakespear [D] Asm. Tasha Boerner Horvath [D] Asm. Laurie Davies [R]	Firearms: prohibited persons.	The bill would require the five year prohibition to commence on the date that the facility makes the described report to the Department of Justice, and would require the Department of Justice to, within 7 days of receipt of the report from the facility, to notify a person subject to the above-described provisions of the firearm prohibition and their right to request a hearing to reinstate their right to own a firearm. This bill would require a person subject to the firearms prohibition to relinquish any firearm, ammunition, or firearm magazine they own, possess, or control within 72 hrs of discharge from a facility and would require the "Patient Notification of Firearm Prohibition and Right to Hearing Form" to include information on the relinquishment requirement. In addition, the court will be required to inform the person, if said person was not found guilty by reason of insanity of specified crimes and a person who has been placed under conservatorship by a court because the person is gravely disabled as a result of a mental disorder or impairment by chronic alcoholism, to inform the above described persons and their conservator if applicable, of how they may relinquish any firearm, ammunition, or firearm magazine in the person's possession, custody, or control in accordance with local procedure; and the process of submitting a receipt to the court to show proof of relinquishment.	https://legiscan.com/CA/bill/SB1002/2023

2024 Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	SB1001	Sen. Nancy Skinner [D]	Death penalty: intellectually disabled persons.	The bill would define "manifested before the end of the developmental period" to mean that the deficits were present during the developmental period and does not require a formal diagnosis or tests of intellectual functioning in the intellectual disability range before the end of the developmental period. The codified law will specify that individuals with intellectual disability are ineligible for the death penalty and would specify that the question of intellectual disability is a question of fact that may be stipulated to by the parties and would require the court within 30 days to accept the stipulation and declare the defendant/petitioner ineligible for the death penalty. Furthermore, the bill would authorize the court to order said defendant/petitioner to submit to testing by a qualified prosecution expert only if the prosecution presents a reasonable factual basis that the intellectual functional testing by the defendant/practioner is unreliable. If the court enters an order for the defendant or petitioner to submit to testing, the bill would require the prosecution to submit a proposed list of tests so that the defendant/petitioner may raise any objections before testing is ordered. The court will be required, in the event a jury cannot reach an unanimous verdict, to enter a finding that the defendant is ineligible for the death penalty if consensus about the person's disability cannot be reached.	https://legiscan.com/CA/bill/SB1001/2023
	SB998	Sen. Susan Rubio [D] Asm. Eloise Reyes [D] Sen. Dave Cortese [D] Sen. Josh Newman [D]	Dependency: victims of human trafficking	This bill would generally prohibit a social worker from taking temporary custody of a child who is the victim of human trafficking if the parent/guardian of said child did not participate in the child's trafficking whether directly or indirectly. The bill would change the name of the program to the Human Trafficked Children Program and revise all parts of the program to include children who are victims of human trafficking (ex: labor trafficking). The department will be required to provide and update information provided to the Legislature regarding implementation of these provisions and to provide additional information relating to serving child victims of labor trafficking. This bill would require the department to ensure the Child Welfare Services/Case Management System is capable of collecting data concerning children who are commercially sexually exploited. This bill would provide that no reimbursement is required by this act for a specified reason.	https://legiscan.com/CA/bill/SB998/2023
	SB987	Sen. Caroline Menjivar [D]	Pretrial release: pretrial assessment agencies.	The bill would prohibit a defendant from being charged a fee for pretrial supervision, maintain information obtained in pretrial supervision services apart from law enforcement and criminal justice records, and make confidential information in the course of performing pretrial supervision subject to specified exceptions including that the court may order the disclosure of information if the information is material, exonerating on the issue of guilt, and would not otherwise be available. The disclosure of information shall be released to specified entities such as the court to determine bail, release, conditions of release, detention, compliance with release conditions, or sentencing and to a law enforcement agency upon a reasonable belief that it is necessary to apprehending an individual. It would prohibit the admissibility of this information on the issue of guilt in a criminal proceeding when the crime was committed while on pretrial supervision or a defendant failed to appear to a criminal proceeding while on pretrial supervision. Every investigation by a court employed investigative staff or a county pretrial agency staff shall have an investigative report for every investigation. If the report is issued, the staff will only be required to include information relevant to the release of the defendant and would prohibit the staff from soliciting from the defendant information regarding the alleged offense. The report shall be kept specified, unless specified. Furthermore, the AG will be required to furnish state summary criminal history to a treatment and allow the AG to furnish federal-level criminal history information to a treatment provider with the consent of the subject to the state summary criminal history and for purposes of furthering the subject's compliance with pretrial release or diversion. The bill would include pretrial investigation and release within the definition of an activity of a criminal justice agency. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest, the bill would make legislative findings to that effect. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. If the Commission on State Mandates determines the bill contains the costs so mandated by the state, that reimbursement for those costs shall be made pursuant to the statutory provisions.	https://legiscan.com/CA/bill/SB987/2023

2024Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	ACR135	Asm. Akilah Weber [D] Asm. Mia Bonta [D] Sen. Steven Bradford [D] Asm. Isaac Bryan [D] Asm. Mike Gipson [D] Asm. Chris Holden [D] Asm. Corey Jackson [D] Asm. Reginald Jones-Sawyer [D] Asm. Kevin McCarty [D] Asm. Tina McKinnor [D] Sen. Lola Smallwood-Cuevas [D] Asm. Lori Wilson [D]	Human rights violations and crimes against humanity on African slaves and their descendants.	This measure acknowledges the atrocities committed by representatives of the State of California who promoted, facilitated, enforced, and permitted the institution of chattel slavery and the legacy of ongoing badges and incidents of slavery that form the systemic structures of discrimination. It would affirm the State of California's role in protecting the descendants of enslaved people as well as their civil, political, social, and socio-economic cultural rights.	https://legiscan.com/CA/bill/ACR135/2023

2024 Legislation to Consider

	Bill ID/Topic	Author	Bill Name	Summary	LegiScan
	SB21	Sen. Tom Umberg [D]	Controlled substances	Existing law makes it a crime to possess for sale or purchase for purpose of sale, transport, or sell, various controlled substances, including, among others, fentanyl. This bill would require a person who is convicted of, or who pleads guilty or no contest to, the above-described crimes as they relate to fentanyl to receive a written advisory of the danger of distribution of controlled substances and that, if a person dies as a result of that action, the distributor can be charged with homicide or murder. The bill would require that the fact the advisory was given be on the record and recorded on the abstract of the conviction. This bill would authorize a defendant who is charged with the above-described crimes to undergo a treatment program in lieu of a grant of probation or a jail or prison sentence if certain conditions are met. The bill would require the treatment program to be developed by a drug addiction expert and would authorize a defendant to participate in a substance abuse and mental health evaluation. The bill would make any statement or information from the evaluation inadmissible in any action or proceeding. The bill would require the drug treatment program to be approved by the court and could include mental health treatment and job training. The bill would require the court to dismiss the charges upon successful completion of the treatment program. Last Amended on 1/17/2024	https://legiscan.com/CA/bill/SB21/2023
AB1822		Asm. Damon Connolly [D]	Criminal defendant: mental competency to stand trial.	Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Under existing law, a defendant is mentally incompetent if, as a result of mental disorder or developmental disability, they are unable to understand the nature of the criminal proceedings or to assist counsel in the conduct of a defense in a rational manner. If a person is incompetent as a result of a mental health disorder and charged with a misdemeanor or misdemeanors only, existing law authorizes a court to conduct a hearing to determine if the person is eligible for diversion, as specified, or dismiss the charges against the person. If the person is charged with a felony or alleged to have violated the terms of probation for a felony or mandatory supervision, the court must instead order the person be delivered to a mental health treatment facility, as specified, or make a finding that the person is eligible for diversion, as specified. Existing law, the Sex Offender Registration Act, requires a person convicted of certain crimes to register with law enforcement as a sex offender while residing in California or while attending school or working in California, as specified. This bill would make the incompetence provisions for a person who is mentally incompetent and charged with a misdemeanor that requires registration as a sex offender the same as those for a person who is charged with a felony.	https://legiscan.com/CA/bill/AB1822/2023

2024 Legislation to Consider

Bill ID/Topic	Author	Bill Name	Summary	LegiScan
AB1186	Asm. Mia Bonta [D] Asm. Isaac Bryan [D]	Juveniles: restitution	Existing law establishes the jurisdiction of the juvenile court over minors who are between 12 and 17 years of age, inclusive, who have violated a federal, state, or local law or ordinance, as specified, and over minors under 12 years of age who have been alleged to have committed specified crimes. Existing law authorizes a juvenile court to adjudge a person under these circumstances to be a ward of the court. Existing law authorizes a court, upon adjudicating a person to be a ward of the court, to require the minor to pay restitution to the victim or victims. This bill would remove the ability of the court to require the minor to pay monetary restitution to the victim. The bill would authorize the court to instead order the minor to make nonmonetary restitution by participating in a community-based restoration program, performing community service, or participating in an educational, employment, youth development, or mental health program, as specified. The bill would require the court to determine the amount of economic loss suffered as a result of the minor’s conduct and issue a restitution order, which would then be transmitted to the California Victim Compensation Board. The bill would require the California Victim Compensation Board, upon appropriation by the Legislature for these purposes, to compensate the victim for the amount in the order. This bill contains other related provisions and other existing laws. Last Amended on 6/19/2023	https://legiscan.com/CA/bill/AB1186/2023
SB987	Sen. Caroline Menjivar [D]	Pretrial release: pretrial assessment agencies	Existing law allows a defendant to be released under their own recognizance pending trial if a defendant files with the clerk of the court, or other person authorized to accept bail, a signed release agreement that includes various stipulations by the defendant. The bill would, for a defendant released from custody under a court’s order for pretrial supervision, prohibit a defendant from being charged a fee for pretrial supervision, maintain information obtained in pretrial supervision services apart from law enforcement and criminal justice records, and make confidential information in the course of performing pretrial supervision subject to specified exceptions, including that the court may order the disclosure of information if the information is material, exonerating on the issue of guilt, and would not otherwise be available. The bill would authorize the disclosure of information to specified entities, including to the court to determine bail, release, and conditions of release, detention, compliance with release conditions, or sentencing, and to a law enforcement agency upon a reasonable belief that the information is necessary to assist in apprehending an individual. The bill would prohibit the admissibility of this information on the issue of guilt in a criminal proceeding except when the crime was committed while on pretrial supervision or a defendant failed to appear in a criminal proceeding while on pretrial supervision, or if that information is relevant evidence that is admissible under specified standards in the California Constitution. This bill contains other related provisions and other existing laws.	https://legiscan.com/CA/bill/SB987/2023

Reentry Council

City & County of San Francisco

LPP Subcommittee 2024 Meeting Calendar

All Subcommittee Meetings will be held at the CASC, 564 6th Street, SF, CA 94103

- Wednesday, 02/28/2024, 2pm – 4pm
- Wednesday, 03/27/2024, 2pm – 4pm – Workgroup mtg on Zoom
- Wednesday, 04/10/2024, 2pm – 4pm
- Wednesday, 06/26/2024, 2pm – 4pm
- Wednesday, 07/24/2024, 2pm – 4pm – Workgroup mtg on Zoom
- Wednesday, 09/25/2024, 2pm – 4pm