

C E N T E R

F O R

C O U R T

I N N O V A T I O N

A Project of the Fund for the City of
New York

Community Justice Center Needs Assessment Report: Tenderloin, South of Market, Civic Center, and Union Square

Submitted to the City & County of San Francisco and
the Superior Court of California,
County of San Francisco

January 31, 2008

520 Eighth Avenue, 18th Floor
New York, New York 10018
212.397.3050 fax 212.397.0985
www.courtinnovation.org

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY	3
II. INTRODUCTION.....	7
III. METHODOLOGY	10
IV. ASSESSMENT OF NEEDS.....	11
DATA ANALYSIS	11
<i>Population and Demographics</i>	11
<i>Poverty and Unemployment</i>	11
<i>Local Social Service Providers</i>	12
<i>Probationers and Parolees</i>	13
<i>Crime</i>	13
<i>Issues Involving the Homeless Population</i>	16
<i>Community Perceptions of Safety and Cleanliness</i>	16
INDIVIDUAL INTERVIEWS AND COMMUNITY MEETINGS	17
<i>Community Strengths</i>	18
<i>Public Safety Issues</i>	19
<i>Other Problems</i>	19
<i>The Justice System’s Response to Problems</i>	20
<i>Feedback on the Community Justice Center Model</i>	21
FOCUS GROUPS.....	21
<i>Police</i>	22
<i>Housing Providers</i>	22
<i>Participants in Existing “Community Court” Diversion Program</i>	23
<i>Social Service Providers</i>	24
<i>Community Stakeholders</i>	25
CRIMINAL JUSTICE AGENCIES: CURRENT RESPONSES AND CHALLENGES	26
.....	26
<i>Mental Health and Addiction Services</i>	26
<i>Health Services</i>	26
<i>Housing Services</i>	27
<i>San Francisco Police Department</i>	27
<i>San Francisco District Attorney’s Office</i>	28
<i>San Francisco Superior Court</i>	30
V. CONCLUSION.....	34
Appendix A – Steering Committee Members.....	37
Appendix B – Map of CJC Region	38
Appendix C – Stakeholder Interview Questions.....	39
Appendix D – Focus Group Questions	41
Appendix E – Case Management System (CMS) Data Survey FY 06-07	42
Appendix F – Participating Community Groups	57

I. EXECUTIVE SUMMARY

Introduction

With its rolling hills and brightly colored Victorian houses, San Francisco is one of the most attractive cities in the U.S. Visitors from all over the world are drawn by its natural beauty, rich history, and unique sights, including the festive marketplace Pier 39, said to be the third most visited attraction in the country.¹ And as a glittering gateway to the Pacific, San Francisco is host to a variety of cultures that exist side by side to help make the city one of the most cosmopolitan and diverse in the country.

Like many urban environments, however, San Francisco also has its share of problems, among them offenses like drug dealing, aggressive panhandling, graffiti, prostitution, and public urination. To address these problems, which are concentrated in San Francisco's central area, city officials, including the mayor and presiding judge, announced plans to establish a Community Justice Center that will serve the Tenderloin, South of Market (SOMA), Civic Center, and Union Square neighborhoods. This area was selected because of the high concentration of San Francisco's crime that occurs there (roughly one-fourth to one-third of all of the city's crime, other than vehicle-related offenses). Also important in the selection of this area for San Francisco's first experiment with a community justice center were its central location, high concentration of programs and services, vitality of resident involvement, and strength of the business community.

In January 2007, San Francisco created a Steering Committee to help plan the project. Members of the committee represented the Superior Court, Mayor's Office, Sheriff's Department, Police Department, Department of Public Health, Human Services Agency, Pretrial Diversion, Adult Probation, District Attorney's office, Public Defender, City Attorney, and City Controller's Office. In April 2007, the city engaged the Center for Court Innovation, a nonprofit think tank that develops and evaluates new court models, to assist in conducting a formal assessment of community needs. The primary goals of the assessment were to collect community input and gather data essential for the project's development.

As part of the needs assessment, the Steering Committee collected a range of information, including raw data from government agencies and feedback from potential stakeholders. The feedback was obtained through interviews, focus groups, and community meetings sponsored by neighborhood organizations.

Description of the Community Justice Center Region

The area to be served by the proposed Community Justice Center includes the Tenderloin, SOMA, Civic Center, and Union Square neighborhoods (collectively, the "CJC Region"). Almost the entire CJC Region is located in San Francisco's Supervisorial District 6, with small sections to the north in Supervisorial Districts 2 and 3. The area encompasses the entire Tenderloin police district, as well as large swaths of the San Francisco Police Department's Northern and Southern Districts and a small portion of the

¹ SFGov.com, "Sights in San Francisco," available at http://www.sfgov.org/site/mainpages_page.asp?id=18191.

Central District. The area also encompasses large sections of zip codes 94102 (north of Market) and 94103 (south of Market), with a smaller portion to the north in the 94109 zip code and a few blocks to the southeast in the 94107 zip code.

The proposed CJC Region is located in the heart of the city and is home to a variety of attractions, a mix of communities, and the richest array of services in the city. It includes three Community Benefit Districts, which administer funds collected from property owners to provide supplemental security, sanitation, and other projects aimed at improving quality of life in the neighborhoods served. The 2000 Census showed that Supervisorial District 6 had the city's highest percentage of people—23 percent—living below the federal poverty level, and one of the lowest home ownership rates in the city. The district also had a disproportionate percentage of residents who were unemployed, living in single-room-occupancy hotels, or homeless. A 2007 homeless count showed that of the 2,771 homeless people counted citywide on January 31, 2007, 1,239 of them, or 45 percent, were found in Supervisorial District 6.² In addition, the area is home to a large number of people under supervision by community corrections agencies, whether probation or parole.

The area contains a number of social service agencies and nonprofits, from drug treatment and HIV treatment agencies to mental health providers, job training programs, youth services providers, and homeless shelters. While this wealth of helping agencies is a strength, many interviewed during the needs assessment process felt that these services could be better coordinated and that, in some sense, they've made the Tenderloin district a "containment zone" for a needy population.

As for crime, it is estimated that somewhere between one-fourth to one-third of all of San Francisco's crime, other than vehicle-related offenses, occurs there. A breakdown of crimes in the Tenderloin police district in 2005 showed that the Tenderloin accounted for 34 percent of the total drug-related offenses in San Francisco, and the four districts included in the CJC Region accounted for 57 percent of the city's total.

It's not surprising, therefore, that residents in the Tenderloin are more likely to report feeling unsafe than residents in other areas of the city. In one survey, 49 percent of respondents in Supervisorial District 6 reported that they felt "unsafe" or "very unsafe" walking alone at night in their neighborhood.³

Individual Interviews and Community Meetings

Between May and November 2007, Steering Committee members conducted individual interviews with 22 representatives of the community, criminal justice agencies, government, and social service providers. In addition, members attended 18 community meetings specifically designed to elicit public feedback about neighborhood needs, community priorities, and crime.

² Number calculated from data on http://www.sfgov.org/site/redistricting_index.asp?id=5971.

³ City and County of San Francisco, Office of the Controller, City Services Auditor, *City Survey 2007*, available at <http://co.sfgov.org/webreports/details.aspx?id=602>.

While the Community Justice Center is currently proposed to serve the Tenderloin, SOMA, Civic Center, and Union Square neighborhoods, much of the conversation among community stakeholders centered on the Tenderloin being in many ways the most troubled section of the CJC Region. Participants painted the picture of an overcrowded, neglected, low-income neighborhood visibly in decline, where drugs are sold openly on the sidewalks, liquor stores represent a disproportionate share of the commercial activity, trash collects in the streets, families live in cramped, unstable conditions, and groups of people hang out on street corners and in doorways—all adding to the sense, as one participant put it, that “no one would help you if anything happened.” Drug dealing and use were mentioned consistently as the most significant (and visible) problem, while offenses such as public intoxication, loitering, and public urination also ranked high on the list of public concerns.

Yet stakeholders also talked of a neighborhood located in the heart of the city, rich with services and energized by a growing sense of community and a highly diverse population. Almost everyone pointed out how the Tenderloin is home to some of the best-known and most longstanding nonprofits and social service providers in the city. They also noted the presence of Hastings School of Law, and how, with the Tenderloin’s proximity to City Hall and the headquarters of California’s Administrative Office of the Courts, “so much of what runs California is right there.” There was a strong sense of the neighborhood’s vitality and activism; one stakeholder talked of the number of people “trying to rebuild and turn the neighborhood around” and “the myriad of players we can tap into and coordinate.”

Focus Groups

Steering Committee members also conducted five focus groups in August 2007 with the following categories of stakeholders: police officers, housing providers, staff and volunteers involved in San Francisco’s existing “community court” diversion program, service providers, and community stakeholders. While each group offered a unique perspective, some common themes emerged. Those themes included a need for greater coordination and more knowledge-sharing among service providers themselves as well as criminal justice agencies, and more strategic delivery of services for mental illness and substance abuse.

Conclusion

Participants largely agreed that the CJC Region identified by the Steering Committee was appropriate, with many placing specific emphasis on the Tenderloin as the neighborhood most in need. Although statistics confirm that the CJC Region is plagued by problems such as drug dealing, homelessness, poverty, and a feeling among stakeholders of being unsafe, it also has important strengths, including a high concentration of social service agencies and a diverse citizenry that is motivated to improve the neighborhood.

Given that the community justice center model has been shown in other jurisdictions to encourage collaboration, enhance community involvement in the justice system, leverage resources, and provide creative solutions to problems that fuel criminal behavior,

participants were largely enthusiastic about the idea and identified the following potential opportunities for the proposed Community Justice Center:

- To make sure that the justice system develops a clear understanding of the problems being faced by individual offenders through effective assessments (a frequently mentioned need, for example, was to distinguish among mentally ill people who are self-medicating through drugs and alcohol; drug addicts; and non-addicted drug dealers).
- To help coordinate fragmented services with a team approach, and to bring needed services as close as possible to the “point of contact” with police by strengthening partnerships among justice and social service agencies.
- To ensure accountability and promote positive change by providing more intensive follow-up and case management services.
- To find efficiencies in case processing and to identify new ways of engaging offenders into appropriate services when they are brought through the justice system.
- To bring together the justice system and other initiatives currently operating independently of one another and—being careful to avoid duplication—to better utilize existing programs and fill gaps in service delivery where necessary.
- To provide restitution to the Tenderloin, SOMA, and other neighborhoods within the CJC Region in the form of graffiti removal, street clean ups, and other community service activities.
- To provide the community a role in the planning and eventual operation of the Community Justice Center (for example, through a community advisory board and by incorporating the two “community court” diversion programs currently operating in the CJC Region).

II. INTRODUCTION

With its rolling hills and brightly colored Victorian houses, San Francisco is one of the most attractive cities in the U.S. Visitors from all over the world are drawn by its natural beauty, rich history, and unique sights, including the festive marketplace Pier 39, said to be the third most visited attraction in the country.⁴ And as a glittering gateway to the Pacific, San Francisco is host to a variety of cultures that exist side by side to help make the city one of the most cosmopolitan and diverse in the country.

Yet certain offenses like drug dealing, aggressive panhandling, graffiti, prostitution, and public urination have long been a visible problem in the city's central area. In an effort to address these problems, Mayor Gavin Newsom and Presiding Judge David Ballati announced plans to create a Community Justice Center modeled after community courts in New York and elsewhere. As such, the Community Justice Center will seek to combine both punishment and help in an effort to improve defendant accountability as well as address the underlying problems—such as drug addiction and mental illness—that fuel crime. Although the Community Justice Center will be located in and serve the Tenderloin neighborhood, it will also serve the South of Market (SOMA), Civic Center, and Union Square neighborhoods.

The idea for a Community Justice Center in San Francisco is not new. As part of its Long-Range Strategic Plan issued in April 2002, the San Francisco Superior Court included the following objective: to “work with the public, other justice system agencies, and other social service providers to implement community courts that offer a comprehensive range of services to help improve the quality of life of neighborhood residents.” The project gained momentum when the Mayor's Office identified the development of a community justice center as a public safety priority and made a commitment to provide funding and other resources to ensure the project's success.

In October 2006, a group of California judges, including San Francisco's then Presiding Judge Robert Dondero and current Presiding Judge David Ballati, visited two demonstration projects in New York City: the Midtown Community Court—the country's first community court—and the Red Hook Community Justice Center. Both projects were created by the Center for Court Innovation, a nonprofit think tank that seeks to reform state courts. Opened in 1993 in Times Square, the Midtown Community Court focuses on offenses such as prostitution, illegal vending, graffiti, shoplifting, farebeating, and vandalism, sentencing offenders to pay back the neighborhood through community service while linking them to services for the problems that often underlie criminal behavior. Launched in 2000, the Red Hook Community Justice Center, located in a low-income residential neighborhood in Brooklyn, features a single judge presiding over a courtroom that hears criminal, housing, and family cases. This multi-jurisdictional approach—plus the justice center's menu of on-site services, including drug counseling, youth programs, and job training—promotes a more coordinated approach to neighborhood problems like drugs, crime, and landlord-tenant disputes.

⁴ SFGov.com, “Sights in San Francisco,” available at http://www.sfgov.org/site/mainpages_page.asp?id=18191.

Together, the Midtown Community Court and the Red Hook Community Justice Center have served as models for three-dozen similar projects around the country—and dozens more around the world, including efforts in Great Britain, South Africa, Canada, and Australia.⁵ Part of the success of the community court movement can be attributed to data showing that community courts increase offender accountability, increase the use of jail alternatives, and improve public confidence in justice.⁶

It is important to distinguish between “community courts” as they currently exist in San Francisco and the community court model as embodied by projects like the Midtown Community Court and the Red Hook Community Justice Center. San Francisco’s “community courts” are a diversion program of the San Francisco District Attorney’s office. These “community courts” are not a part of the Superior Court. Matters are diverted by the District Attorney from the criminal court system to panels of local residents who hear cases involving low level misdemeanor offenses (such as petty gambling, shoplifting, low-level assault, and battery). The District Attorney’s office has coordinated the “community courts”—now numbering 12—since 1999. Each lay volunteer panel makes clear to the offender the neighborhood impact of the crime, and determines a mix of community service, direct restitution, and/or fines.

Outside San Francisco, “community courts” are part of the conventional court system offering a unique approach to resolving community concerns and criminal offenses. Among other things, these “community courts” (often also called “community justice centers”) foster partnership among diverse agencies to encourage better coordination; they engage partner agencies, who provide services—sometimes in the courthouse—to offenders and community walk-ins; and they strive to address neighborhood problems, like drug abuse and truancy, rather than merely process cases.

To avoid confusion, the term “community court” as used in this report refers to the San Francisco diversion program. The project that is the subject of this report is referred to as “Community Justice Center.”

On December 14, 2006, as part of his third annual State of Homelessness Address, Mayor Newsom announced his support for a Community Justice Center initiative, citing the Midtown Community Court as a compassionate model for dealing with the issues that plague San Francisco and other cities. Shortly after, a group of key city stakeholders, led by the Mayor’s Office, traveled to New York to visit the Midtown Community Court and Red Hook Community Justice Center. During January 2007, this same group was formed into a steering committee to plan the project, with members representing the Superior Court, Mayor’s Office, Sheriff’s Department, Police Department, Department of Public

⁵ For an overview of community courts nationally, see Lee, Eric, “Community Courts: An Evolving Model,” Washington D.C.: U.S. Department of Justice, 2000, available at <http://www.courtinnovation.org/uploads/documents/communitycourtsevolvingmodel.pdf>. For an international overview, see Wolf, Robert V., “Community Justice Around the Globe: An International Overview,” *Crime & Justice International*, July/August 2006, Vol. 22, No. 93, available at <http://www.courtinnovation.org/uploads/documents/C&J%20International.pdf>.

⁶ Kralstein, Dana, “Community Court Research: A Literature Review,” New York: Center for Court Innovation, 2005, available at <http://www.courtinnovation.org/uploads/documents/ccresearch.pdf>.

Health, Human Services Agency, Pretrial Diversion, Adult Probation, District Attorney, Public Defender, City Attorney, and City Controller. (For a list of Steering Committee members, see Appendix A).

In August 2007 a community delegation, organized by the Mayor's Office, traveled to the Red Hook Community Justice Center as well, to examine how the community might best interact with the proposed Community Justice Center. Attendees included representatives from The New Tenderloin/Safety Network, North of Market/Tenderloin Community Benefit District, St. Anthony's Foundation, San Francisco's Community Courts, The San Francisco Chamber of Commerce, San Francisco Entertainment Commission, and Tenderloin Neighborhood Development Corporation. This group remained engaged in the planning process going forward.

The Steering Committee proposed that the Community Justice Center serve the Tenderloin, SOMA, Civic Center, and Union Square neighborhoods (collectively, the "CJC Region"). The CJC Region's perimeters extend along Bush Street to the north, Kearny down to Third Street on the east, Harrison Street on the south, and Otis extending into Gough Street to the west, with Market Street cutting straight through the center. (For a map of the CJC Region, see Appendix B.) This area was selected because of the high concentration of San Francisco's crime that occurs there (roughly one-fourth to one-third of all of the city's crime, other than vehicle-related offenses).⁷ Also important in the selection of this area for San Francisco's first experiment with a community justice center were its central location and high concentration of programs and services.

The CJC Region does not coincide perfectly with any existing geographic subdivisions used by government agencies to collect data. Almost the entire CJC Region is in San Francisco's Supervisorial District 6, however, with small sections to the north located in Supervisorial District 2 and Supervisorial District 3. The area encompasses the entire Tenderloin police district, as well as large swaths of the San Francisco Police Department's Northern and Southern Districts and a small portion of its Central District. The area also encompasses large sections of the zip codes 94102 (north of Market) and 94103 (south of Market), with a smaller portion to the north in the 94109 zip code and a few blocks to the southeast in the 94107 zip code. The following data is based on these various geographic subdivisions.

In April 2007, the city engaged the Center for Court Innovation to assist in conducting and documenting a formal assessment of community needs. The primary goals of the assessment were to collect community input and gather data essential for the project's development. In May 2007, Center for Court Innovation staff visited San Francisco to kick off the needs assessment process, meeting with stakeholders and community members and facilitating a day-long retreat by the Steering Committee.

The needs assessment began with a collection and analysis of data about the community (demographics, crime statistics, stakeholder attitudes, etc.), court system (caseload, case flow, case outcomes, etc.), and defendant characteristics (criminal history, social service

⁷ Crime Analysis Unit, San Francisco Police Department, 2007.

needs, etc). As part of the six-month research and community engagement process, Steering Committee members probed key stakeholders through interviews and focus groups. In addition, the process included interactive presentations at numerous community meetings.

The result is this report, which documents current conditions in the community and the justice system and summarizes the key information the Steering Committee has used—and will continue to use—to make the planned Community Justice Center a reality.

III. METHODOLOGY

The Steering Committee was chaired by the San Francisco Superior Court and the San Francisco Mayor's Office, with Commissioner Ron Albers, Judge Harold Kahn, Lisa Lightman, and Alex Lampert from the Superior Court, and Julian Potter and Starr Terrell from the Mayor's Office.

Members of the Steering Committee sought to gather as much information as possible on the strengths and needs of the neighborhoods to be served by the Community Justice Center. The committee collected quantitative data on community and offender demographics, public safety problems, and criminal justice system responses to these problems from a host of sources, including the U.S. Census Bureau, San Francisco Superior Court, San Francisco Police Department, San Francisco Juvenile Probation Department, SFGOV.com, San Francisco Department of Human Services, San Francisco Department of Public Health, San Francisco Office of the Controller, San Francisco Pretrial Diversion Project, San Francisco Adult Probation Department, and individual subjects.

Steering Committee members and, in certain cases, the Center for Court Innovation, conducted one-on-one interviews with 22 stakeholders between June and November 2007. Interviews, which for the most part followed a common protocol, covered community strengths, public safety issues, and other concerns or problems facing the community, and offered the opportunity for input on the Community Justice Center concept. (For a list of questions used in stakeholder interviews, see Appendix C).

Steering Committee members also conducted five focus groups with the following key constituencies: police officers, housing providers, participants in San Francisco's existing "community court" diversion program, service providers, and community stakeholders. The protocols used in the focus groups were similar to those used for the stakeholder interviews, but the format took advantage of group dynamics to promote more in-depth discussion of issues and recommendations. (For a list of questions used in focus groups, see Appendix D).

Steering Committee members have made presentations at community meetings in an effort to provide information, elicit community input, and engage the community in the planning process. From the beginning of the needs assessment process through the date of this report, presentations have been made at 18 community meetings, attended by an

estimated 370 people. (For a complete list of participating community groups, see Appendix F.)

IV. ASSESSMENT OF NEEDS

DATA ANALYSIS

Since the proposed CJC Region does not conform to a single pre-existing boundary (such as a zip code, supervisorial district, police district, or group of zip codes or districts), Steering Committee members had a difficult time obtaining relevant data. Nonetheless, by culling data from the most relevant territories—specifically Supervisorial District 6; the Tenderloin, Southern, Northern, and Central Police Districts; and the 94102 and 94103 zip codes—they were able to develop a meaningful statistical picture, which is outlined below.

Population and Demographics

According to the most recent U.S. Census, conducted in 2000, the total population of Supervisorial District 6 is 75,131, and the racial breakdown is as follows: 48 percent of residents are white, 25 percent are Asian, 22 percent are Hispanic, and 10 percent are African American (the double counting of “white” and “Hispanic” residents resulted in a greater than 100 percent total). The Tenderloin especially is known for having a large immigrant population and during recent decades has been an entry point for Greeks, Indians, Koreans, Filipinos, Italians, Southeast Asians, and Latin Americans.⁸ Perhaps surprisingly, given the neighborhood's reputation, Supervisorial District 6 also includes a fair number of families, with 12 percent of households having children under 18.

Poverty and Unemployment

The 2000 Census also showed that 23 percent of Supervisorial District 6 residents lived below the federal poverty level, the highest percentage in the city. The per capita income for the district was \$24,751. In the 94102 zip code, which encompasses most of the Tenderloin, the median household income was \$22,352, compared to the city average of \$55,221, with 19 percent of families and 24.5 percent of individuals living under the poverty line. The Tenderloin zip code also had a disproportionate percentage of unemployed residents—8.11 percent, as opposed to 4.2 percent citywide.

The rest of the CJC Region tells a similar story. In the 94103 zip code, which encompasses most of SOMA, there was a median household income of \$31,131. SOMA had an even higher percentage of unemployed residents—10.42 percent.

A sign of both poverty and transiency is the rate of homeownership. The 2000 Census showed that Supervisorial District 6 had one of the lowest home ownership rates in the city, with only 10 percent of residents owning their own home (compared to other supervisorial districts in the city with rates as high as 70 percent). Supervisorial District 6 also has over 10,000 residents who live in 300 single-room-occupancy (SRO) hotels—

⁸ *San Francisco Chronicle*, “Tenderloin turning into new Latino neighborhood,” January 2, 2006, available at <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2006/01/02/BAG58GG9EN1.DTL&feed=rss.bayarea>.

small single room living spaces, generally with no kitchen and shared bathrooms. Ninety-five percent of housing units in the Tenderloin are one-bedroom apartments or smaller.⁹

Homelessness is another major concern. A 2007 homeless count showed that of the 2,771 homeless individuals counted citywide on January 31, 2007, 1,239 of them, or 45 percent, were found in Supervisorial District 6.¹⁰ Of these, the majority were male, black, single adults, who lived individually rather than in encampments or cars. The 2005 homeless count (there was no count in 2006) showed 1,233 homeless people in Supervisorial District 6 out of a total of 2,655 citywide, for a total of 46 percent. Between 2005 and 2007 chronic homelessness increased four percent citywide, an increase federal and city officials attribute to a more thorough 2007 count. Importantly, however, between 2002 and 2007 the number of chronically homeless people in San Francisco dropped 38 percent, from 4,535 to 2,771.¹¹

Of San Francisco's monthly homeless-related calls (coded as "915" calls by police dispatch) to the police for service—two-thirds of which were estimated by a San Francisco police official to be called in by citizens, and the rest by officers in the field—a majority come from the four police districts in the CJC Region (Tenderloin, Southern, Northern, and Central; there are 10 police districts citywide). In August 2007, for example, 1,497 calls came from these districts, out of a total of 2,417, comprising 62 percent of calls.

Local Social Service Providers

The area has a number of social service agencies and nonprofit organizations, ranging from drug treatment and HIV treatment agencies to mental health providers, job training programs, youth service providers, and homeless shelters. According to one estimate, there are 200 social and health service providers in the Tenderloin alone.¹² One of the largest and best known of these is Glide Memorial Church, which provides meals, counseling, job training, health services, and a residence shelter. Other well known agencies include the Salvation Army, St. Anthony's, Tenderloin Self Help, and the General Assistance and Advancement Project. There are also a number of hotels that provide low-cost housing for the formerly homeless. While this wealth of helping agencies is a strength, many interviewed during the needs assessment process felt that these services could be better coordinated to eliminate overlap and fill gaps. For more information about treatment services and emergency shelters in San Francisco generally, see the "Criminal Agencies: Current Responses And Challenges" section of this report.

⁹ *San Francisco Chronicle*, "Tenderloin turning into new Latino neighborhood," January 2, 2006, available at <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2006/01/02/BAG58GG9EN1.DTL&feed=rss.bayarea>.

¹⁰ Number calculated from data on http://www.sfgov.org/site/redistricting_index.asp?id=5971.

¹¹ Nationally, from 2005 to 2006 national homeless rates declined—from 43 percent in Dallas to 36 percent in Denver and 15 percent in New York. These figures come from Department of Housing and Urban Development, 2007. See <http://www.hud.gov/news/release.cfm?content=pr07-167.cfm>.

¹² Metroactive, "Tenderloin Turnaround," March 1, 1999, available at <http://www.metroactive.com/papers/sfmetro/03.01.99/tenderloin2-9907.html>.

Probationers and Parolees

Probationers and parolees are often associated with social problems, largely due to the challenges these populations frequently have re-integrating into the community and the level of supervision and services they receive. It is therefore significant that the CJC Region is home to a large number of people under supervision by community corrections agencies. From a State of California Department of Corrections and Rehabilitation Division of Parole Report identifying individuals on parole in May 2007 by zip code,¹³ 416 (or 25.5 percent of the citywide total of 1,632) listed addresses in the CJC Region's four zip codes.¹⁴ At the same time, the Adult Probation Department estimates that out of the 8,644 probationers currently living in San Francisco, 24 percent, or 2,063 of them, reside in the CJC Region.¹⁵ This is an exceptionally high number given that the population of Supervisorial District 6 constitutes less than 10 percent of the city's total population.

Crime

The California Penal Code divides criminal offenses into three major categories: **infractions** (not punishable by imprisonment; these may be traffic-related or not), **misdemeanors** (punishable by probation with conditions, or confinement in jail not to exceed one year), and **felonies** (the most serious category, which can be punishable by probation with conditions, or commitment to state prison). Currently, under local practice, a non-custodial "citation," for a misdemeanor offense requires the defendant to appear in court approximately 45 days after the incident. By California law, for most misdemeanor offenses a police officer is required to issue a citation. For the balance of misdemeanors, and for all felonies, the defendant is taken into custody.

In a crime report generated by the Crime Analysis Unit of the San Francisco Police Department for 2005,¹⁶ a breakdown of crimes in the Tenderloin police district¹⁷ showed that alcohol- and narcotics-related crimes predominated. In fact, with 1,860 narcotics incidents out of the 5,441 incidents citywide, the Tenderloin accounted for 34 percent of the total drug-related offenses in San Francisco in 2005, while the four districts included in the CJC Region accounted for 57 percent of the city's total. In contrast, car break-ins, larceny, and "other miscellaneous" crimes dominated in the Southern, Central, and Northern districts.

¹³ Data was taken from a Parole LEADS Search Summary provided by San Francisco's Adult Probation Department in May 2007.

¹⁴ There were 42 individuals on parole from 94107, 236 from 94103, 112 from 94102, and 26 from 94109.

¹⁵ This information comes from Patrick Boyd, Chief Deputy Adult Probation Officer of the San Francisco Adult Probation Department.

¹⁶ Crime Analysis Unit, San Francisco Police Department, 2007.

¹⁷ Juvenile crime is less prominent in the catchment area (for calendar year 2005, 3.14 percent of unduplicated San Francisco juvenile hall bookings came from the Tenderloin/SOMA area, while, in contrast, 24.04 percent came from Bayview/Hunter's Point). It should be noted, however, that there was a 29.51 percent increase in juvenile probation referrals in the Tenderloin/SOMA neighborhood from 61 in 2001 to 79 in 2005. *San Francisco Juvenile Probation Department 2005 Statistical Report*, April 11, 2006, available at http://www.ci.sf.ca.us/site/uploadedfiles/juvprobation/Documents/2005AnnualReport_Statistics.pdf.

A two-week data snapshot of all citations and arrests for misdemeanors and felonies within the CJC Region (with data collected during September and October 2007) bore out this fact.¹⁸ The snapshot included 503 cases with 610 charges; for the analysis, all 610 charges were examined in order to get a clear picture of what was happening, since information might have been lost (such as associated drug charges with more serious crimes) if, for any particular defendant, only the most serious charge were selected. In the snapshot, then, the charges were as follows:

**Two-Week Sample of Misdemeanor and Felony Charges in
the CJC Region, September/October 2007**

<u>Misdemeanor Charges</u>	<u>Number</u>	<u>Percentage</u>
Alcohol/Drug Related	141	48
Prostitution Related	60	20.4
Property Related (graffiti, trespass, obstructing, littering)	28	9.5
Misdemeanor Theft Related	26	8.8
Illegal Peddling/Panhandling	14	4.8
Resisting Arrest	10	3.4
Miscellaneous	15	5.1
TOTAL MISDEMEANOR	294	100
<u>Felony Cases</u>		
Drug Possession	168	53.2
Drug Sale Related	78	24.7
Property Theft and Forgery	29	9.2
Violent Toward People	24	7.6
Weapons	8	2.5
Miscellaneous	9	2.8
TOTAL FELONY	316	100
TOTAL COMBINED	610	

Of the 610 charges in the sample, 63 percent were alcohol- or drug-related.

Other reports tell similar stories. Data from San Francisco's Human Services Agency, which maintains a database of infraction and misdemeanor citations based on information received from the San Francisco Police Department and Sheriff's Office, shows that a high percentage of these offenses involve alcohol. Out of 2,549 incidents recorded primarily between January 1 and August 24, 2007, 1,175 (or 45.5 percent) were alcohol-related, 625 (or 24 percent) involved panhandling, 269 (10 percent) camping, 213 (eight

¹⁸ Prepared by Alex Lampert and Commissioner Ron Albers of the Superior Court of California, County of San Francisco, in December 2007.

percent) trespassing, and 78 (three percent) public urination. The rest were listed as “other” or “unknown.”¹⁹

In another analysis, a sample of cases selected at random from San Francisco’s Superior Court’s case management system from July 1, 2006, to June 30, 2007 (Appendix E, referred to hereafter as the *CMS Data Survey Report*), revealed that almost one-quarter arose within the proposed CJC Region. Two-hundred and forty-one out of the total 377 cases, or 64 percent, stemmed from arrests for new criminal activity. Over one-third of all warrants for infraction and misdemeanor “failures-to-appear” and 40 percent of all parole and “motions to revoke” warrants arose in the CJC Region. And a larger percentage of criminal arrests were made in the CJC Region than were made citywide. The *CMS Data Survey Report* suggests that these higher numbers may be attributed to the fact that the CJC Region has a higher percentage of probationers, and that more of the infraction and misdemeanor citations are issued in the CJC Region compared to the rest of the city.²⁰

Of the sample of 377 cases citywide, there were 241 new violation (non-warrant) cases, or about 64 percent of the court’s caseload, spanning from petty theft to attempted murder. A quick breakdown of felonies and misdemeanors for the CJC Region versus the city as a whole follows.

Felonies and Misdemeanors for San Francisco versus the CJC Region

Citywide

Felonies: 43 percent

Misdemeanors: 56 percent

CJC Region

Felonies: 53 percent

Misdemeanors: 45 percent

According to the *CMS Data Survey Report*, the statistically significant difference for felony and misdemeanor composition might be attributed to the difference in case-type compositions—a higher proportion of cases within the CJC Region are drug related and therefore more often felony offenses. These figures match anecdotal and police figures for crime rates in the CJC Region compared to the rest of the city: about one-fourth to one-third of all crime in San Francisco (with the exception of vehicle-code violations) occurs within the CJC Region:

¹⁹ SFStat, “Policy Area: Housing & Homelessness,” Powerpoint presented to the Mayor’s Office, September 17, 2007.

²⁰ Superior Court of California, County of San Francisco, *Case Management System (CMS) Data Survey FY 06-07*, October 2007 (Appendix E).

Percent of San Francisco's Total Felonies and Misdemeanors Occurring in the CJC Region²¹

<u>Charge</u>	<u>Percent Occurring in CJC Region</u>
Drugs	36.4 percent
Disorderly conduct	28.2 percent
Vehicle code	12.5 percent
Property crimes	30.9 percent
Violent crimes	26.5 percent

Issues Involving the Homeless Population

The homeless population is often blamed for community problems like public drinking, illegal encampments, and public urination. The problems that fuel homelessness are complex and require coordinated and often resource-intensive solutions. A 2007 homeless count showed that of the 2,771 homeless people counted citywide on January 31, 2007, 1,239 of them, or 45 percent, were found in Supervisorial District 6.

Steering Committee members reviewed an informal 2004 survey by the Department of Health that adds texture to this portrait of San Francisco's transient population.²² Of the 55 people who appeared to be homeless and were panhandling, 48 percent of respondents surveyed were in the CJC Region (specifically, in the Civic Center, SOMA, or Tenderloin). Of the 55 homeless individuals engaged in panhandling, 82 percent lived on the streets, nine percent in shelters or hotels, and four percent in apartments. Sixty-four percent had used a shelter at some point. Forty-two percent had received treatment of some kind, while 11 percent were currently in need of service (medical, substance abuse, and/or mental health). Sixty-four percent of those surveyed were male and 16 percent female (in the rest of the cases, gender was not indicated), with an average age of 40. Sixty percent were white and 35 percent African American. Most came from within California: 33 percent from in-county, 25 percent from another state, 13 percent from elsewhere in California, five percent from another local county, and two percent from another country. Eleven percent had been panhandling for more than 10 years, 55 percent had spent between two and 10 years panhandling, and 34 percent had been for less than two years.

Community Perceptions of Safety and Cleanliness

A community's security can be measured by more than crime statistics. Perceptions of safety are also important. A citywide survey of the city's 11 supervisorial districts by the Controller's Office in 2007²³ showed that, in Supervisorial District 6, 49 percent of respondents reported that they felt "unsafe" or "very unsafe" walking alone at night in their neighborhood (only Supervisorial Districts 10 and 11 scored higher, with 61 percent

²¹ This information is from the SF Police Department's Crime Analysis Unit.

²² Community Behavioral Health Services, *Prop M Survey Report*, 2004.

²³ City and County of San Francisco, Office of the Controller, City Services Auditor, *City Survey 2007*, available at <http://co.sfgov.org/webreports/details.aspx?id=602>.

and 53 percent of residents feeling unsafe or very unsafe²⁴). On a safety index with a scale from 0 to 2—with 0 being less than safe day or night, 1 being safe at day or night but not both, and 2 being safe both day and night—Supervisory District 6 rated a 1.10. Only Supervisory District 10 had a lower index of 1.00.

Regarding perceptions of cleanliness of the neighborhood's sidewalks and streets, residents of Supervisory District 6 had the highest level of dissatisfaction in the city. When rating the cleanliness of sidewalks in the neighborhood, 47 percent said that they were "poor" or "very poor/failing" (Supervisory District 9 had the second highest number at 36 percent²⁵) and 28 percent said that they were "fair/average." Thirty-five percent found the cleanliness of neighborhood streets to be "poor" or "very poor/failing" (Supervisory District 9 had the second highest number at 28 percent) and 30 percent reported "fair/average." When rating the pavement conditions of neighborhood streets, 36 percent in Supervisory District 6 found them to be "poor" or "very poor/failing" (behind Supervisory Districts 9 and 10, with 39 percent and 40 percent respectively) while 34 percent found them to be "fair/average." When asked about the number of trees in their neighborhood, 60 percent of Supervisory District 6 respondents found there to be "not enough."

INDIVIDUAL INTERVIEWS AND COMMUNITY MEETINGS

In addition to collecting and analyzing raw numbers, Steering Committee members also engaged stakeholders in detailed conversations about safety concerns, community strengths, and the proposed Community Justice Center. Between June and November 2007, they conducted individual interviews with 22 representatives of the community, criminal justice agencies, government, and social service providers. In addition, they attended 18 community meetings specifically designed to elicit public feedback about neighborhood needs, community priorities, crime, and the justice center. The community meetings were sponsored by such organizations as The New Tenderloin, Lower Polk Neighbors, Tenderloin Futures Collaborative, Community Leadership Alliance, SF Chamber of Commerce Public Policy Committee, SOMA Leadership Council, Union Square Business Association, Yerba Buena Alliance, Filipino Community Center, Vietnamese Community Center, Central Market Community Benefit District Public Safety, and the Middle Polk Neighborhood Association. (For a complete list of participating community groups, see Appendix F.) An estimated total of 370 people attended.

While the Community Justice Center is currently proposed to cover the Tenderloin, SOMA, Civic Center, and Union Square neighborhoods, much of the conversation among community stakeholders centered on the Tenderloin's being in many ways the most troubled section of the CJC Region. Participants painted the picture of an overcrowded, neglected, low-income neighborhood visibly in decline, where drugs are sold openly on the sidewalks, prostitution is on the increase, liquor stores represent a disproportionate

²⁴ District 10 encompasses the Potrero Hill, Bayview-Hunters Point, Visitacion Valley, Portola/Silver Terrace, Dogpatch, Little Hollywood, and Portola neighborhoods, while District 11 encompasses Cayuga, Mission Terrace, Outer Mission, Crocker Amazon, Excelsior, Ingleside, Merced Heights, and Oceanview.

²⁵ District 9 encompasses parts of the Mission District and the Bernal Heights and Portola neighborhoods.

share of the commercial activity, trash collects in the streets, families live in cramped, unstable conditions, and groups of people hang out on street corners and in doorways—all adding up to the sense, as one participant put it, that “no one would help you if anything happened.” Drug dealing and use were mentioned time and again as the most significant (and visible) problem, while offenses such as public intoxication, public drinking, loitering, and public urination also ranked high on the list of concerns.

Yet stakeholders also talked of a neighborhood located in the heart of the city, rich with services and energized by a growing sense of community and a highly diverse population. Almost everyone pointed out how the Tenderloin is home to some of the best known and most longstanding nonprofit organizations and social service providers in the city, as well as its proximity to Hastings School of Law, City Hall and the headquarters of California’s Administrative Office of the Courts; despite the Tenderloin being an “abandoned, degraded area,” said one stakeholder, “so much of what runs California is right in the area.” There was also a strong sense of the neighborhood’s vitality and activism. One stakeholder talked of the number of people “trying to rebuild and turn the neighborhood around” and “the myriad of players we can tap into and coordinate with.” Finally, the area includes three Community Benefit Districts, which administer funds collected from property owners to provide supplemental security, sanitation, and other projects aimed at improving quality of life in the neighborhoods served.

This sense of potential laced through most of the stakeholders’ feedback. The dialogue the Community Justice Center project has spurred excited many individuals, and they cautiously expressed high hopes for what might come out of it. As one stakeholder put it, “people are really ready for change—there is a high level of ‘fed-upness.’”

What follows is a sampling of feedback on community strengths, public safety concerns, and attitudes toward government and the proposed Community Justice Center.

Community Strengths

Stakeholders identified a number of key community strengths in the Tenderloin, including:

- a wealth of nonprofit organizations and social services
- three Community Benefit Districts working to improve the neighborhood’s quality of life
- a strong sense of community and culture of commitment, with “people trying to turn the neighborhood around”
- ethnic, racial, and sexual diversity
- a central location (“the heart of the city”)
- a growing number of children and families
- strong housing groups (“associations connected with different SRO’s that do a lot of community-based planning”)

Public Safety Issues

Drug dealing, and drug and alcohol abuse, were mentioned by most participants as being the biggest problems in the community. Available crime data bears this out—drug-related offenses are the single biggest category of “part 2” crimes in the Tenderloin police district (the only district located entirely within the CJC Region), and the four police districts to be served by the Community Justice Center (out of the city’s 10) accounted for nearly 60 percent of the entire city’s drug-related offenses in 2005, the most recent full-year data available.

Not in order of significance, but as reported, other public safety issues included:

- public inebriation
- public disorder
- loitering
- panhandling
- prostitution/sex industry
- public urination
- violence/guns
- an increasing gang presence
- crimes committed by non-residents
- increasing juvenile crime
- large concentration of liquor stores (many alleged to be following “illegal” practices, like opening at 6 a.m., or unhelpful practices, like selling “sips” or individual cans of beer)
- unsafe environment for children and families in crowded housing
- domestic violence
- pedestrian safety
- senior citizens and others being afraid to access services in the Tenderloin
- shoplifting
- muggings
- auto thefts

Other Problems

Additional problems discussed by participants included:

- the large number of parolees and probationers
- joblessness
- poverty
- mental illness and co-occurring disorders
- homelessness (and homeless people sleeping on streets)
- inadequate housing
- a need to hold local businesses (i.e., liquor stores) more accountable
- lack of public toilet facilities
- problems relating to HIV
- lack of direct linkages to services

- lack of job training and opportunities
- the perception of the Tenderloin as a “containment zone”
- a lack of investment being made in the Tenderloin
- fragmented social service “industry” and lack of coordination among service providers
- the Tenderloin’s low-income and unstable population
- distrust of police, especially among immigrant cultures
- liquor stores selling single cans (making the area a magnet for drunkenness)
- a lack of positive social outlets

The Justice System’s Response to Problems

Many participants pointed to the justice system’s willingness to offer a number of alternatives to deal with the underlying issues of crime. What became clear, however, was that most stakeholders felt that much of the work is being done in a fragmented manner, with little communication between offices to coordinate the individual efforts. People felt that this lack of collaboration has contributed to unnecessary duplication of services in some instances and gaps in services in others. Some mentioned that it has also allowed agencies to focus on their discrete areas of interest without looking—or feeling responsible for—big-picture results. Overall, participants expressed a strong desire for leadership and a coherent approach to coordination of service delivery and coordination within the justice system itself.

In particular, some strengths of the justice system identified by stakeholders included:

- its collaborative justice (or “problem-solving”) courts (Drug Court, Proposition 36 Court, and Behavioral Health Court—i.e., mental health court)
- the many diversion and alternative sentencing programs
- the city’s strong, progressive tradition
- a realistic approach to addiction and mental health issues (i.e., an understanding of the challenges of these issues and the need to offer multiple opportunities to those suffering from them)

Specific concerns raised by participants included:

- “revolving-door” justice and repeat offending
- overcrowding in jails
- citations for infractions not being perceived to carry any consequences
- low public trust in the justice system
- police frustration with prosecution and the courts
- health services’ frustration with the defense bar (“we need to be more supportive of getting people into services rather than in getting them off”)
- an under-resourced probation department that can’t properly supervise low-level offenders
- an overwhelmed justice system
- disproportionate representation of racial minorities in the justice system

- a need for stronger leadership and coherence in justice system
- judges lacking information about individual offenders
- judges lacking information about programs
- the fact that many alternatives in place are self-contained, unique programs
- a sense that agencies sometimes tend to blame one another for unresolved problems (the “blame game”)
- lack of dialogue between the justice system and the community
- existing “community court” diversion program being underutilized
- not enough people being put into services
- probationers and parolees not receiving enough supervision or services

Feedback on the Community Justice Center Model

Responses to the Community Justice Center model were generally positive:

- “This is a great model with much potential; the Tenderloin is just the kind of community that could benefit. This is what the Tenderloin needs, someone speaking up for it.”
- “I’m very supportive. It’s a way to get everyone talking for the first time and create a cohesive public policy.”
- “I fully support it. We can interject services for offenders and break the cycle. For those who don’t need social services, community service will demonstrate to the community that there are consequences for offenses.”

Many participants had concerns and cautions:

- “It’s a great idea but it can’t be [just] the court’s plan. It has to deal with community issues, or else it will just be a court that happens to be located in the Tenderloin.”
- “We can’t have programs that are only associated with the court; they need to be based on critical need, whether it is voluntary or mandated.”

Questions raised by some stakeholders about the Community Justice Center included: whether it was part of an overall strategy to criminalize poverty and addiction (or “crimes of need”), whether the court system was the best entry point for services, whether the community really prioritizes low-level crimes as opposed to violent ones (some felt it does not), and whether a new court should be created when so many criminals are recycled through the existing system with little apparent success. Others questioned a perceived “political” nature of the project and wanted more clarity and information about it.

FOCUS GROUPS

Steering Committee members also conducted five focus groups to understand better the attitudes and needs of key, targeted populations. The focus groups offered them an opportunity to connect to people who in some instances were not well represented in

community meetings or stakeholder interviews, and the focus-group format allowed them to use group dynamics to generate in-depth discussions about stakeholder concerns.

Five focus groups were held in August 2007 and represented the following categories of stakeholders: police, housing providers, “community court” diversion program participants, service providers, and community stakeholders. An estimated total of 75 people who live and/or work in the CJC Region participated.

Various Steering Committee members guided discussions with the same themes covered for the stakeholder interviews and community meetings, such as community strengths, public-safety issues, other community and system issues, and advice for those planning the Community Justice Center. While each group offered a unique perspective, some common themes emerged, including: a need for greater coordination and more knowledge-sharing among service providers themselves as well as criminal justice agencies, and more strategic delivery of services for mental illness and substance abuse.

What follows is a closer look at the results of each of the five focus group discussions.

Police

Participants felt that alcohol is at the root of many of the low-level crimes in the CJC Region. As one participant said, “a number of crimes are associated with alcohol—urination, shoplifting, petty theft, et cetera”; another asserted that “if you could deal with alcohol, you could reduce crime by 50 percent.” Participants also described the need for immediacy and follow-up when an officer picks up someone intoxicated—something possibly provided by a center where defendants can sober up and be linked to services without an arrest necessarily being made. They discussed how helpful it would be to have the option of taking people to a holding facility for a variety of offenses in order to “break the cycle.” As one officer put it while discussing prostitutes, “now they just get cited, they go back and are still high and go to work.” Interestingly, while alcohol-related issues were a dominant theme in the police focus groups, they were barely mentioned in stakeholder interviews and at community meetings.

Other issues discussed included:

- mental health issues
- the lack of coordination between agencies
- the need for databases and the sharing of knowledge among different agencies
- the lack of meaningful court outcomes for arrests and citations for misdemeanors

Housing Providers

As with many stakeholder discussions, this focus group pinpointed drug-related activity as the top issue in the Tenderloin. Violent crimes are mostly being committed by outsiders coming in to deal drugs, participants said, while lower-level crimes are being committed by those using them. They pointed to drug use in the neighborhood being so bad that “people would rather stay in the shelter than take housing.” They also cited a lack of police responsiveness: “There is a lot of fear in the residents because they can’t get a response from the police. They don’t feel like they can get an outcome so they fear

retaliation from the drug dealers, and they don't want to speak up when the police come. They don't want to be active because they are afraid. They are the ones who have to live in the community and deal with any retribution from calling the police."

Participants also talked about empowering residents by nurturing their relationships with the police and giving them much needed information: "We need someone to come in and educate the community and tenants about how to make a complaint. We would like the tenants to have some recourse so that they can defend their community." Participants emphasized how better communication is needed between housing providers and the police: "If our clients are picked up, we need better communication from [police about how long they are going to be held, when the court date is, etc.] If we don't have the communication, we can't help. We are a resource and part of this picture. We don't think the justice system sees us as... a resource."

In terms of resources and support services, they said, it's not so much that there is a need for different kinds of services, but a need for more of what is out there already. Employment was a topic of discussion, along with the difficulties residents have in finding jobs, especially when they have criminal records: "They don't want to deal drugs, but they have such a hard time finding jobs."

Participants in Existing "Community Court" Diversion Program

Community participants in the District Attorney's "community court" diversion program felt that while the Tenderloin community has a lot of energy and community involvement, both it and SOMA deal with high levels of drug dealing, violence, panhandlers' aggression, alcohol abuse, and mental health issues. They felt hopeful that the Community Justice Center could address drug dealing—and that taking drug activity out of the area, especially by targeting low-level sales, would lessen a lot of other criminal activity.

Participants discussed the need to differentiate between dope peddlers and people with mental health issues. They felt that if representatives from community mental health organizations were present in the Community Justice Center to identify and divert people with mental illness to services, this would also address drug problems (as people with untreated mental health issues will self-medicate). Police could rely more on the community, participants pointed out, to be their eyes and ears.

Participants in this group spoke at length about how existing "community courts" are an underutilized, underappreciated source of energy that could be a great resource to the Community Justice Center. Some suggested that the Community Justice Center could strengthen the existing "community courts" by expanding their role to cover more cases, by offering mediation training to "community court" panelists, and by providing shared space for services and other benefits (becoming a clearinghouse for all services). The existing "community courts" could be considered one of the court mandates available to the Community Justice Center, while the Community Justice Center, with its increased services/resources, could expand the options the "community court" has to offer offenders. Some complained that the original announcement about the Community

Justice Center didn't acknowledge the fact that the "community courts" diversion program exists and is in partnership with the Mayor's Office; "we need more support from the mayor," one participant said, as well as more cases.

Other suggestions included:

- The justice system needs to continue to adapt to the specific needs of offenders—for instance, address not only drug dealing but the specific issues involving juveniles who sell drugs, or deal with not only weapons possession charges but the unique issues involved when females are charged with carrying guns.
- The Community Justice Center could hold court sessions at Project Homeless Connect, where it could clear outstanding warrants for homeless individuals in exchange for the individual's participation in services (like in the homeless court model being used in San Diego and Alameda).

Social Service Providers

In this focus group, participants discussed the social service needs of clients in the CJC Region. Participants mentioned specific service needs, including child care, residential rehabilitation, supportive housing, medical detoxification centers, money management, resource boosting, coordinated case management, employment opportunities, education, mental health services, eviction prevention, and treatment for dual diagnosis clients. Service providers talked about being at capacity and the challenge of expanding: "We know what we need. Just need to have more of it." Some wondered if new services would be created for the Community Justice Center or if existing services would be re-allotted.

Participants discussed looking at the underlying causes of the problems facing community members—"We need to look at what will help people get out of these situations. There isn't sufficient housing or jobs in the Tenderloin."—and expressed excitement at the opportunity the Community Justice Center might offer to "address those root causes." Participants also pointed out that since most of the potential clients coming through the Community Justice Center are most likely already engaged in the system somewhere, communication among agencies needs to be better: "We don't need to reinvent the wheel, just to coordinate services better." The collection and sharing of information were mentioned as primary needs: "Emergency Medical Services, community clinics, Lagunda Honda—we have so many repositories [of information]. We should be able to make needs assessments through these services." One participant talked of the possibility of creating centralized case management in the Community Justice Center to utilize resources more efficiently and provide better care overall.

The focus group also discussed community involvement in the Community Justice Center. Suggestions included:

- Finding employment opportunities for community members at the Community Justice Center ("It's easier to relate to people who look like you or who you've met in the street. This enhances community buy-in.")

- Having successful defendants talk to business groups about their experiences in the criminal justice system
- Doing outreach with the Chamber of Commerce
- Conducting monthly town hall meetings for community members to attend

Overall, providers seemed excited by the potential of the Community Justice Center to centralize and streamline the way services are brought to the community.

Community Stakeholders

The community stakeholders felt that the Tenderloin is already well organized and rich with services, and that people are ready for change. San Francisco is a “progressive community” overall, one participant said, but this can sometimes lead to a tolerance of offensive behavior. As in the stakeholder interviews, focus group members discussed how, despite the rich array of services, there is poor coordination among them—some facilities having underused capacity while others have waiting lists. They also pointed to a lack of affordable housing and a sense of cynicism in government about the CJC Region, which one participant noted has historically served as a “containment zone” for people with social needs.

In terms of the justice system, participants pointed out that regular police-community meetings are already in place (though not attended by prosecutors or court representatives) and that the “community court” diversion program and certain collaborative justice courts already exist. They also pointed to a lack of communication and coordination within the justice system, with justice agencies blaming one another for problems and police “claiming to be maxed out” with current resources.

When asked about the Community Justice Center, participants pointed out that there should be services for everyone, not just defendants, and that the Community Justice Center could help improve the coordination of services within the CJC Region. Also, if the Community Justice Center is going to try, through mandates and voluntary engagement, to link people to services, it will be necessary to be sure that those services are in place. And to ensure success, it was suggested that funding should “follow the person” rather than being awarded to agencies regardless of whether they serve the Community Justice Center’s clients or not. According to focus group participants, quality on-site case management is key: staff-to-client ratios shouldn’t be so high as to impair the effectiveness of case managers, and it’s important to follow up, to make sure a person is truly connected to a program and not just referred. Accountability is crucial, not just for individual offenders but for the system: “the model should be flexible and change its approaches if they’re not working, and respond to new problems as they evolve,” one participant said.

While focus group members expressed support for the Community Justice Center, they also raised concerns that it not be like other initiatives that “make a big splash but turn out to be very shallow.”

CRIMINAL JUSTICE AGENCIES: CURRENT RESPONSES AND CHALLENGES

In the preparation of this report, stakeholder agencies were asked to summarize how they respond to some of the most pressing problems identified during the needs assessment process and to describe the challenges they face. What follows is an overview of San Francisco's current methods for service delivery and dealing with offenders.

Mental Health and Addiction Services

Jo Robinson of the Department of Public Health prepared the following sketch of San Francisco's mental health and addiction services:

The Department of Public Health Service's Community Behavioral Health Services (CBHS) has mental health clinics throughout the city. These clinics are both community-based organizations and City clinics. Access to these clinics is obtained through the Access Helpline or by going to an open access clinic. Emergency psychiatric care is provided at Psychiatric Emergency Services in San Francisco General Hospital or through the Mobile Crisis Team. There is an array of services offered, including assessment and evaluation, residential services, acute diversion treatment, counseling, medication, assertive community treatment teams, case management, self-help, peer support, supportive housing, and hospitalization. The type of service rendered is dependant upon the client's needs and desires.

Substance abuse services are brokered through CBHS, and include detoxification, outpatient treatment, residential treatment, day treatment, and methadone treatment. The Treatment Access Program (TAP) provides assessment and referral for adults as well as a place for individuals to receive pre-treatment while waiting to get into treatment programs. CBHS has many programs designed for dual-diagnosis services.

Between July 1, 2006, and June 30, 2007, 348 probationers were referred to and actively participated in treatment, and 241 cases were successfully terminated. The current service delivery system is effective for clients who enter the system in an acute phase of their mental illness, clients who are persistent with getting care, and clients who have insight into their illness and a desire for treatment. The system's failure has been in engaging those clients that have not actively sought treatment but have had multiple encounters with the police.

Health Services

Healthy San Francisco is a new health access program created by the City of San Francisco that seeks to make health care services accessible and affordable for San Francisco residents who lack health insurance. The program, which began in July 2007, is open to all San Francisco residents living at or below 300 percent of the Federal Poverty Level, regardless of immigration status, employment status, or pre-existing medical conditions. As of January 22, 2008, there were 9,666 individuals enrolled.²⁶

²⁶ This number was reported by Tangerine M. Brigham, Deputy Director of Health, Director of Healthy San Francisco at the San Francisco Department of Public Health.

Housing Services

Jim Buick of the Human Services Agency prepared the following sketch of San Francisco's shelter system.

The single adult shelter system in San Francisco is comprised of 1,247 beds with 873 available for men and 374 for women. Emergency shelter beds in San Francisco are accessed via a centralized reservation system called CHANGES. Before CHANGES, homeless people seeking shelter had to enter a "bed lottery" at an individual shelter and would not learn if they "won" until much later in the day. Currently homeless people can go to one of seven neighborhood Resource Centers to obtain a real-time shelter reservation in available beds across the entire shelter system.

Challenges remain in connecting all segments of the homeless population with shelter services. Multi-day reservations in the most sought-after shelters often require lining up before CHANGES opens in the morning, which may be difficult for or undesirable to some homeless people, including those individuals with disabilities or other special needs. Additionally, some homeless people (especially those with substance abuse and mental health issues) may resist seeking any type of service from a Neighborhood Resource Center. In an effort to expand access to the shelter system, access to CHANGES has been granted to additional special referral sources to serve special populations or hard-to-reach clients (including Project Homeless Connect, the San Francisco Homeless Outreach Team, and various other nonprofit homeless service agencies).

San Francisco Police Department

Lieutenant David Lazar prepared the following case studies to illustrate the current procedures of the San Francisco Police Department when enforcement occurs:

Case Study 1: Illegal Encampment (Misdemeanor)

A person is arrested for an encampment in front of 787 Market Street in violation of 647 (j) of the California Penal Code.

In this case, the police have two options. In the first, the person is given a misdemeanor citation and provided a homeless resource sheet (SFPD form 507). The Homeless Outreach Team is contacted or the person is directed to a homeless drop-in center and released. The encampment is cleaned up by the Department of Public Works. A police report is written. The person will be required to appear at the Hall of Justice on the date indicated on the misdemeanor citation, and the District Attorney will decide whether to charge the case. In the second scenario, the person is placed under custodial arrest, provided a homeless resource sheet, and transported to County Jail #9 and booked. A police report is written. The person may be cited and released from the jail or will stay overnight and appear in court in the morning, when the misdemeanor district attorney will decide whether to charge the case.

In both of these cases, a copy of the report will go to the General Work detail and be filed. There will be no follow-up investigation by the police.

Case Study 2: Car Break-in (Felony)

A person is arrested for Burglary of an Auto (2nd Degree Burglary) for breaking into a car at Hyde and Post.

The officer will conduct a preliminary investigation to determine if the owner gave the arrested individual permission to enter the vehicle. The officer may also conduct an interview of the suspect, photograph the damage to the vehicle, and prepare an incident report. The person is transported to County Jail #9 and booked for Auto Burglary. The police report is submitted to the Record Room, and a copy goes to the District Attorney's office. Another copy is provided to the Auto Detail.

A police inspector is assigned the case the following day as a rebooking, as is the procedure with all felony arrests. The inspector conducts a follow-up investigation, which includes contacting the victim, reviewing the evidence, and interviewing the defendant. The inspector has 48 hours to have the case charged, dismissed entirely, or dismissed pending further follow-up investigation. The inspector will present the case to an assistant district attorney for review to make the charging decision.

Regarding a person who needs medical treatment

If the individual is placed under arrest and is in need of medical attention to the extent that the jail nurse will not accept the person, the person will be transported to San Francisco General Hospital and seen by a physician. If the person must be hospitalized, the person will be "booked in absentia," in which case they are processed with the jail and a Deputy Sheriff takes over responsibilities for guarding that person. If the person is treated and released, the officer will transport the person to County Jail #9 for booking as above.

Regarding a person who qualifies for a mental health evaluation (under Section 5150 of California's Welfare and Institutions Code, known as a "5150 W&I")

In this case there are two options: 1) If the person has committed a crime that qualifies for a booking, they may be transported to County Jail #9 and dealt with there, or 2) if the person has committed a crime that qualifies for a misdemeanor citation, they may be transported to Psychiatric Emergency Services, cited, and released to Psychiatric Emergency Services staff.

San Francisco District Attorney's Office

For all citations (infractions and misdemeanors) and arrests (misdemeanors and felonies), the District Attorney's office makes the decision whether the case will proceed through the court system. How this role fits into the police process is described more fully in the preceding section and how it fits into court procedures is described below under "San Francisco Superior Court."

For qualifying cases, the District Attorney's office offers three options to be diverted out of the court system: its "community courts" diversion program, discussed below, as well

as its First Offender Prostitution Program (FOPP) and Bad Check Program.²⁷ If the defendant completes the conditions of the diversion agreement, charges are not filed and the case is dropped; if not, charges may be filed and the case restored to the adjudication process.

As discussed earlier, the District Attorney's office has been running the "community courts" diversion program since 1999. There are currently 12 "community courts" in San Francisco functioning as court alternatives, with two of them—Tenderloin Community Court and SOMA Community Court—operating in the CJC Region. Under the program, low-level offenders are diverted from the court system and instead appear in front of panels of local residents who describe the impact of the crime to the offender and determine an appropriate sanction, which might be a mix of community service and fines. More than 100 volunteers citywide participate in these panels.

In focus groups and community meetings, stakeholders noted that this program provides an important opportunity for active community participation in the justice system. Program advocates stated that it is underutilized, and that fewer and fewer cases are being referred to "community courts." On the other hand, program critics pointed to its low compliance rates and questioned its efficacy in dealing with crime. The numbers suggest that compliance rates are low and referral rates decreasing. Between January and July 2007, there were 166 referrals to the Tenderloin Community Court, with 21 appearances (a 12.6 percent appearance rate).²⁸ Over the same period, there were 223 referrals to SOMA Community Court, with 39 appearances (a 17.5 percent appearance rate). Three-hundred-seventeen total appearances were made in San Francisco's "community courts" between January and August 2007, with 77 coming from the Tenderloin/SOMA neighborhoods. Referrals and appearances have been declining for the two "community courts" in the CJC Region. In 2006 there were 543 appearances, with 129 from the Tenderloin/SOMA neighborhoods, and in 2005 there were 640 appearances, with 152 from the Tenderloin/SOMA neighborhoods. From June 2005 through July 2007, the District Attorney's office referred 6,328 offenders to "community court"—1,668 from the Tenderloin/SOMA areas.

Several participants in the needs assessment process suggested that the Community Justice Center model could offer an opportunity to harness existing community energy while also addressing low appearance rates by offenders.

²⁷ Established in 1995 in collaboration with the Standing Against Global Exploitation project (SAGE), FOPP offers services to help women trying to exit prostitution by providing in-custody and out-of-custody assessments, referrals, peer support, rehabilitation, vocational training, and case management services. First-time male customers ("Johns") are sent to "John School," an educational program that examines the legal, health, and other risks and effects of prostitution. Administrative fees collected from the Johns fund the intervention services for women and girls. The Bad Check Program gives writers of bad checks the opportunity to avoid criminal prosecution by paying full restitution and attending a four-hour educational program.

²⁸ *2007 Appearances in Community Court* provided by Office of San Francisco District Attorney, Community Courts and A.P.I. Safety Programs.

San Francisco Superior Court

Commissioner Ron Albers prepared the following summary of current criminal case processing in San Francisco.

Criminal Justice System Challenges for Case Processing

San Francisco currently operates three adult criminal collaborative justice courts (or “problem-solving courts”) for certain qualifying cases: Drug Court, Proposition 36 Court, and Behavioral Health Court.²⁹ In planning the Community Justice Center, it is important to tap into and strengthen these existing programs rather than duplicate them. Several challenges face the San Francisco criminal justice system. First, there are major gaps in the transmission of information within stakeholder agencies and among different stakeholders. Better transmission of information would result in better decision making related to individuals accused of criminal activity. Second, the current system operates slowly. The effort to shorten the time from police contact to services to case resolution is an opportunity to obtain better compliance with court orders and enhance timely availability of services to those who need support. The following descriptions of case processing demonstrate challenges currently faced by our criminal justice system.

Misdemeanor Cases

When a custodial arrest is made on a misdemeanor charge, the case will be in court the following court day for a charging decision to be made by the District Attorney’s office. At the time of arraignment, the judge will determine bail or whether to release the defendant on his or her own recognizance. The matter must be tried within 30 days of arraignment and sentencing may occur at the time of a guilty jury verdict.

For out-of-custody defendants, mainly ordered to appear by misdemeanor citation, the matter will appear in court for charging decision and arraignment 45 days after police issue the misdemeanor citation. During this period, the District Attorney’s office will make charging decisions and charged offenses will be calendared in the misdemeanor trial departments. Following arraignment, cases must be tried within 45 days, unless the defendant gives up that procedural right.

Currently, the shortest typical time line for a misdemeanor cited arrest is 90 days from arrest to jury trial.

²⁹ The San Francisco Drug Court was established in 1995 as an alternative to traditional sentencing options for non-violent adult drug offenders facing felony charges. A series of sanctions and incentives are used to encourage compliance with treatment, and upon successful program completion, participants’ probations are terminated or charges are dismissed. Proposition 36, the Substance Abuse and Crime Prevention Act of 2000, allows first time, non-violent adult offenders who use or possess illegal drugs to receive drug treatment in the community as an alternative to incarceration. Following sentencing, individuals receive substance abuse treatment and case management services. Upon successful completion of the program, probation may be terminated and the case dismissed. The Behavioral Health Court (known in other jurisdictions as a “mental health court”) was created in 2002 in response to the increasing numbers of mentally ill defendants cycling through the jails and courts. Participation is voluntary, and the defendant usually does not have to enter a guilty plea to criminal charges in order to enter. Eligibility is based on diagnosis, the gravity of the criminal charges, and the defendant’s amenability to treatment in the community mental health system.

Felony Cases

In a felony case, the charged person is arrested and taken to County Jail #9 for processing. At this point, the police report is generated and charges entered into the criminal justice system, including the court calendaring system.

The police report is processed in Room 475, Records Room, and the case is presented to the District Attorney for charging determination. The matter is calendared on the “M99” calendar the next court day. Within 72 hours the decision will be made to discharge or charge the individual. If a charging decision is made, the case will appear in a felony preliminary hearing department for arraignment and appointment of counsel. Thereafter, the case will be set for preliminary hearing. If the person remains in custody, the general procedure is to conduct this hearing within 10 court days of arraignment. If there is sufficient reason to believe the defendant committed a felony, the matter will be transferred to Department 22, the master calendar trial department.

Currently, the typical timeline from court appearance to jury trial to sentencing is four months. Out of custody cases take longer.

Of 241 “new violation” cases (i.e., excluding warrant cases) sampled in the survey described in the *CMS Data Survey Report*, only 42 percent ever had a court hearing (the balance being disposed of by the District Attorney’s office or the Police Department itself). Of those that did have a court hearing, the average time between arrest and arraignment was 13.2 days, and the average number of appearances to disposition was 7.4. For all cases that were ultimately sentenced, the average time from arrest to sentencing was about 92 days, ranging from 15 to 292 days.

Following is a breakdown of average times to disposition for felony and misdemeanor cases, taken from the same report.

Average Time to Disposition, San Francisco Superior Court FY 06-07³⁰

	Citywide
	Percent
Felonies	
0 – 30 days	26.0
31 – 45 days	13.6
46 – 90 days	22.2
91+ days	38.2
Misdemeanors	
0 – 30 days	30.9
31 – 45 days	24.5
46 – 90 days	12.4
91+ days	32.3

³⁰ Superior Court of California, County of San Francisco, *Case Management System (CMS) Data Survey FY 06-07*, October 2007, p. 12. (Appendix E.)

Case Studies

Commissioner Ron Albers prepared the following hypothetical case studies as examples of the challenges the justice system currently faces in linking offenders to appropriate social and medical services.

Case Study 1 (Chemically Dependent Individual)

The range of criminal charges could include being under the influence of drugs, possession of drugs or drug paraphernalia, sale of drugs, aggressive panhandling, loitering, petty thefts, auto burglaries, forgery, assaults, battery, and robbery. While drug abuse may be the central issue underlying all of these offenses, the current system rarely targets the problem area—and when the addiction issue is addressed, the defendant is often far into the cycle of criminality.

Let's assume that the individual progresses from lower offenses to more extreme offenses that directly impact public safety. At the lower end of the criminal spectrum, the police officer has contact with the person under the influence of drugs. The officer may suggest services, but the person may not follow through with the suggestions. Other officers may have contact with the person, and not know of previous officers' efforts. At some point, the person is given a misdemeanor citation for this behavior. The misdemeanor citation requires that the person appear in court 45 days later. During this period the District Attorney's office reviews the misdemeanor citation. For this offense, the District Attorney's office may decline to file charges.

It is believed that because of the lengthy delay for the first court appearance, fewer people actually appear on the arraignment date. Further, the District Attorney's office may not know that this person has been given misdemeanor citations on prior occasions for similar behavior, because these contacts do not appear on a criminal rap sheet. The police contact only appears on the person's rap sheet if he or she is booked into jail, or otherwise fingerprinted at the Hall of Justice. This identification rarely occurs on misdemeanor citations. It does occur on all arrests and bookings into jail.

Let's assume that the officer knows of this cycle, and also knows of this individual's substantial substance abuse problem. If the officer attempts to book this person into jail, the officer will often be faced with the prospects of spending hours at San Francisco General Hospital waiting for medical clearance before the sheriff will accept custody of the person for booking into jail. If the person is booked for being "under the influence," or for other misdemeanor warrants, pursuant to law, the sheriff will often release the person prior to appearing in court and give the individual a misdemeanor citation. Booking the individual into jail means that the arrest will appear on the criminal history of this person, informing future charging decisions by the prosecutor.

If this individual is in possession of drugs or drug paraphernalia, the following scenario may follow. The first contact with the police for small amounts of drugs, or a crack pipe, may result in no charges being filed. The crack pipe would be taken and destroyed. If the person is thought to have had minimal contact with the criminal justice system, and the

drug amount is small, the person may be given a misdemeanor citation, or released on his or her promise to appear at a future date (“OR”). Charges may not be filed on these cases. If charges were filed, bench warrants would be issued for individuals who fail to appear in court on the scheduled date.

As this drug-addicted person proceeds deeper into the criminal courts, the following pattern may occur. First, conviction of a misdemeanor for a non-drug possession related offense with several years of “probation to the court” and no treatment requirements or related obligations.³¹ When offenses are repeated, or escalate, the person may be offered pre-conviction drug diversion (Penal Code Section 1000). Should the person complete drug diversion, the case is dismissed and the record of this case sealed.

With continued offenses, the person may next be offered Drug Court treatment. This will be the option of preference when the person is not eligible for drug diversion. In this case, the person will be required to engage in substance-abuse treatment. This treatment for drug possession offender is also “pre-plea.”

If Drug Court is not an option, the defendant may be convicted for a drug possession offense with probation under the terms of “Proposition 36.” This option requires a conviction and probation. If the person fails “Proposition 36” probation, the defendant will often be placed on probation with the prospects of a county jail sentence. In the non-Proposition 36 probation scenario, the probation department itself does not have treatment options directly available and probation officers are generally limited to making referrals to other programs.

Should this defendant engage in other criminal behavior to support a drug addiction—shoplifting or passing a bad check for example—the individual will be given a misdemeanor citation. Charges may be diverted from the criminal justice system. Some may result in conviction and misdemeanor probation. Some defendants may be referred to substance abuse counseling. Next, this defendant might be sentenced to county jail, perhaps for a misdemeanor “petty theft with a prior conviction.” Eventually, it will be a felony “petty theft with a prior conviction” resulting in probation. As this cycle continues, and various terms in county jail are imposed, this defendant gets closer to a state prison sentence. As the state prison option approaches, the offender may be more open to treatment. The disposition may be probation with a county jail sentence to be served in a residential drug treatment program. Because of limited access to residential drug treatment services, many people serve the year of “treatment” in jail without entering the designated program.

³¹ Commissioner Albers’s scenario was confirmed by the observation of at least one stakeholder, who wrote that it is “routine practice in California to place people convicted of misdemeanor offenses on one to three years of unsupervised ‘court probation’ with conditions such as a search clause and a stay away order.” This stakeholder questioned whether unsupervised misdemeanor probation served to rehabilitate offenders since it comes with no access to services and “greatly extends the penal consequences of minor offenses.” Letter from ACLU Death Penalty Policy Director Natasha Minsker to Commissioner Ron Albers, dated August 22, 2007.

Case Study 2 (Individual with Mental Illness)

This individual may have various levels of contact with the criminal justice system. In almost every situation, the criminal justice system acts as a “revolving door,” causing disruption of medication or treatment services in the community.

The scenario for the mentally ill offender is often parallel to the penetration into the criminal justice system for the drug-addicted offender. It is believed that a high percentage of individuals in our criminal justice system have co-occurring mental health and substance abuse needs. San Francisco has been a leader in services to these individuals in the jail system. However, while the individual is in jail it is very difficult to coordinate medication levels, and the continuum of community-based treatment is disrupted.

The *CMS Data Survey Report* bears out the scenarios described above by Commissioner Albers above.

Of the 241 cases from 2006-2007 analyzed in the report, 102 had court appearances (for the balance of the cases, no charges were brought). Only 73 cases proceeded past arraignment with charges pending. Of these 73 cases, currently 43 have resulted in convictions: two cases resulted in state prison commitments, 18 received felony probation, and 17 received misdemeanor probation. Six cases were dismissed upon successful completion of diversion, Drug Court, or Behavioral Health Court.

Of the misdemeanor probations, eight were reductions from felony charges. One person received a fine only. Two felony matters received specific case management services for domestic violence cases. Three individuals remain in Behavior Health Court.

In California drunk driving and domestic violence cases require the person to complete an appropriate counseling program. With the exception of these two case types, no cases required counseling services as a condition of sentencing. Several cases required counseling as a diversion alternative, for example those matters referred to Behavioral Health or Drug Courts.

Currently, 14 cases are still unresolved in the court system, while an additional 13 cases remain open in bench warrant status.

V. CONCLUSION

The dialogue the Community Justice Center project has spurred, and the cautiously high hopes for what might come out of it, excited many participants who provided feedback during the needs assessment process. As one participant put it, “the only way [the Community Justice Center] is not going to work is if we’re not going to try it.” As another said, “People are really ready for change—there is a high level of ‘fed-upness.’”

Participants largely agreed that the CJC Region identified by the Steering Committee was appropriate, with many placing specific emphasis on the Tenderloin as the neighborhood most in need. Although statistics confirm that the CJC Region is plagued by certain problems, such as drug dealing, homelessness, poverty, and a feeling among stakeholders of being unsafe, the CJC Region also has important strengths, including a high concentration of social service agencies and a diverse citizenry that is enthusiastic about improving the neighborhood.

Given that the community justice center model has been shown in other jurisdictions to encourage collaboration, enhance community involvement in the justice system, leverage resources, and provide creative solutions to problems that fuel criminal behavior, participants were largely enthusiastic about the idea and identified the following potential opportunities for the proposed Community Justice Center:

- To make sure that the justice system develops a clear understanding of the problems being faced by individual offenders through effective assessments (a frequently mentioned need, for example, was to distinguish among mentally ill people who are self-medicating through drugs and alcohol; drug addicts; and non-addicted drug dealers).
- To help coordinate fragmented services with a team approach, and to bring needed services as close as possible to the “point of contact” with police by strengthening partnerships among justice and social service agencies.
- To ensure accountability and promote positive change by providing more intensive follow-up and case management services.
- To find efficiencies in case processing and to identify new ways of engaging offenders into appropriate services when they are brought through the justice system.
- To bring together the justice system and other initiatives currently operating independently of one another and—being careful to avoid duplication—to better utilize existing programs and fill gaps in service delivery where necessary.
- To provide restitution to the Tenderloin, SOMA, and other neighborhoods within the CJC Region in the form of graffiti removal, street clean ups, and other community service activities.
- To provide the community a role in the planning and eventual operation of the Community Justice Center (for example, through a community advisory board and by incorporating the two “community court” diversion programs currently operating in the CJC Region).

If the needs assessment process is any guide, it is clear that stakeholders are eager for a new approach and ready to engage in the kinds of collaboration required to bring a successful community justice center to fruition.

Appendix A – Steering Committee Members

Superior Court

Judge David Ballati
Judge Harold Kahn
Judge James McBride
Judge Kay Tsenin
Commissioner Ron Albers
Lisa Lightman
Alex Lampert

Mayor’s Office of Policy and Finance

Julian Potter
Starr Terrell

Mayor’s Office of Neighborhood Services

Daniel Homsey

District Attorney

Tim Silard
Paul Henderson

Public Defender

Jeff Adachi
Niki Solis

City Attorney

Alex G. Tse

Sheriff’s Department

Jan Dempsey

Police Department

Police Chief Heather Fong
Captain James Dudley
Lieutenant David Lazar

Department of Public Health

Barbara Garcia
Jo Robinson
Craig Murdock

Human Services Agency

Trent Rhorer
James Buick
Joyce Crum

Pre-Trial Diversion

Will Leong

Adult Probation

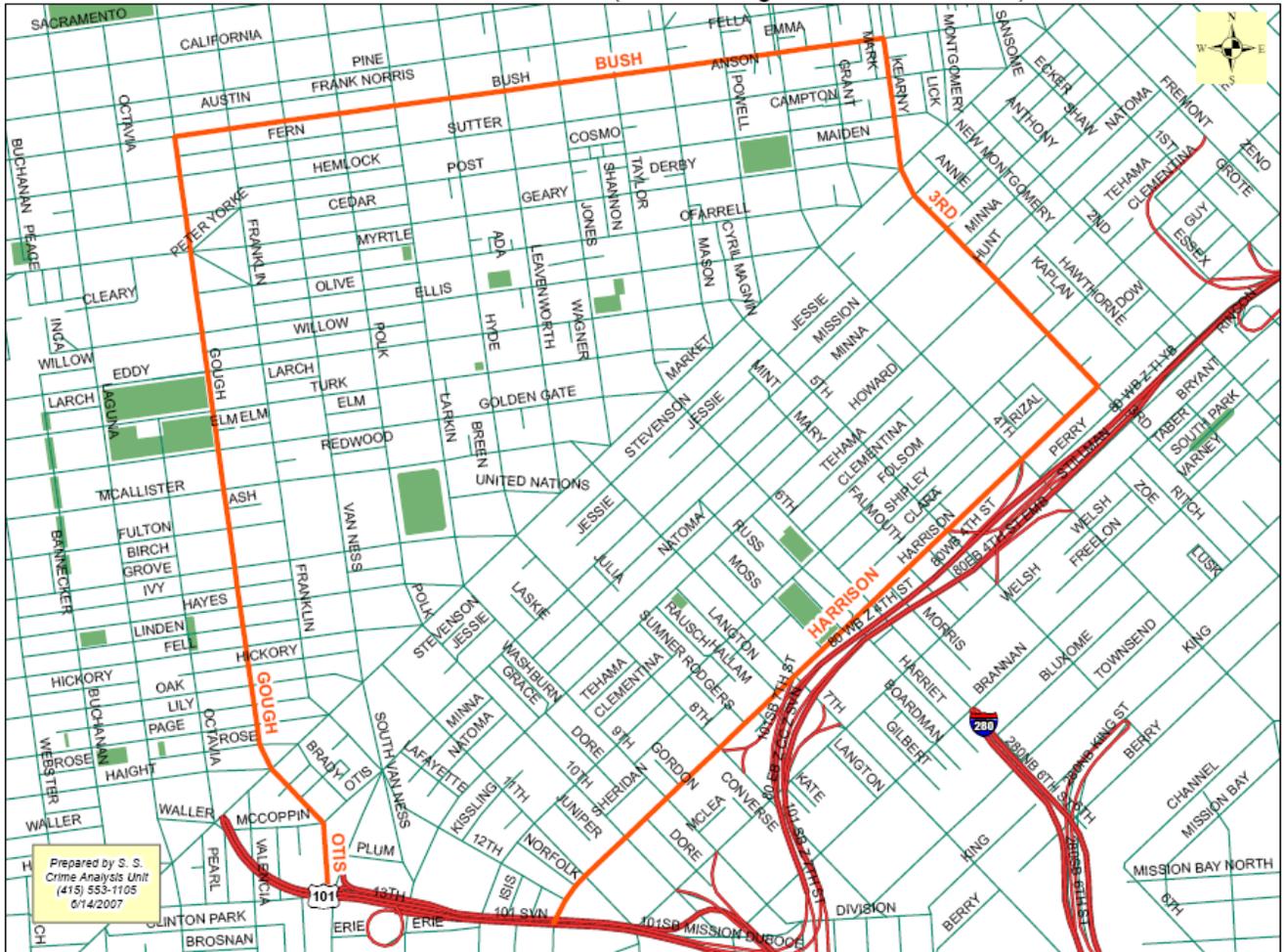
Jeanne Woodford
Patrick Boyd

City Controller’s Office

Peg Stevenson

Appendix B – Map of CJC Region

Selected San Francisco Area (Bush - Gough - Harrison - 3rd St.)



Appendix C – Stakeholder Interview Questions

Community Strengths

1. What do you view as the main strengths of the Tenderloin community?
2. What do you think people would say are the best things about living or working in the Tenderloin community?
3. To the extent that you are able, please identify some important community resources in the Tenderloin (e.g. schools, parks, community-based organizations, political leadership, geographic locations, and other positives).

Public Safety Issues

1. What are some of the more pressing public safety concerns that you are aware of in the Tenderloin community?
2. Are “quality of life” or “lifestyle” offenses a concern in Tenderloin community? Which in particular?
3. Are more serious crimes an issue? Which in particular?
4. Is juvenile crime an issue?
5. To your knowledge, are there other types of illegal activities or conditions that raise concerns?

Other Community Concerns and Problems

1. Other than the public safety issues you have already mentioned, what would you say are the primary concerns or problems currently facing the Tenderloin community?
2. Who or what would you say is causing any public safety issues you’ve mentioned?
3. What are the visible signs that this problem exists in the community?
4. What members of the Tenderloin community would you say are the most adversely affected by this problem?

Justice System

1. What would you say are some strengths in the way the justice system responds now to public safety issues (either in the Tenderloin neighborhood or generally)?
2. What are some of the more pressing concerns about the way the system currently responds to those public safety issues (either in the Tenderloin neighborhood or generally)?
3. What do you think the justice system – police, prosecutors, courts – could do differently to respond to (1) infractions, (2) misdemeanors, and (3) felonies?
4. Aside from what we’ve already discussed, what (if any) are current frustrations with the justice system?
5. Considering the community strengths and concerns you’ve discussed, are there any other specific challenges that criminal justice agencies should be mindful of?

Community Court

1. What do you think about the idea of a community court in the Tenderloin area?
2. What types of community service projects would you like to see low-level offenders perform in the Tenderloin?

3. What kinds of programs and services do you think the Community Court should provide to offenders, or help to improve the community?
4. What other special needs of the Tenderloin community would you like to mention (e.g., immigrant youth, migrant workers, commuters, homeowners, business owners, etc.)?
5. Considering the community strengths and concerns you've discussed, what specific challenges should court planners be mindful of?

Appendix D – Focus Group Questions

Community Strengths

1. What are the main strengths of the Tenderloin community?

Public Safety Issues

1. What are some of the more pressing public safety concerns that you are aware of in the Tenderloin community?

Justice System

1. What would you say are some strengths in the way the justice system responds now to public safety issues? (In general or specifically)
2. What are some of the more pressing concerns about the way the system currently responds to those public safety issues?
3. What do you think the justice system – police, prosecutors, courts – could do differently to respond to the public safety problems you mentioned?

Challenges

1. What types of potential challenges do you perceive in the implementation of the proposed Community Justice Center?
2. Do you have any feedback on how to best overcome these challenges?
3. Do you have specific concerns about how the Community Justice Center may affect your program/services/organization?

How the Community Justice Center will help

In what ways can you see the Community Justice Center improving the well-being of the individuals that you work with?

Service Coordination

1. How do you think we can best coordinate services with the existing services?
2. What issues are not currently being addressed by existing services that the Community Justice Center can help address?
3. What do you feel that the Community Justice Center can do to assist your clients that is currently not happening with the current system?

Appendix E – Case Management System (CMS) Data Survey FY 06-07

Superior Court of California, County of San Francisco
Case Management System (CMS) Data Survey FY 06-07

Prepared by Alexandra Lampert, Program Coordinator for the Office of Collaborative
Justice

30 October 2007

PURPOSE

The purpose of this data assessment is to obtain an overview of how the criminal justice system currently operates in San Francisco. By tracking a sample of cases from arrest to disposition, this assessment seeks to provide answers to the following questions: What kinds of cases does the Superior Court see? Where do those cases originate? What are current case outcomes? Answers to these questions will be used to inform planning of the proposed Community Justice Center.

METHODOLOGY

Process

A sample of 382 court numbers was selected at random from the court's case management system (CMS) from a population of 49,882 court numbers with booking dates from July 1, 2006 to June 30, 2007. This sample size is representative of the population to within a 95% confidence level. Of the 382 court numbers, five did not have associated cases³². Thus, the random sample ultimately presented a set of 377 cases on which this analysis is based.

Cases were classified by arrest location as falling within the boundaries of the proposed community justice center, or not. This boundary was based on the map of the CJC catchment area as of August 15, 2007 (Attachment 1). Of the 377 sample cases, 100 were identified with arrest locations within the CJC boundary (26.5% \pm 2.3%). Cases with multiple charges were categorized by most serious charge.³³ If a defendant was ultimately sentenced on a lesser charge, this was noted.

Limitations

Data were extracted manually from CMS by court number. All care was taken to ensure that this process was accurate; however, the possibility of human error at both the data entry level and the data extraction level must be acknowledged. Figures that this project produces must, thus, be taken as giving a *general* picture of the criminal justice system. This study is also limited by the time frame chosen; all cases originated in the previous Fiscal Year (FY 06-07). Thus, some of the cases are from arrests that occurred as recently as June of 2007; for these cases, not enough time has elapsed to adequately determine long-term case outcomes.

Furthermore, cases within CMS do not fully represent the criminal justice system – only arrests (both those booked in jail and those cited out-of-custody³⁴) for Felonies and

³² This is most likely due to clerical error when assigning court numbers or other system errors.

³³ Most serious charge was determined first by distinguishing between Felonies, Misdemeanors, and Infractions. If a case had multiple charges at the same level, such as two or more Felony charges, most serious charge was chosen manually, guided by AOC guidelines and current schema in use by the court. Crimes against people were treated as more serious than crimes against property; in the case of multiple crimes against property, the charge describing most severe damage was used. For drug charges, seriousness ranked from sales, to possession, to paraphernalia.

³⁴ This was confirmed by Kimberly Williams, Assistant District Attorney, who handles all Misdemeanor re-bookings.

Misdemeanors are entered into CMS. Thus, this study cannot capture the infraction citation processes and outcomes, as they are processed in traffic court. However, some information on infractions can be elicited by the warrant arrests made on Failure to Appear (FTA) for infraction citations, which *are* entered into CMS.

ANALYSIS

Case-Types

Court numbers are generated for any matter booked in jail, which can include new violations or warrant arrests. In this document, any non-warrant case will be called a “violation.”

Warrant Cases

136 of the 377 cases stemmed from an arrest on a warrant or other non-violation related charge. This represents 36% of the sample. Of these warrant cases, almost one-quarter arise from arrests within the proposed CJC catchment area (24.3%). Over one-third of all traffic warrants (issued for FTA on an infraction or misdemeanor citation), and 40% of both Parole Warrants and MTR warrants are arrested in the catchment area. Percent compositions of each category to the full sample are listed in Exhibit 1.

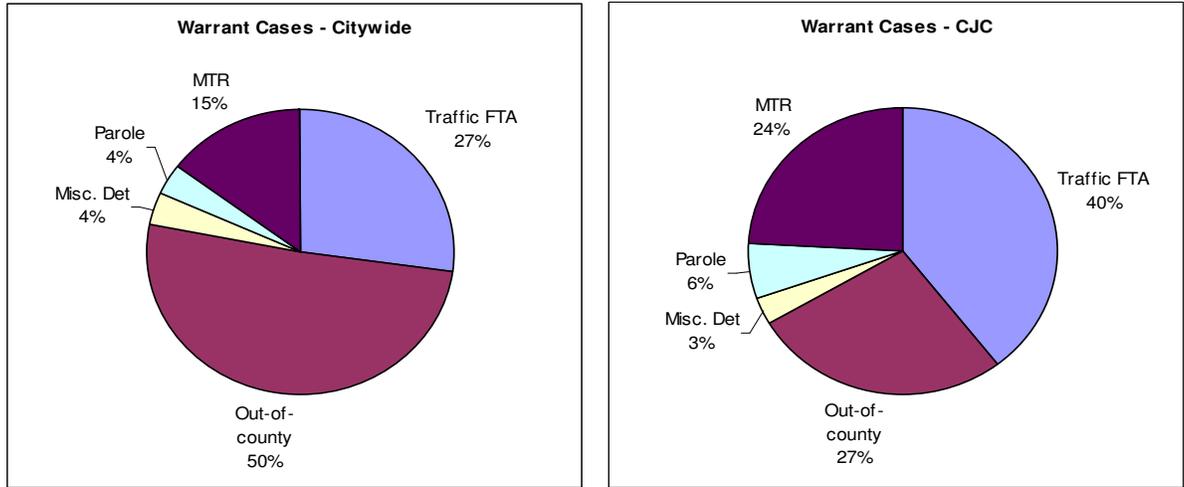
Exhibit 1: Warrant Cases, by Warrant Type and Geographic Boundary FY 06-07 Sample Data

	Citywide		CJC Boundary	
	N	% of total Sample	n	% of total Sample
Total Warrant Cases	136	36% ± 2.5%	33	8.7% ± 1.5%
Traffic Warrants	37	9.8% ± 1.5%	13	3.4% ± 0.9%
Out-of-county Warrants	69	18.3% ± 2%	9	2.4% ± 0.8%
Parole Warrants	5	1.3% ± 0.6%	2	0.5% ± 0.4%
Motions to Revoke (MTR) Probation - DA	20	5.3% ± 1.1%	8	2.1% ± 0.7%
Misc. Detention (Juv, Mental Health)	5	1.3% ± 0.6%	1	0.3% ± 0.3%

Note: “Citywide” *includes* those cases that fell within the CJC boundary. Percentages listed compare each category to the total sample (377), not CJC to Citywide. Error margins are calculated using standard formula: $\sqrt{p(1-p)/n}$
Source: FY 06-07 CMS Sample, Lampert, October 2007

Comparing the composition of warrant case-types within each region, it is clear that there is a different make-up of warrant arrests in the CJC boundary when compared to citywide. In the CJC boundary area, a larger percentage of warrant arrests are made for Traffic Warrants (Infraction and Misdemeanor Citation Failure-to-Appear) and for Motions to Revoke probation by the DA than citywide. Citywide, a larger percentage of warrant cases are for out-of-county warrants than in the CJC area. It is unclear what might cause these higher percentages – perhaps the CJC region accounts for more of the infraction and misdemeanor citations issued, and may also have a higher percentage of probationers. The CJC area does not give rise to as many out-of-county warrants, which may be more concentrated in other regions of the city.

Figure 1: Warrant Cases by Composition within Geographic Boundaries, FY 06-07



*Traffic does not denote vehicle code violations. Traffic denotes matters processed in traffic court – Shown above are rates of Misdemeanor and Infraction Failure to Appear warrants.

**The only statistically significant differences in warrant-type composition between the CJC and city are in the categories of Traffic Warrants for Failure to Appear, Out-of-county warrants, and MTR warrants.

Source: FY 06-07 CMS Sample, Lampert, October 2007

Exhibit 2: Warrant Cases, by composition within Geographic Boundaries FY 06-07

	Citywide		CJC Boundary	
	N	% of citywide	n	% of CJC
Total Warrant Cases	136		33	
Traffic Warrants	37	27.2% ± 2.3%	13	39.4% ± 4.9%
Out-of-county Warrants	69	50.7% ± 2.6%	9	27.3% ± 4.5%
Parole Warrants	5	3.7% ± 1.0%	2	6.1% ± 2.4%
Motions to Revoke (MTR) Probation - DA	20	14.7% ± 1.8%	8	24.2% ± 4.3%
Misc. Detention (Juv, Mental Health)	5	3.7% ± 1.0%	1	3.0% ± 1.7%

Note: "Citywide" includes those cases that fell within the CJC boundary. Percentages listed compare each category to the total within that region, NOT to the full sample of (377). Those figures are found in Exhibit 1. Error margins are calculated using standard error: $\sqrt{(p(1-p)/n)}$.

This table accompanies Figure 1: Warrant Cases, by composition within geographic boundaries.

Source: FY 06-07 CMS Sample, Lampert, October 2007

Violations Cases

Of the sample of 377 cases, there were 241 new violation (non-warrant) cases, or 64± 2.5% of the court’s caseload. These spanned from petty theft to attempted murder, reflecting the complex presentation of cases to the Superior Court. Citywide, Felonies made up 43±3.2% of the cases, Misdemeanors 56±3.2% and Infractions 1±0.8%. These figures differed for the CJC: 53±6.1% Felonies, 45±6.1% Misdemeanors, and 1±1.5% Infractions. This is a statistically significant difference for Felony and Misdemeanor composition. This difference can be attributed, perhaps, to the difference in case-type compositions – a higher proportion of cases within the CJC area are drug related, which are more often Felony offenses. A summary of charges categorized by charge-type, comparing citywide figures to cases that would fall within the CJC boundary is presented in Exhibit 3 of this document.

Exhibit 3: Charge Categories for new violation arrests by Leading Charge, FY 06-07

	Citywide		CJC Boundary	
	n	% of sample (377)	n	% of sample (377)
Total Cases - 241	241	64% ± 2.5%	67	17.8% ± 2.0%
Drugs				
Total	55	14.6% ± 1.8%	20	5.3% ± 1.2%
Sale (11351.5HS, 11352HS, 11359HS, 11360HS, 11378HS, 11379HS)	20		8	
Possession(11350HS, 11357(B)HS, 11377HS)	20		7	
Misc. (11364HS, 11366HS, 11532(B)3HS, 25620(A)BP, 4140BP)	15		5	
Disorderly Conduct				
Total	40	10.6% ± 1.6%	11	2.9% ± 0.9%
Alcohol or Drugs (647fPC)	22		6	
Prostitution (647bPC, 653.22a PC, 647aPC)	12		2	
Sleeping in Park (4.10 PK)	1		1	
Illegal Lodging (647jPC)	1		0	
Obstruction of Justice (148PC)	4		2	
Vehicle Code				
Total	33	8.8% ± 1.5%	3	0.8% ± 0.5%
DUI (23152VC, 23153(A)VC)	13		0	
Misc. Vehicle Code (12500VC, 14601VC, 20002(A)VC, 21201(D)VC, 21461(A)VC, 23102VC)	20		3	
Property Crime				
Total	61	16.2% ± 1.9%	18	4.8% ± 1.1%
Burglary (459PC)	15		5	
Grand Theft/Attempted Grand Theft (487(A)PC, 664,487aPC)	6		2	
Petty Theft/Shoplifting (666PC, 484A/490.5PC, Misc. Theft/Fraud (112(a)PC, 424(A)PC, 496PC, 514PC, 529.3PC, 530.5PC, 532aPC)	7		4	
	10		2	
Vandalism (594bPC)	6		1	
Trespass (25(a)MPC, 27174.2SH, 601(A)PC, 602(M)PC, 602(O)PC)	9		2	
Forgery (470APC)	1		0	
Vehicle Theft (10851VC)	7		2	
Violent Crime				
Total	39	10.3% ± 1.6%	13	3.4% ± 0.9%
Murder/Attempted Murder (187PC, 664,187PC)	2		1	
Assault (245(A)1PC)	4		2	
Battery (242PC, 243PC)	10		0	
Domestic Violence (243(E)1PC, 273.5PC)	12		4	
Weapons/Firearm (12020(a)PC, 12031(a)PC, 12316B1PC)	5		2	
Elder Abuse (368(B)1PC)	1		0	
Robbery (211PC)	1		1	
Threat Crime with intent to Terrorize (422PC)	4		3	
Miscellaneous				
Total	13	3.4% ± 0.9%	2	0.5% ± 0.4%
(136.1C1PC, 166PC, 182PC, 272(A)1PC, 290PC, 31VC)				

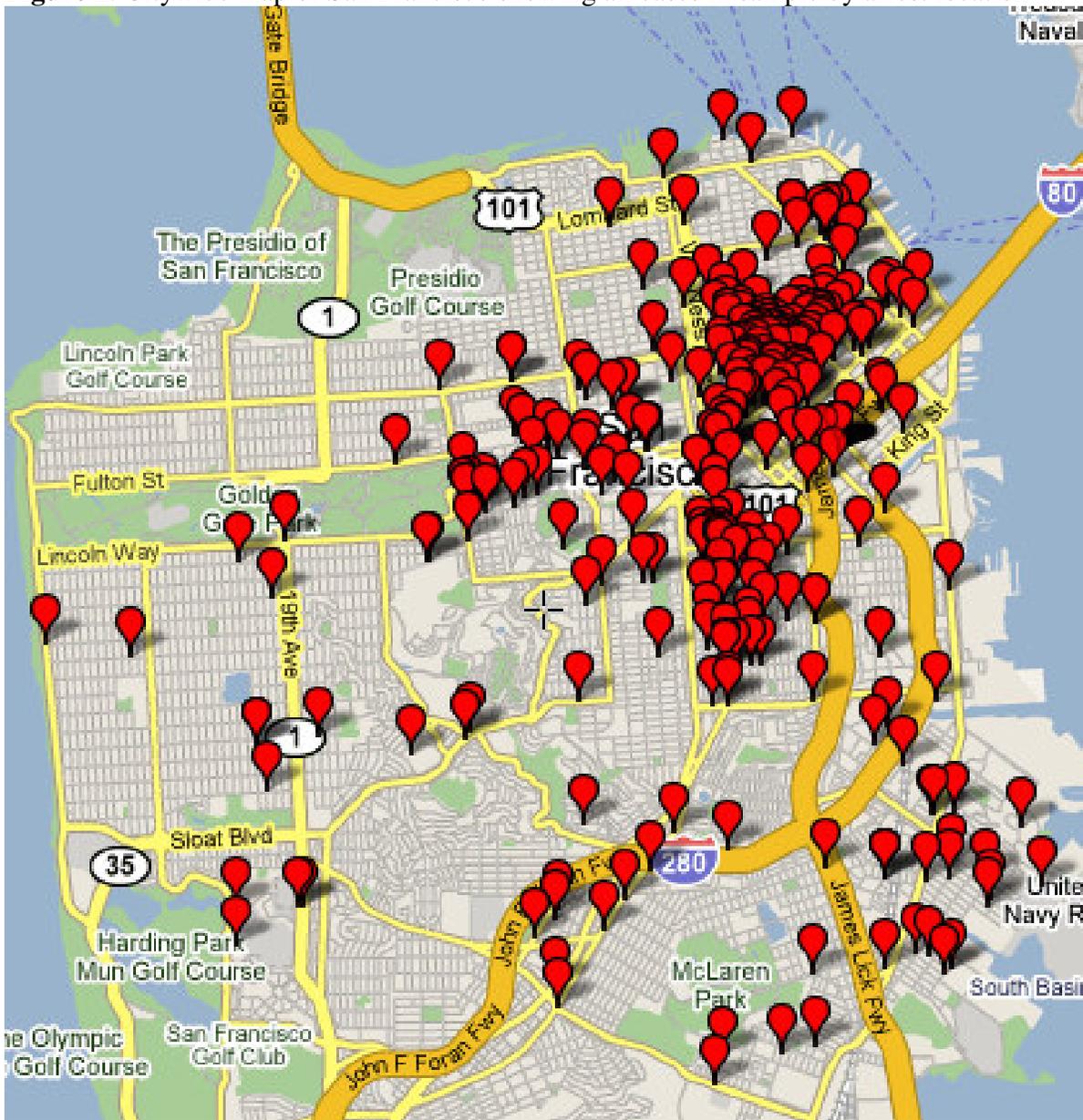
Note: Citywide includes the CJC region. Percentages list total percentage of that category to the sample (377). Error margins are calculated using standard error.

Source: FY 06-07 CMS Sample, Lampert, October 2007

These figures match anecdotal and police figures for crime rates in the CJC catchment area compared to the rest of the city: about 1/4 to 1/3 of all crime (with the exception of vehicle-code violations) occurs within the CJC catchment area. Specifically, $36.4 \pm 9\%$ of Drug Cases, $28.2 \pm 9.2\%$ of Disorderly Conduct Cases, $12.5 \pm 5.4\%$ of Vehicle Code cases, $30.9 \pm 7.6\%$ of Property Crimes and $26.5 \pm 10.4\%$ of Violent Crimes citywide arise from the proposed CJC area.

The following maps illustrate this point. However, it must be noted that it is also apparent from these maps that the proposed CJC boundary (shown in **Figure 3**) does not necessarily follow the arrest patterns – large portions of SOMA and areas west of Van Ness are not as dense with arrest locations; there may be other important reasons to include these areas with the CJC boundary that this data does not reflect. Each red flag represents the location of an arrest of one of the 377 cases in this sample (excluding 22 cases, which had arrest locations of “Out of Town” or “Unknown”).

Figure 2: Citywide map of San Francisco showing all cases in sample by arrest location



Source: FY 06-07 CMS Sample, Lampert, October 2007. Map constructed using CSV file of arrest locations and GPS Visualizer software.

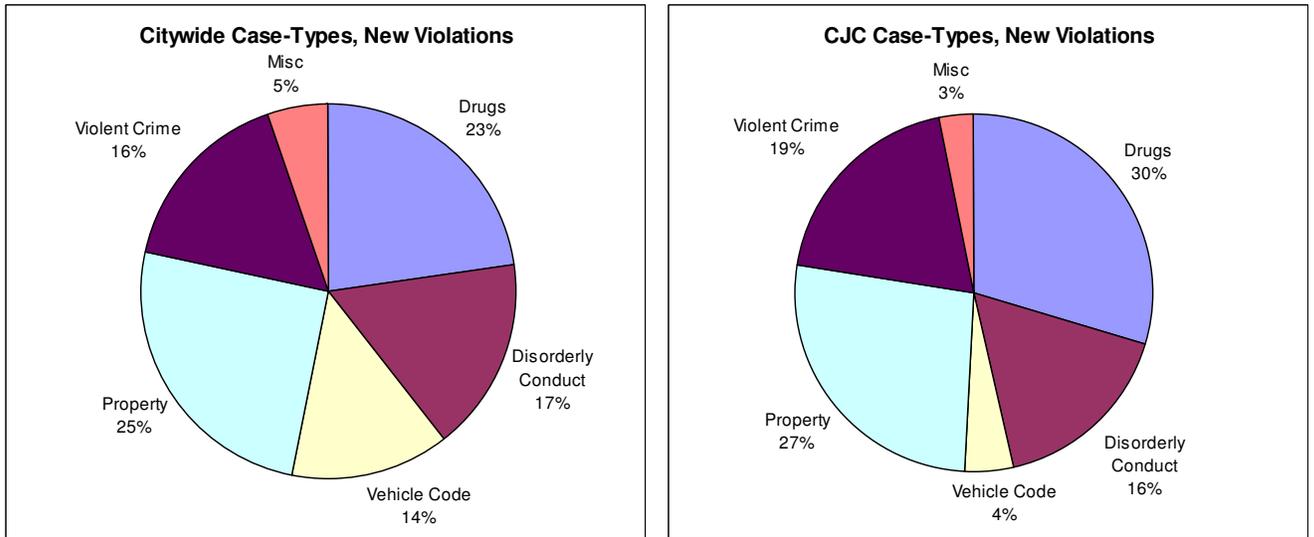
Figure 3: Map Showing Downtown Region of San Francisco. Civic Center Courthouse location is marked with a square (this is 1 block south of proposed CJC facility at 575 Polk). Proposed CJC Boundary is outlined in black.



Source: FY 06-07 CMS Sample, Lampert, October 2007. Map constructed using CSV file of arrest locations and GPS Visualizer software.

The composition of crime types within the CJC catchment area is slightly different than citywide, reflecting the uniqueness of this region when compared to the rest of the city. Differences of statistical significance are found **only** for vehicle code violations, which make up a **smaller** proportion of total crime in the CJC area than citywide.

Figure 4: New-violation case-type composition per geographic boundary, FY 06-07 Sample



Error margins for the above figures are as follows: Of 241 new violations cases Citywide: Drug Cases $22.82 \pm 2.70\%$, Disorderly Conduct 16.60 ± 2.40 , Vehicle Code $13.69 \pm 2.21\%$, Property $25.31 \pm 2.80\%$, Violence $16.18 \pm 2.37\%$, Misc. $5.39 \pm 1.46\%$; Of 67 new violations cases in CJC: Drug Cases $29.85 \pm 5.59\%$, Disorderly Conduct $16.42 \pm 4.53\%$, Vehicle Code $4.48 \pm 22.53\%$, Property $26.87 \pm 5.42\%$, Violent crime $19.40 \pm 4.83\%$, Misc. $2.99 \pm 2.08\%$. Source: FY 06-07 CMS Sample, Lampert, October 2007.

Projected case-load

For FY 06-07, the San Francisco Superior Court received a total of 6,354 felony case filings and 8,069 misdemeanor case filings, for a total average of 1,202 filings per month.³⁵

In this sample, 100 ($26.5\% \pm 2.3\%$) of the 377 court-numbers were from cases with arrest locations in the CJC boundary. Though over half of these cases were disposed of prior to arraignment, it is assumed that this rate is similar to other areas of the city, and thus cases originating in the CJC will make up a similar proportion of filed cases with the Superior Court. Due to this, a rough estimation of expected case load can be calculated as 26.5% of 1,202 filings per month, which translates to an estimated 290 to 346 filings per month in the CJC, or about 14 to 17 cases per day (for a 20 day per month calendar).

³⁵ These figures were obtained from Michael Corriere, the Superior Court’s Statistical Analyst, and are reported to the AOC Judicial Council.

This projection is an upper bound, as the CJC would likely *not* process warrant cases and a selection of case types, such as violent cases and vehicle code cases. Furthermore, this does not take into account infraction citations; if included, they would likely add significantly to the caseload.³⁶

Demographics

Demographic information is calculated for *all* crime-types, warrants and violations. There is a slight difference between the citywide demographic breakdown and demographic breakdown within the CJC region – a higher percentage of arrestees within the CJC region are African American than compared to citywide. It must be noted, however, that demographic information may not be self-reported and is only captured for categories “Black,” “White,” and “Other.” Both categories “White” and “Other” may include Hispanic defendants, and it is generally assumed that “Other” includes Asian defendants.

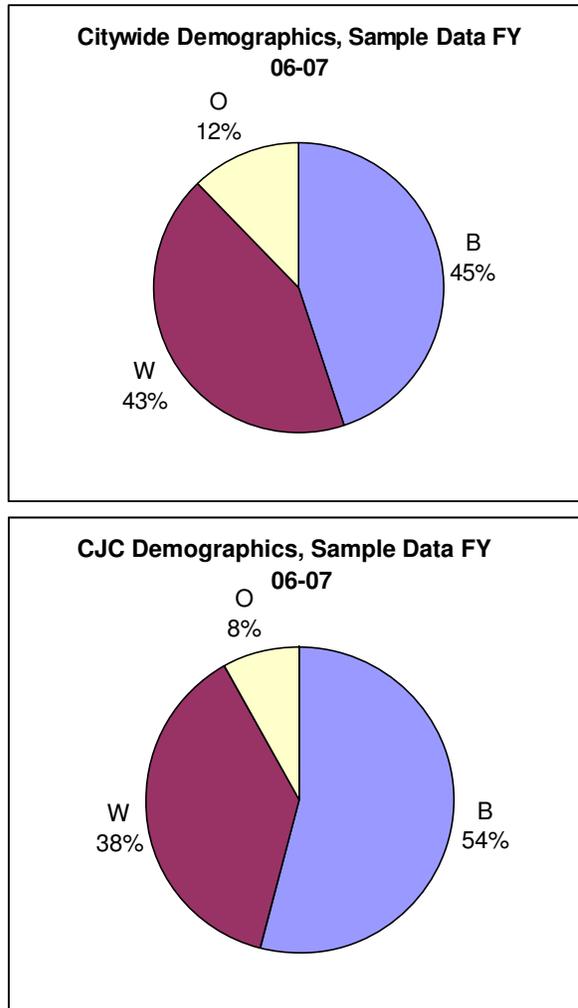
Gender and age data are comparable for the CJC area compared to citywide: Average age of an arrestee was 36.1 ± 0.6 years old citywide and 37 ± 1.2 years old for the CJC region. Citywide, males composed $85 \pm 2\%$ of the sample and females $15 \pm 2\%$. For the CJC, these figures were the same, at $86 \pm 3\%$ and $14 \pm 3\%$, respectively.

An attempt was made to capture what proportion of the population were “repeat offenders” by tracking number of arrests by SF Number, a unique identifier given to defendants by the SFPD. This attempt was limited, because only 296 of the cases pulled had SF Numbers (78.5% of the sample) and the arrest rate ascertained via SF number does not take into account all arrests (such as misdemeanor or infraction citations and out-of-county arrests). The arrest which triggered the sample case was counted as one arrest; if any prior or subsequent arrests had occurred in San Francisco, these were added to the individual’s total arrests.

For the population with SF Numbers, the average number of prior arrests in San Francisco was 6.62 ± 0.75 , and ranged between 1 and 30+ arrests. For cases arising in the CJC region only, the average number of prior arrests was 7.65 ± 1.37 . This is not a statistically significant difference.

³⁶ An examination of police arrest rates for misdemeanor and infraction citations is in progress.

Figure 5: Demographic information for all cases (warrant *and* new-violations) by geographic region, FY 06-07, Sample



Error margins for demographic figures above: Citywide – B 45±2.6%, W 43±2.5%, O 12±1.7%; CJC – B 53±5.0%, W 38±4.9%, O 8±2.7%. Source: FY 06-07 CMS Sample, Lampert, October 2007.

Case Processing & Outcomes

Of the 241 new violations cases (excluding warrants) only 102 (42.3±3.2%) had ever had a court hearing. Of cases with court hearings, the average number of hearings was 7.4 ± 0.8, and the maximum was 29 (for a defendant in Behavioral Health Court).

For case disposition information, Exhibit 4 presents a breakdown of where along the court process continuum cases were disposed of and Exhibit 5 breaks down the types of dispositions that occurred for cases that were not ultimately sentenced.

Exhibit 4: Dispositions of cases (excluding warrants), citywide, FY 06-07 Sample Data

	Citywide	
	n	% of Violations Cases
Violations Cases*	241	100%
Disposed of by SFPD or DA	122	50.6 ±3.2%
Disposed of by Court, no sentence	39	16.2 ±2.4%
Sentenced**	38	15.8 ±2.4%
No Disposition or Sentence***	42	17.4 ±2.5%

*Warrant cases were excluded from case processing outcomes due to the fact that many of them, such as out-of-county warrants, did not merit processing analysis for these purposes.

**9 of these cases were sentenced following guilty plea to lesser charge.

***Of the cases with no disposition and no sentence, 10 had never had court hearings (most likely clerical error in failure to enter disposition code as all arraignment dates would have occurred before date of data extraction), 6 were clearly in a diversion program, BHC or Drug Court, 4 were in some stage of trial, and it is unclear what accounts for the other 22 cases - could be clerical error in not entering a disposition code, or a recent case that has not yet had time to get to disposition.

Source: FY 06-07 CMS Sample, Lampert, October 2007.

Disposition Types

Exhibit 5: Types of Disposition for all new violations cases (excluding warrants) that were disposed, FY 06-07, citywide, Sample Data

	Citywide	
	n	% of Dispositions
Disposed/Discharged (no conviction or sentence)	161	100%
By Police		
Detention only for intoxication	20	
Transferred to other jurisdiction	19	
Total by Police	39	24.2 ±3.4%
By DA		
No incident report provided	5	
Lack of corpus	4	
Substance not prohibited by law	2	
Insufficient quantity of prohibited substance	5	
Lack of evidence	27	
Further investigation necessary	1	
Dismissed in the Interest of Justice (1385PC)	19	
Complainant withdrew complaint	2	
Questionable search and seizure	1	
Proceed to other count*	7	
Released to other agency/jurisdiction/ DA Community Court	8	
Dism/B, Case Comp/Restitution	2	
Total by DA	83	51.6 ± 4%
By Superior Court		
Discharge – No Complaint Filed	2	
Dismissed – Charge not included in charging doc	2	
1385PC – Interest of Justice	10	
1385PC – Guilty Plea to Other Charge**	7	
1385PC – Release to other Agency	1	
Dismissal 1001.7PC, No arrest	1	
Dismissed 1203.4 PC	3	
Discharge to Proceed to MTR	11	
Dismissed 1000.3PC / Drug Court	1	
Not Guilty	1	
Total by Court	39	24.2 ±3.4%

*Of these cases, none had been sentenced on other counts; 3 had never had court hearings.

**Of these 7 cases, none had been sentenced on another charge. In the survey, 7 *additional* cases had also been disposed of by guilty plea to other charge, but because they were ultimately sentenced, are counted with sentenced cases.

Source: FY 06-07 CMS Sample, Lampert, October 2007.

Timeframes

For all cases that were ultimately sentenced (citywide), the average time from arrest to sentencing was 92±6.8 days, ranging from 15 to 292 days.

For all cases with arraignment dates that occurred (identified as having at least one court hearing), the average time between arrest and arraignment was 13.2±1.8 days.³⁷ Cases that were arraigned at most 10 days after arrest made up 69% of the cases that were arraigned, and the other 31% of cases arraigned took place more than 10 days after arrest.

To get a sense of time to disposition in addition to this survey, the Judicial Branch Statistics for San Francisco Superior Court were also consulted.³⁸ These report all dispositions that occurred within a particular month, and do not distinguish between type of disposition.

Exhibit 5: Average Time to Disposition, San Francisco Superior Court FY 06-07

	Citywide
	%
Felonies	
0-30 days	26.0%
31 – 45 days	13.6%
46 – 90 days	22.2%
91+ days	38.2%
Misdemeanors	
0-30 days	30.9%
31 – 45 days	24.5%
46 – 90 days	12.4%
91+ days	32.3%

Source: FY 06-07 JBSIS AOC Statistics

More detailed analysis of court outcomes will require additional data extraction from CMS. Michael Corriere, the court’s statistical analyst, is conducting an independent examination of trial data and outcomes, which could augment this study’s information about case outcomes (for trials only).

³⁷ This figure excludes two outliers: One case had a length of 203 days between arrest and arraignment, most likely due to a Parole or Immigration hold; One case had a negative length of time between arrest and arraignment (-11 days), most likely due to clerical error.

³⁸ Provided by Michael Corriere, Statistical Analyst.

SUMMARY

This random sample of CMS gives some sense of what differences may exist in the number and type of cases presented to the Superior Court from the CJC region and the city as a whole. Additionally, this survey has presented baseline measures, from FY 06-07, of court processes, such as average time to disposition, likelihood and types of disposition at various points along the criminal justice continuum. Information in this study can be used in planning for expansion of court programs focused on geographic areas, such as the Community Justice Center; data in this study can also be used descriptively for court processes and case-type information for San Francisco County in its entirety.

Appendix F – Participating Community Groups

- Academy of Art
- American Cancer Society
- ATT
- Bars and Tone
- Boyd Lighting
- Central Market Community Benefit District Public Safety
- C.L.A.E.R. - Community Leadership Academy Emergency Response (project of SF Urban Institute)
- Carnon Warehouse
- Chancellor Hotel Union Square
- CCDC - Chinatown Community Development Center
- Citizen Professional & Security
- City Park, Civic Center Stakeholders
- Coalition on Homelessness
- Coleman Advocates for Children and Youth
- Community Leadership Alliance
- Cooper White & Cooper
- CVE
- Inc.- Community Vocational Enterprises
- Dome, L.L.C.
- Entertainment Commission
- Express
- Filipino Community Center
- Fifield Co.
- GGRA - Golden Gate Restaurant Association
- Glide Church
- Goodwill Industries
- Grand Hyatt San Francisco
- Grubb & Ellis
- Hastings Security Conference
- Hanford - Freund & Co.
- Harsch Investment Properties
- Hastings Law
- HSB Forex Group
- Hutton
- Jobs for Youth
- The Keil Companies
- Large Arts Organization
- Larkin Street Youth
- Lawyers' Committee for Civil Rights
- Lower Polk Neighbors
- MPNA - Middle Polk Neighborhood Association

- The New Tenderloin
- Norcal Shredding
- North of Market Planning Coalition
- North of Market/Tenderloin Community Benefit District
- Notary Public
- Rancho Parnassus
- Renoir Hotel
- RHN - Russian Hill Neighbors
- SAFE (neighborhood watch)
- Safety Network
- Saint Anthony's
- San Francisco Ballet
- SF Board of Supervisors
- SF Chamber of Commerce Public Policy Committee
- San Francisco Film Society
- San Francisco Performances
- San Francisco Theatre District
- SF Works
- Shreve & Co.
- SOMA Leadership Council
- SOMPAC - South of Market Project Area Committee
- South of Market Business Association
- Tenant Associations Coalition
- Terwilliger Mgt. Co.
- Tehama Street Neighbors
- Tenant Associations Coalition
- Tenderloin Futures Collaborative
- The Tenderloin Housing Clinic
- Tenderloin Neighborhood Development Corporation
- Tenderloin/SOMA Community Court
- Theatre Bay Area
- Tom Waddell Health Center
- Turner Real Estate
- Union Square Association
- Union Square BID
- Union Square Business Association
- Union Square Business Improvement District
- Urban Solutions Wells Fargo
- Vietnamese Community Center
- The Warfield
- Western Soma Westfield Metreon West & Co.
- Yerba Buena Alliance
- YMCA

It should also be noted that judicial leadership made contacts, by phone and in person, with each member of the Board of Supervisors, to provide an update on the proposed Community Justice Center and to answer questions.