This report was approved by the San Francisco Sentencing Commission thru a unanimous vote by all participating members (12-0) on December 12, 2012.
Executive Summary
The San Francisco Sentencing Commission, an initiative of the District Attorney’s Office, was created through local legislation to analyze sentencing patterns and outcomes; to advise the Mayor, Board of Supervisors, and other City departments on the best approaches to reduce recidivism; and to make recommendations for sentencing reforms that advance public safety and utilize best practices in criminal justice. Ultimately, the Commission will make recommendations that establish a sentencing system that retains meaningful judicial discretion, avoids unwarranted disparity, recognizes the most efficient and effective use of correctional resources, and provides a meaningful array of sentencing options. Over the course of the next two years, the Sentencing Commission will:

- Evaluate effective and appropriate sentences for the most violent offenders.
- Explore opportunities for drug law reform.
- Examine inconsistencies in the penal code related to realignment sentencing.
- Identify and define the most important factors that reduce recidivism.

The activities of the first year of the San Francisco Sentencing Commission are summarized in this annual report as required by County Ordinance 10-12.

Background
The Sentencing Commission was created by County Ordinance 10-12, which amended the San Francisco Administrative Code by adding Article 25, Sections 5.250 through 5.250-3. The purpose of the Sentencing Commission is to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices and efficiently utilize San Francisco’s criminal justice resources. The Sentencing Commission is an advisory body to the Mayor and the Board of Supervisors.

Commission Membership
The membership of the Sentencing Commission was developed to ensure representation from City and County partners directly involved in the criminal justice system, and those who come in contact with it. Each seat represents a valuable perspective on criminal justice proceedings; from time of arrest to post release, and the critical access points for support services provided to victims and survivors of crime. In addition to this practical and service experience, the Commission includes experts in sentencing and statistical analysis. These are essential components of the Commission’s membership and will contribute to the development of data-informed, sustainable improvements to our sentencing practices. While this membership will serve as the core of the Sentencing Commission’s work, the Commission will invite broader participation to present to and inform proceedings.

List of member seats:
District Attorney’s Office (Chair), Public Defender’s Office, Adult Probation Department, Juvenile Probation Department, Sheriff's Department, Police Department, Department of Public Health, Reentry Council, Superior Court, Member of a nonprofit organization serving victims chosen by the Family Violence Council, Member of non-profit organization working with ex-offenders chosen by the Reentry Council, Sentencing Expert chosen by the Board of Supervisors.
Supervisors, and an Academic Researcher with expertise in data analysis appointed by the Mayor.

The San Francisco Sentencing Commission membership was fully formed in July 2012. A full list of commission members and qualifications is found in Appendix A.

2012 Meetings
The Sentencing Commission held two meetings in 2012. Full agendas and meeting minutes are available on http://www.sfdistrictattorney.org/. Meeting dates and key activities are provided below.

August 8, 2012
- Adopted Sentencing Commission By-Laws
- Reviewed Mission, Powers and Duties
- Reviewed Two Year Workplan Draft

December 12, 2012
- Reviewed January 2008- June 2011 Data on Adult Arrest Activity in San Francisco
- Reviewed Superior Court 1992-2011 Data on Felony Sentencing
- Reviewed Juvenile Probation Department 2007-2011 data on referrals and petitions
- Reviewed resources for Sentencing Commission research

2012 Accomplishments
Commitment to Data Analysis

During the August 8, 2012 inaugural meeting of the Sentencing Commission, members unanimously expressed a commitment to utilize accessible and credible data to drive the decision making and priorities of the Commission’s work. Accessible and credible data not only provides common information for all members to guide prioritization and decision making it also provides the opportunity to communicate progress and success; the ability to highlight exceptions; and lastly, the opportunity to educate the public. As a result of this commitment, the December 12, 2012 meeting of the Sentencing Commission included several presentations on local adult and juvenile sentencing trends.

Data elements reviewed by the Sentencing Commission in 2012 include:
- Adult Arrest Activity
- Felony Filings
- Felony Sentencing
- Felony Sentencing with Prison and Probation as a portion of total sentences
- Realignment Sentencing outcomes (Split vs. Straight)
- Juvenile Referrals and Petitions
Little Hoover Commission Presentation

On November 27, 2012, Sentencing Commission staff member Tara Anderson and Sentencing Commission member Kate McCracken presented oral testimony to the State of California Little Hoover Commission during a public hearing on Bail and Sentencing. Mrs. Anderson provided an overview of District Attorney Gascón’s written testimony on the formation of the San Francisco Sentencing Commission, the Commission authority and tasks, and current partnerships. Commission Member Ms. McCracken presented under the auspice of her role as the Program Director of the California Sentencing Institute (CASI), Center on Juvenile and Criminal Justice. Ms. McCraken’s testimony included an overview of the interactive CASI map which provides population-adjusted rates of adult and juvenile arrests and incarcerations for California’s 58 counties. The Little Hoover Commission expects to conduct further hearings exploring post realignment sentencing in 2013. To review the Little Hoover hearing visit [http://www.calchannel.com/search/](http://www.calchannel.com/search/). Written testimony is available at:


http://www.lhc.ca.gov/studies/activestudies/bail%20and%20sentencing%20reform/McCrackenTestimony.pdf

To explore the CASI map visit [http://casi.cjcj.org/](http://casi.cjcj.org/).

Staff Research Support

The Sentencing Commission is staffed by the District Attorney’s Office. During the first six months of implementation, it became evident that the Commission would need additional research support to fulfill its codified powers and duties. In November 2012, District Attorney Gascón supported an application for the National Council on Crime and Delinquency (NCCD) to secure funds for additional research and technical assistance to the Sentencing Commission. It is expected that NCCD will commence support to the Sentencing Commission starting in January 2013. Specifically NCCD will:

- Perform quantitative and qualitative research that builds on and supplements existing data reports and analyses.

- Conduct an in-depth literature review, which will include examining critical documents and analyzing relevant research and data to (a) determine the specific strategies employed by other jurisdictions and states to reduce unnecessary incarceration, (b) highlight relevant models for alternatives to incarceration, and (c) determine and report on successful strategies.

- Assist the members of the Sentencing Commission with developing data-collection standards and recidivism reporting standards;

- Research and identify best and promising practices for consideration by the Commission (e.g., information on collaborative courts; the use and utility of risk and needs assessment in the courts). The Commission will review and determine the specific practices to be shared among other criminal justice agencies, and NCCD will conduct training on existing best practices.
Future Activities
The San Francisco Sentencing Commission is scheduled to conduct four sessions in 2013. The tentative 2013 session topics are identified below.

<table>
<thead>
<tr>
<th>March 2013</th>
<th>September 2013</th>
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<tbody>
<tr>
<td>Drug Law Reform</td>
<td>Restorative Justice</td>
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<tr>
<td>Realignment Sentencing</td>
<td>Victim Services</td>
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<tr>
<td>July 2013</td>
<td>November 2013</td>
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<tr>
<td>Effective Sentencing for Violent Offenders</td>
<td>Recidivism Reduction</td>
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</tbody>
</table>

Conclusion
The San Francisco Sentencing Commission was fully formed and in operation for six months of 2012. While this policy body is in its infancy, members are confident that the findings and recommendations that will come from the proceedings over the next two years will support not only San Francisco, but California as a whole. Criminal justice agencies and social service partners have a collective responsibility to ensure that individuals receive appropriate sentences and do not re-victimize our communities. Pursuing an effective, fair and efficient sentencing system for San Francisco enhances public safety and creates a livable, sustainable San Francisco community.
## Appendix A: San Francisco Sentencing Commission Members

<table>
<thead>
<tr>
<th>Agencies &amp; Bodies</th>
<th>Member</th>
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<tbody>
<tr>
<td>District Attorneys' Office</td>
<td>George Gascón, District Attorney</td>
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<tr>
<td>Public Defender's Office</td>
<td>Jeff Adachi, Public Defender</td>
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<tr>
<td>Adult Probation Department</td>
<td>Wendy Still, Adult Probation Chief</td>
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<tr>
<td>Juvenile Probation Department</td>
<td>William Siffermann, Juvenile Probation Chief</td>
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<tr>
<td>Sheriff’s Department</td>
<td>Ross Mirkarimi, Sheriff</td>
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<td>Police Department</td>
<td>Greg Suhr, Police Chief</td>
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<tr>
<td>Department of Public Health</td>
<td>Barbara Garcia, Director</td>
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<tr>
<td>Reentry Council</td>
<td>Karen Roye, Director Child Support Services</td>
</tr>
<tr>
<td><strong>Superior Court</strong></td>
<td>Katherine Feinstein, Presiding Judge</td>
</tr>
<tr>
<td><strong>Member of a nonprofit org serving victims chosen by the Family Violence Council</strong></td>
<td>Minouche Kandel, Staff Attorney, Certified-Specialist - Family Law, Bay Area Legal Aid</td>
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<tr>
<td><strong>Member of non-profit org working with ex-offenders chosen by the Reentry Council</strong></td>
<td>Catherine McCracken, Director of Development and the Sentencing Services Program Director, Center on Juvenile and Criminal Justice</td>
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<tr>
<td><strong>Sentencing Expert chosen by the Board of Supervisors</strong></td>
<td>Theshia Naidoo, Senior Staff Attorney, Drug Policy Alliance</td>
</tr>
<tr>
<td><strong>Academic Researcher with expertise in data analysis appointed by the Mayor</strong></td>
<td>Steven Raphael PhD, Professor, Goldman School of Public Policy, University of California Berkeley</td>
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*Invited*