

BY DISTRICT CITY AND COUNTY OF SAN FRANCISCO
JUVENILE PROBATION COMMISSION



FULL COMMISSION REGULAR MEETING
Wednesday, February 14, 2024, 5:30pm

Meeting held in-person with public comment at:
City Hall, #1 Dr. Carlton B. Goodlett Place, Hearing Room 408
San Francisco, CA 94102

Full Commission:

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

Meeting Minutes

In person meeting only. Comments would have to be from public sitting in audience.

1. Roll Call:

- A. Meeting called to order at 5:37pm.
- B. All members present.

2. Public Comment on items not on the agenda:

- A. Siana Hristova, mother of 16 year old female, comments that she feels that San Francisco Juvenile Probation has failed to provide effective consequences and corrective measures for her daughter's actions and behavior. She feels that all the programs daughter/family was referred to are not effective and they are just bouncing them from one program to another when she took the time to fill out and enroll her child.
- B. Sandra Sandoval, Employee of a non-profit, expresses her concerns of Proposition E and its effect on people of color, both juvenile and adults.

3. Finance & Governance Committee Report:

- A. Department budget Discussion:
 - i. Commissioner Magee reports that the committee met. The budget was reviewed and forwarded to the Full Commission. There was a robust conversation, and the Finance & Governance Committee is eager to continue the conversation.

- B. Future Juvenile Probation Commission agenda topics:
 - i. Not inclusive list, but some topics to be discussed are:
 - 1. Follow up on Juvenile Hall replacement concept design
 - 2. CARC in front end Diversion
 - 3. Invite DA to speak, and to also discuss Make It Right
 - 4. Additional conversations that Finance and Governance Committee believes should start in Program Committee to ensure sequencing and to gain maximum impact and input. More to be discussed offline.
 - 5. Log Cabin Ranch
 - 6. After DCYF RFP results are available, to discuss partnership with CBO partners and the Department and also the implications for any potential changes. President Brodtkin notes that Commissioner Rodriguez was asked to prepare for this agenda item. Commissioner Rodriguez acknowledges this and will do so in collaboration with the rest of the Commission and the Program Committee.
- C. Public Comment: None

4. Juvenile Probation Department's FY 2024-2025 and FY 2025-2026 Budget Presentation by Katherine Miller, Chief Probation Officer:

- A. The FY 2024-2025 and FY 2025-2026 budget presentation is structured to share the Mayor's budget instruction and process, provide key contextual information about the department, and to also showcase the proposed budget. Chief Miller provides overview of the following (link to [Presentation](#)):
 - i. Policy Priorities: Mayor cites public safety and equity.
 - ii. Mayor Breed's overview and outlook: The City is looking at a \$800 million deficit in the next two years. Forecasting about \$245 million deficit in FY 24-25, \$554 million deficit in FY 25-26.
 - iii. Budget Instructions:
 - 1. This year, instructions were for departments to identify 10% of general fund dollars to reduce and a 5% contingency on top of that.
 - 2. Mayor instructed departments to focus on maintaining core department operations in this time of budget scarcity, to prioritize staffing key areas related to public safety and essential operations and to fill only essential FTEs (positions in departments).
 - iv. Citywide Budget Process:
 - 1. Required to have two public hearings on budget.
 - 2. Submit budget by February 21st into the City system.
 - 3. There is a lot of activity with the Mayor's Budget Office between late February and when the Mayor presents budget. There will always be some level of changes.
 - 4. Board of Supervisors hears from all departments and votes on budget.
 - v. How work gets to Probation and how different decision makers influence each case. For example, police make the arrest, and they decide on what charge(s) to allege, which then influences whether youth can be cited or detained and whether Probation needs to make referral to DA's office to consider prosecution. DA's Office decides not only whether to file a case but for what charges and can also decide to send case to Make It Right.
 - vi. Juvenile Probation Mandates
 - vii. Organizational Chart of all divisions in the Department and explains how staffing and overtime influences the proposed budget.
 - viii. DCYF and Community Investments
 - ix. Budget Sources
 - x. Modification in budget from prior year: Proposing to use some of State funding to pay for positions on long-term secure units.
- B. Questions/Comments:
 - i. President Brodtkin asks:

1. "Is this the identical presentation you are going to give to the Board of Supervisors?"
 1. Chief Miller responds, "No. The Board of Supervisors will give all departments very specific instructions on what they want to hear, and they only give departments about 5 minutes to do their presentation. We will not know until much later in the Spring what those instructions are. It's at the discretion of the Chair of the Budget and Finance Committee so that Board of Supervisors' member will be the one who identifies what they want us to cover."
 2. President Brodtkin comments and is very impressed by the overall budget presentation. President Brodtkin concurs that there is no other place in the State that invests their Probation dollars in community agencies the way San Francisco does. President Brodtkin points out that through next year, the Department is going to be asked to take more cuts, even more than this year.
- ii. Commissioner Lacoé asks:
 1. "What criteria does the Mayor's office use to evaluate budgets and suggest changes? What are they looking at and looking for in this that they are going to come back to you with changes?"
 1. Chief Miller responds, "As general principles, I will say that the Mayor's Office is looking to see if there are places where there can be savings. They are also looking to advance the priorities that the Mayor set for this year and public safety is a huge focus, also prioritizing the continuation of core functions. So much of what we do is statutorily mandated. We've also spoken with them and shown them the data that we've shown you in advance of them receiving the budget, but there's a lot of back and forth that goes along the way."
 2. Verónica Martínez, Director of Administration Services, responds, "In addition to what Chief Miller mentioned, they do focus on their priorities. When we propose reductions or if they force us to propose a reduction, they do focus on what's the impact of this reduction. Then we will explain if we reduce the investments to the community investments area by this much, this is how many programs we won't fund, and then how many youths or families won't be served. And likewise, for departmental reductions, if it's FTE, for example, this is the impact that that reduction will have on the work. They pay attention to the potential impact of reductions."
 2. "Why do we have two units of the secure track for seven kids?"
 1. Chief Miller responds, "The reason that we did it initially was because we have some young people with us for a long time, whose histories with each other and with each other's families and circles of support make it very hard for them to feel safe with each other. We wanted to make sure that they could be in places where they felt safe enough to actually do the work we want them to do and learn and grow. We also have known along the way that there may be reasons down the road where, even if we were able to combine all the young men, if we have young women who get committed, it will be a whole different discussion. Shane Thomas, our JJC Director, has been leading discussions with the staff over the last number of months about whether it is possible for us to safely combine them all and how that would work. All of our staff are going through training on a cognitive behavior approach that the organization Roca developed. We want to get everybody trained up and tooled up before we consider bringing young people together. Even if we close a unit, it will still not bring us to the number of staff we need to run the rest of the facility without a lot of overtime, because our overtime use is so extreme right now. It will get us closer, and we will still have a gap, but it'll be smaller. We have been talking about it both for that reason and

also just for the reason of whether we think it's optimal to have more kids together. We're trying to balance all of those issues.”

3. “Aside from the cost of using on call staff versus full time staff I'm wondering if there are other implications?”
 1. Chief Miller responds, “The biggest implication is just that we can't rely on their availability. We know them, they've been vetted, they have the experience to do the work, they've been trained to do the work, but it entirely depends on their desire and availability, so it's just not something that we can use in a regular planning tool for our staffing.”
4. “Can I just follow up from the capital just because it sounds like there's still a lot of physical improvements and stuff that need to be done to the aging building, so would that just happen through a different process and not show up for a while?”
 1. Chief Miller responds, “You don't see that in this budget. That's a separate process, and we haven't had our hearing yet before that body. We submit requests to address specific things in the building that are broken and need updating and then they make that decision, and it gets rolled into the budget process in the Spring.”
5. “If we are fulfilling a function that the State use to pay for, for the Secure Track youth and the State funding that we're getting pays for 30% of that cost, does the 70% come from the City?”
 1. Chief Miller responds, “I really appreciate that you brought it up because it means that we've held our budget steady while doubling our community investments and while taking on a new underfunded responsibility which really costs us more than the City is asking us to find cuts for.”

iii. Commissioner Moses asks:

1. “The 10% reduction, how did we do last year? Did we meet the goal, the 10% reduction?”
 1. Chief Miller responds, “The 10% reduction I referred to was back in 2020 which we did do. We actually made an 11% reduction. I can tell you, in the Fall when we were instructed to do a 3% reduction, we met it part way, but not the whole way.”
2. “What area will you say is most impacted, salary, administration, or the services?”
 1. Chief Miller responds, “If we were trying to find a cut right now, as you can see from our budget, the vast amount of the budget is in salary, so that is the place where we would have to find cuts. We have gone through and found cuts in other areas already in the budget you're looking at. We don't believe there's wiggle room in those other budget line items at this point. It really is salary where it's the biggest driver for us of our spending, and that's why we don't feel like we can actually propose cuts at this time.”
3. “What is the Commission's Budget and where does it come from?”
 1. Chief Miller responds, “You are all a little bit of an FTE.”
 2. Verónica Martínez responds, “You are included in the Administrative Services Division, and it includes the budget for the Commission which also includes the secretary, who is your support staff. The compensation you receive is all included. We're not proposing to reduce anything. The compensation comes from the general fund.”

iv. Commissioner Martley-Jordan asks, “In looking at the Juvenile Justice Center Division and at the various detentions, the girls' detention and the others, how is the budget supporting same-sex young people?”

1. Chief Miller responds, “Do you mean how is it supporting LGBTQ youth who may come in? We would work with any young person who comes in who works with us to select where they safely want to be housed. I can think of an example right now where we have

a young person who self-selected into a particular unit based on their unique circumstances, and what they shared with staff, and where they felt most safe and cared for. It is very much case by case. “

v. Commissioner Spingola asks:

1. “At the end of the year how does your budget work? Do you have excess funding leftover and do your funding rollover into the next year, or do they take it away?”

1. Verónica Martínez responds, “We do work very closely to monitor our budget and our spending. As you can see in some areas we are overspending, like overtime for example. We present reports to the Controller’s Office quarterly and in that, we monitor and make sure that we spend everything that we have budgeted for. Typically, we’re not allowed to budget more money than we could spend, so if we don’t have a plan for spending any money it’s not in the budget. Typically, we do spend all the budget that we plan, so it’s very close to our spending plan. When there are surpluses it’s typically in our community investments and those automatically roll over in part because a big portion of the community investments is supported by grants which they also roll automatically. They’re not tied to a funding cycle.”

2. Chief Miller responds, “The money that we get from the State, once we have it, we have it. If we don’t spend that down or if a CBO hasn’t had the opportunity to spend it down, those funds don’t get taken back by the state at the end of the year. We figure out what makes the most sense for the future use of those funds.”

2. “What do we do with the three-hour counselor a month? What does a counselor do?”

1. Chief Miller responds, “These are the on-call counselors. They are people that we know. We can have people who are on call counselors with us for years, so we know them, we have relationships with them, but they’re filling in those gaps and that’s not very frequent. We’re really looking for people to fill a whole shift, but to your point, they could be someone who we don’t see very often these days and we may call them. It’s important to know that we actually have had to activate mandatory overtime for our hall staff. It’s in their MOU, and it is not unusual and it’s in fact very common now for us in a given week to be telling several people that they have to add 8 hour shifts on to their week. We give all staff the opportunity to sign up for overtime that they want, but everybody understands that if there’s gaps, we’re going to start invoking that mandatory call in or mandatory stay on if they’re already at work. It’s been considerable. I will note that as we’ve overspent on overtime that it is then we’ve used other funding in the salary line item, so positions we would have been able to hire on some of those counselors, we’re using that money to pay for that overtime. It’s having a big impact on us.”

vi. Commissioner Rodriguez asks:

1. Clarification on overtime topic and pre-pandemic level.

1. Chief Miller responds, “We’re bringing our overtime budget back to pre-pandemic level. We cut our overtime budget when we went into the pandemic. We had so few kids in the facility, we didn’t need it, and it was a time when the city was trying to find cuts, so we went way down. Now that we’re back to those 2019 numbers and with our current staffing levels, we want to have the overtime budget be our best projection of what we think we’ll spend next year, and our salaries be the best projection as well. They’re all wrapped up in one line item that you see, but for us, we see them in the city finance system as different things. We want to get overtime right. The other thing is that it is just not healthy to run an institution on overtime. It’s more expensive to the budget, and it’s more costly

to people's lives.”

2. “JPD total budget historical comparison, capital outlay and programmatic projects, just curious as to what those were, or could you explain those to us?”

1. Verónica Martínez responds, “The whole capital budget is a different process that happens outside of this process of operations. It is governed by the Capital Planning Committee (CPC). Departments submit requests to CPC, and they then make funding recommendations to Mayor. The Mayor ultimately decides what it will be funded in terms of capital projects. This particular line that goes down to zero is a capital project that was funded in prior year but is no longer funded. This was for improvements of the HVAC system; we're working on those improvements right now and we won't receive additional funding again. We do have one grant that we received \$1 million last year and that was a one-time funding. That will be shown in the intergovernmental state funding. The programmatic funding is where we budget funding that's not fully completely allocated but it's funding that's coming, it goes to programmatic funding until it is determined and figured out what it is going to be used for. This year we don't have as much unallocated or programmatic funding because we're allocating the funding to different areas. We are very much setting up the funding for everything. It's either going to community investments, or to personnel, so everything is set up in a way that it is not in this programmatic funding that's why that line item goes down.”

3. “I just want to bring up a topic that Chief Miller said that this happens all the time, the department heads don't follow the budget guidelines and Chief Miller shared some of the historical context from the other safety net programs and departments. When you think of the people who will call and what the ramifications are. I fully support what Chief Miller was talking about in terms of the justification behind making the cuts. I'm just curious the optics of it and sort of ask the other Commissioners what their opinion is on the optics.”

1. Commissioner Lacoé responds, “I think if a stated priority for the Mayor is public safety, then the cuts need to come from organizations that aren't focused on public safety, if that's one of our strategic priorities.”

vii. Commissioner Magee comments, “The capital request, that's something that probably would be great to discuss in Finance and Governance just so the Commission has some eyes on that before the process goes.”

C. Public Comment:

i. Siana Hristova, mother of 16 year old female, comments that community agencies are not effective, and they damage the kids, police in San Francisco does not want to work in San Francisco anymore and they move out, and there is increase in criminal activity amongst kids, which all contributes to a failing budget. She also notes as presented, admissions are less than citations. When a kid commits a crime, they are given a citation. She feels that the message sent to the kids is “we will just give you a piece of paper and you can continue doing what you want”. To her, this is a frightening statistic because “kids are not sent to juvenile hall when they commit a crime immediately and that's what should happen if we want to send them a message.” She states, “If you want to know what the budget would be, I think we're looking in the wrong direction. We're addressing everything towards the money. We should go and talk to the police, to parents, to community service, and to the kids, and then figure out what's important and what's needed. I don't want to go to organizations who give me a full bag of goodies that I go and trash immediately because I don't care nor my daughter cares. Actually, I read it, but she doesn't. This is where the money goes. I'm here for you, a reality check, go and find out what's really happening in the system and change it because it hurts our kids literally. It hurts our kids to the point that they could get killed.”

D. Motion:

- i. Commissioner Laco motions to approve the Department's FY 2024-2025 and FY 2025-2026 Budget. Commissioner Martley-Jordan seconds the motion.
 1. Votes: Yes: Brodtkin, Laco, Magee, Martley-Jordan, Moses, Rodriguez, Spingola
 2. Motion passes.

5. Chief's Report:

A. Monthly Data Report Highlights:

- i. As Celina Cuevas was not present due to being ill, the monthly data report highlights were not presented. However, the highlights memo was provided during the meeting for the commission to reference. (Link to [Memo; Monthly Report](#))

B. Workforce Update:

- i. Lorena Garcia has been promoted to Senior Supervising Probation Officer.
- ii. Cindy Aguilar, previously Counselor II position, has transitioned from sworn position to a position in managing all programs in Juvenile Hall.
- iii. Retired Counselor, Martha Rivas, 34 years of tenure.

C. Transformation Update:

- i. DCYF is finishing its RFP process. They plan to announce decisions on March 11th. They received 700 proposals across eight service areas in the City. Updates will be presented to the Commission.
- ii. Juvenile Hall Intake Process Improvement Project– Project is coming to an end. Controller's Office brought in last Spring to do detailed analysis and mapping of Probation Department. For this project, they worked with JPD and Health in particular with SPY and identified improvements to the admissions process and next steps for the Department to work on.
- iii. Unit 7 and Unit 8 – Ballot boxes in units for youths. Department of Elections came and registered everyone to vote. This is not just about registering the young people, but also helping to educate them of all the issues of the election. This will continue into the future.

D. Questions/ Comments:

- i. Commissioner Martley-Jordan asks, "Under bullet point number three, the average daily population in December was 100% youth of color. Can we define youth of color, and can we put percentages in?"
 1. Chief Miller responds, "They are in the full report. They're just not on the one pager."
- ii. Commissioner Laco comments and requests that next time she would like to hear about how the restructuring is going.
- iii. President Brodtkin:
 1. Comments: Would like to have a more robust discussion about warrants.
 2. Asks, "It looks like the number of young people in Secure unit is stabilizing, do you see it going up. Do you project it is going to be the same?"
 1. Chief Miller responds, "We've actually had two more young people since the data was run for the dates on this report. In the coming months some of the young people there stepping down and out, so I just think it's too early to really know."
- iv. Commissioner Magee comments, "Given that we have a couple of somewhat new Commissioners and given the context of the budget and the expectation for next year's budget that the President is referring to, I think there might be some value in finding some time to rearticulate your vision as we move forward. I think that will be really important as we're sort of weaving in these budget conversations throughout the year and we're talking about some of these other items that are coming up. I don't know if that's an agenda item or maybe in your report, but it'd be good to just to take a moment and step back to make sure that we're all clear on what that vision is and how these different topics that come up month after month inform that."
- v. President Brodtkin comments, "Another aspect of the chief's report, we all want to feel like a useful Commission, so it would be helpful to hear from you periodically as part of your report"

what you think the Commission can do to really advance the mission of the department.”

E. Public Comment: None

6. Program Committee Report:

- A. Commissioner Lacoë mentions that the Committee did not meet since the last meeting as a full Commission because the meetings are held every other month. Commissioner Lacoë highlights what will be talked about at the upcoming meeting which includes having a discussion with Community partners and also talking about data (Out of County).
- B. Public Comment: None

7. President’s Report:

- A. President Brodtkin reports that interviews have been conducted for the Commission Secretary position and an offer has been extended to the candidate.

8. Consent Calendar:

- A. Submission of request to enter into a new Agreement with Faith in Action Community Education Services (FACES) for Domestic Violence Counseling with a proposed 12-month term and a not-to-exceed amount of \$9,999.
- B. Motion:
 - i. Commissioner Rodriguez motions to accept the contents of the items on the Consent Calendar. Commissioner Lacoë seconds the motion.
 - 1. Votes: Yes: Brodtkin, Lacoë, Magee, Martley-Jordan, Moses, Rodriguez, Spingola
 - 2. Motion passes.

9. Future Agenda Items:

- A. March: Planning to talk about Juvenile Hall replacement concept design presentation and Performance Measures.
- B. Suggestion/request from Mayor’s Office to discuss Log Cabin before next Fall, and before June. Mayor’s Office is eager to talk about what kinds of decisions we could make as a City about it and would like to have a hearing.
- C. Public Comment: None

10. Review and Approval of the Program Committee Meeting Minutes for January 10, 2024:

- A. Public Comment: None
- B. Motion:
 - i. Commissioner Rodriguez motions to approve the January 10, 2024 Meeting Minutes. Commissioner Magee seconds the motion.
 - 1. Votes: Yes: Brodtkin, Lacoë, Magee, Martley-Jordan, Moses, Rodriguez, Spingola
 - 2. Motion passes. January 10, 2024 minutes are approved.

11. Adjournment:

- A. Meeting adjourned at 7:28pm