

~~EXHIBIT 29~~



WENDY S. STILL
Chief Adult Probation Officer

MISSION

"Protecting the Community, Serving Justice and Changing Lives"

VISION

The San Francisco Adult Probation Department achieves excellence in community corrections, public safety and public service through the integration of Evidence Based Practices and family focused, victim centered supervision strategies. We collaborate with law enforcement, Courts, City Agencies, victims groups and community based organizations to provide a unique blend of enforcement, supervision and treatment. We are leaders in our profession, exemplifying the highest standards. We offer a continuum of integrated services to address our clients' criminogenic needs and empower them to become productive law-abiding citizens.

VALUES: P.R.O.T.E.C.T. OUR COMMUNITY

Protect: We value protection of the residents of the City and County of San Francisco.

Respect: We value respect and personal wellness for ourselves, each other and all members of the community.

Opportunities: We value providing opportunities for offender rehabilitation, improved public safety, victim restoration and maximizing officer and employee potential.

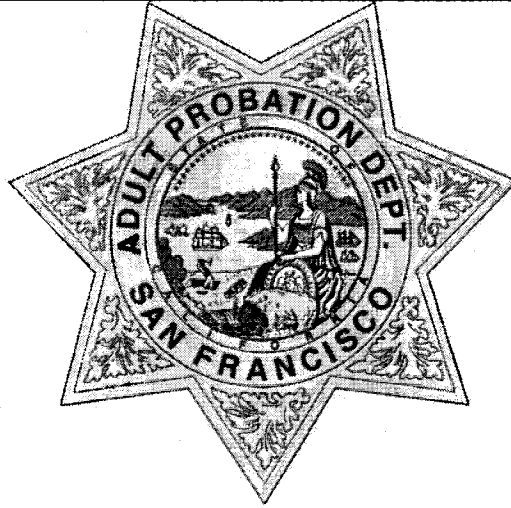
Teamwork: We value teamwork and cooperation through partnerships with all justice and community stakeholders.

Ethics: We value impartiality, accountability, diversity, professionalism and a strong work ethic.

Commitment: We value our commitment to Public Safety and Public Service.

Trust: We value the trust placed in us by the public we serve and perform our duties with integrity and possess the skills set unique to our profession through systematic integration of Evidence Based Principles

~~EXHIBIT 30~~

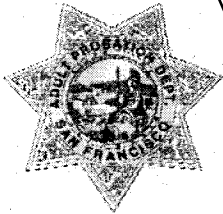


San Francisco Adult Probation Department

Fiscal Year 2010-2011
Annual Report

City and County of San Francisco

Adult Probation Department Hall of Justice



WENDY S. STILL
Chief Adult Probation Officer

Protecting the Community, Serving Justice and Changing Lives

The Honorable Katherine Feinstein
Presiding Judge, San Francisco Superior Court

The Honorable Edwin M. Lee
Mayor, City of San Francisco

In my first full year as the Chief Adult Probation for the City and County of San Francisco I am pleased to offer the Department's 2010-11 annual report. This report discusses the Department's operations and highlights accomplishments achieved during the fiscal year. Advancing the Department's mission of "Protecting the Community, Serving Justice, Changing Lives", through collaboration with stakeholders and agency partners, and developing a highly competent workforce is my primary focus. Commitment to these key strategies is central to the Department fulfilling its public safety responsibilities.

The Adult Probation Department has benefitted immensely from policy and fiscal support offered by the Courts, Mayor and Board of Supervisors. In addition to City general funds the Department has actively sought grant funding to support mission critical services. Combined, these revenue sources have allowed the Department to develop innovative programming and solidify operations in the following areas: Creation of the San Francisco Probation Alternative Court, a collaborative court model designed to increase success on probation and reduce prison commitments and participate and provide staff support to: the Community Justice Court – a collaborative restorative justice model which emphasizes coordinated case management to address the unique needs of homeless and mentally ill offenders and the Behavioral Health Court addresses a targeted population of higher risk probationers with diagnosed mental disorders requiring a mix of behavioral health services and pro-active supervision. Appropriately domestic violence offenders are managed through a single court docket allowing more intensive supervision and mandated treatment emphasizing victim safety and offender accountability. Finally, offenders with substance abuse issues may be involved in drug court and drug diversion programs focusing on accountability and behavior change through engagement in treatment and supervision.

The Department continues to expand its knowledge and application of evidence-based practices in community corrections. Implementation of the Correctional Offender Management Profiling and Alternative Sanctions (COMPAS) assessment tool is under way with full development of a robust case management system anticipated in FY 2012-13. An evidence-based presentence report was introduced in FY 2010-11, offering analysis and recommendations to assist the court in making dispositional decisions based on the COMPAS assessment. Use of assessment information will be expanded in the current fiscal year to include all high and medium risk offenders under the Department's supervision. A key element of this strategy involves development of a comprehensive case management plan (the Individual Treatment and Rehabilitation Plan) which serves to guide probation officer activities focusing on criminogenic risk/need factors utilizing interventions proven to reduce recidivism. Department staff are participating in professional development related to application of best practices – this includes enhancing skills in the areas of assessment, motivational interviewing and cognitive behavioral interventions, along with use of incentives and sanctions to promote behavioral change and increase intrinsic motivation.

Adult Probation designed and implemented a Learning Center program in partnership with the Sheriff's "Five Keys Charter School". This program offers high school diploma, GED, adult basic education and

access to post-secondary education and vocational training; all designed to improve success on probation and reduce recidivism. The Transitional Age Youth Project focuses efforts on 18-25 year olds involved in the probation system to address specific needs of and intervene effectively with this population at high risk of re-offense.

Looking ahead to FY 2011-12 and beyond attention is directed to successful implementation of what is perhaps the most historic transformation of California's public safety system – The Public Safety Realignment Act (AB109). The Department is actively engaged with agency partners to develop appropriate treatment and intervention programs as well as provide adequate levels of community supervision and interventions for the post release community supervision population. Additionally, Adult Probation has initiated examination of the female offender population with an eye toward developing gender-specific strategies aimed at addressing unique needs of female offenders, and to further expand family-focused supervision strategies to positively impact the phenomenon of intergenerational crime and incarceration. Implementation of an effective system of graduated sanctions in response to violation behavior, as well as incentives to reward positive behavioral change is also occurring; both are considered best practices in community corrections.

The professionalism and dedication of Adult Probation Department staff is admirable and indicative of their commitment to providing high quality and cost-effective services to the population we are charged with managing. Our collective efforts are greatly enhanced by the many partnerships established with system stakeholders and community providers. Together we can make a positive difference in the lives of offenders, be responsive to victims of crime, and enhance public safety.

Your support of the Adult Probation Department is greatly appreciated. I am committed to maintaining this support by achieving established performance measures and demonstrating integrity in Department operations.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Wendy S. Still', is positioned above the typed name.

Wendy S. Still
Chief Adult Probation Officer

Table of Contents

ACKNOWLEDGEMENTS.....	6
MISSION & VISION	7
Mission Statement	7
Vision	7
Values: PROTECT Our Community	7
2010-11 Executive Summary.....	8
INTRODUCTION & ORGANIZATIONAL OVERVIEW.....	9
Supervision of Offenders Placed on Probation.....	9
Pre-Sentence Investigations for Superior Court.....	9
Information about Rights to Crime Victims	10
Adult Probation Department's Role in the Criminal Justice Process	11
Adult Probation Department Organizational Structure.....	12
Programmatic and functional structure of the Department	12
Total Active Probationers FY 2010-2011.....	14
ADMINISTRATIVE SERVICES DIVISION	15
Fiscal Management	15
Fiscal Year 2010-2011 Financial Statement.....	15
Personnel Services	16
Operational and Business Analysis	16
Major Accomplishments of Administrative Services Division	17
Performance Measures for Administrative Services Division	17
Goals for Administrative Services Division	17
INFORMATION TECHNOLOGY DIVISION	18
Major Accomplishments of Information Technology Division	18
Goals for Information Technology Division.....	18
COMMUNITY SERVICES SPECIALIZED SUPERVISION DIVISION	19
Sex Offender Unit	19
Intensive Services Unit	19
Domestic Violence Units.....	20
Learning Center	20
Major Accomplishments of Community Services Specialized Supervision Division	21
Performance Measures for Community Services Specialized Supervision Division	22
Goals for Community Services Specialized Supervision Division.....	22
COMMUNITY SERVICES GENERAL SUPERVISION DIVISION	24
Homeless Outreach Program	24
18-25 Year Old Program.....	24
Substance Abuse Prevention Programs.....	24
Court Officer.....	25
Training	25
Major Accomplishments of Community Services General Supervision Division	26
Performance Measures for Community Services General Supervision Division	27
Goals for Community Services General Supervision Division.....	27
PRE-SENTENCE INVESTIGATIONS DIVISION.....	29
Major Accomplishments of Pre-Sentence Investigations Division.....	29
Performance Measures for Pre-Sentence Investigations Division	30
Goals and Objectives for Pre-Sentence Investigations Division	30
CONTACT INFORMATION	31

Table of Charts

CHART 1: FY 2010-2011 SOURCES OF FUNDS..... 14

CHART 2: FY 2010-2011 USES OF FUNDS 14

CHART 3: PRE-SENTENCE REPORTS JULY 2010 – JUNE 2011 29

ACKNOWLEDGEMENTS

This report was prepared with contributions from:

Wendy S. Still
Chief Adult Probation Officer

David Koch
Chief Deputy Probation Officer

Diane Lim
Director of Finance and Administrative Services

Bella Fudym
MIS Project Manager, Information Technology Division

Hector Ballesteros
Division Director (Acting), Community Services Specialized Division

Ernest Mendlela
Division Director, Community Services General Division

Lee Anne Hudson
Division Director (Acting), Pre-Sentence Investigations Division

Janine Tirado
Training Manager, Community Services General Division

Carla Collins
Management Assistant, Administrative Services Division

MISSION & VISION

MISSION

"Protecting the Community, Serving Justice and Changing Lives"

VISION

The San Francisco Adult Probation Department achieves excellence in community corrections, public safety, and public service through the integration of evidence based practices, and a victim centered approach into our supervision strategies. We collaborate with Law Enforcement, Courts, Department of Public Health, victim organizations and community based organizations to provide a unique blend of enforcement, justice, and treatment. We are leaders in our profession, exemplifying the highest standards. We extend a continuum of integrated services to address our probationers' criminogenic needs and empower them to become productive law-abiding citizens.

VALUES: P.R.O.T.E.C.T. Our Community

Protect: We value protection of the residents of the City and County of San Francisco.

Respect: We value respect and personal wellness for ourselves, each other and all members of the community.

Opportunities: We value providing opportunities for offender rehabilitation, improved public safety, victim restoration, and maximizing officer and employee potential.

Teamwork: We value teamwork and cooperation through partnerships with all justice and community stakeholders.

Ethics: We value impartiality, accountability, diversity, professionalism and a strong work ethic.

Commitment: We value our commitment to Public Safety and Public Service.

Trust: We value the trust placed in us by the public we serve and perform our duties with integrity and possess the skills set unique to our profession through systemic integration of evidence-based principles.

EXECUTIVE SUMMARY

San Francisco Adult Probation remains committed to developing staff expertise in and applying "evidence-based practices" in our profession to improve client outcomes, reduce recidivism, reduce incarceration and break the intergenerational cycle of incarceration. Many of the highlights achieved in 2010 reference these practices, which is of paramount importance given the impact effective implementation of such practices has on improving outcomes for clients under APD's supervision, as well as reductions in recidivism and avoiding greater use of more expensive alternatives to supervision and programming, e.g. incarceration. Highlights of our efforts appear below.

- Implemented an evidence-based presentence report containing a COMPAS (Correctional Offender Management Profiling and Alternative Sanctions) risk/needs assessment and family impact statement, providing the Courts with more appropriate and effective sentencing recommendations. This was accomplished in conjunction with our participation in the California Risk Assessment Pilot Project (CalRAPP)
- Successfully hired 15 new Deputy Probation Officers allowing the agency to more adequately address supervision workload and increase client accountability. This also afforded the Department an opportunity to create more focused specialized supervision with Transitional Age Youth (ages 18-25), a Homeless Outreach Program, and participation in the Community Justice Court (one of many collaborative courts operating in San Francisco)
- Reduced overall population of people under probation supervision by 5.7% while increasing the percentage of people successfully completing probation by 14% and decreasing the percentage of clients failing supervision by 17%
- Reduced revocations and commitments to State prison by 22% in 2010, resulting in San Francisco receiving \$834,000 in program grant funding to expand evidence-based services for probationers under SB678
- Certified three additional Batterer Intervention Programs (BIP) for DV clients
- Established and formalized a process for the collection of fees from BIP providers for the first time
- Opened a satellite office in the Bayview District that is available to probationers residing in that District to increase accessibility
- Maintained and further developed specialized supervision in domestic violence, behavioral health, drug abatement and gang-involved cases
- Obtained and successfully renewed multiple grant funding options – drug elimination/zone strategy, gang reduction and intervention, DV specialized supervision, Probation Alternatives Court, and programming for incarcerated and formerly incarcerated women
- Prioritized staff involvement in multiple collaborative (problem solving) court programs including Probation Alternatives Court, Behavioral Health Court, DV Court, Drug Court and Community Justice Court – all have proven effective in reducing revocation to prison and the incidence of further criminal behavior
- Designed and implemented a Learning Center program in partnership with the Sheriff's "Five Keys Charter School" offering high school diploma, GED, adult basic education and access to post-secondary education and vocational training to APD clients
- The Department maintained compliance with the State Standards in Training for Corrections (STC) program by ensuring staff successfully complete the requisite hours of mandated training. The following training was offered to improve staff performance and client outcomes – Simplified Court Report Writing, COMPAS assessment and application, Motivational Interviewing and Coaching Circles for MI, Positive Confrontation: The Alternative to Force, Win-Win Communication, Solution-Focused Problem Solving, and Domestic Violence: Scope, Impact and Intervention
- Increased service referrals for clients under supervision by 47.7%, reducing the likelihood of re-offense
- Improved fiscal management practices, increased oversight of grants, offered more statistical reports related to agency outcomes, and provided thorough and timely responses to requests for fiscal information

INTRODUCTION & ORGANIZATIONAL OVERVIEW

The Adult Probation Department serves the City and County of San Francisco by supervising offenders placed on probation, providing thorough, timely, and accurate reports to assist the Superior Court in making appropriate sentencing decisions, and assisting victims of crimes by providing referrals to resources and information about victim rights.

Supervision of Adult Offenders Placed on Adult Probation

The Department is responsible for monitoring probationers and returning to Court those probationers who violate the terms and conditions of their sentence. This supervision is tailored to reflect the public safety risks posed by each probationer and is informed by nationally validated risk/needs assessments. The Department assists probationers with obtaining the resocialization skills needed to live crime-free and productive lives. Resocialization includes identifying the offenders' root problems and matching them with the right treatment programs at the right time. This strategy helps reduce/eliminate additional law violations.

Over the past two years, the Department has directed resources to staff training in evidence-based practices and development/revision of policies to reflect mission critical practice changes. A community supervision model emphasizing field-based probation, condition compliance checks, greater cooperation with community groups/providers, and implementation of investigative and case management practices that more effectively address the underlying "criminogenic" needs of probationers is being implemented.

At the end of Fiscal Year 2010-2011, there were 6,270 adults on probation in San Francisco, more than 80% of whom were on probation for a felony. By comparison, the national average is that 47% of adults on probation were sentenced to probation for a felony conviction. On average, San Francisco's probationers are more violent and have longer criminal histories than probationers supervised by many other counties. These high-risk probationers require active supervision in order to protect public safety.

Pre-Sentence Investigations for Superior Court

Penal Code Section 1203(b) requires that the Department prepare and submit written pre-sentence reports to the Superior Court for most individuals convicted of a felony. Per the Penal Code, these reports include "the circumstances surrounding the crime and the prior history and record of the person, which may be considered either in aggravation or mitigation of the punishment."

Pre-sentence reports require extensive investigations that include interviews with the defendant, a risk/needs assessment of the defendant, statements from victims, review of criminal history, calculation of restitution, calculation of credit for time already served in custody, and sentencing recommendations based on applicable laws and the officer's overall assessment of the defendant's risk, history, and needs. Probation officers also provide information to assist the Court in determining the eligibility and appropriateness of offenders for specific diversion programs and Court-ordered treatment programs.

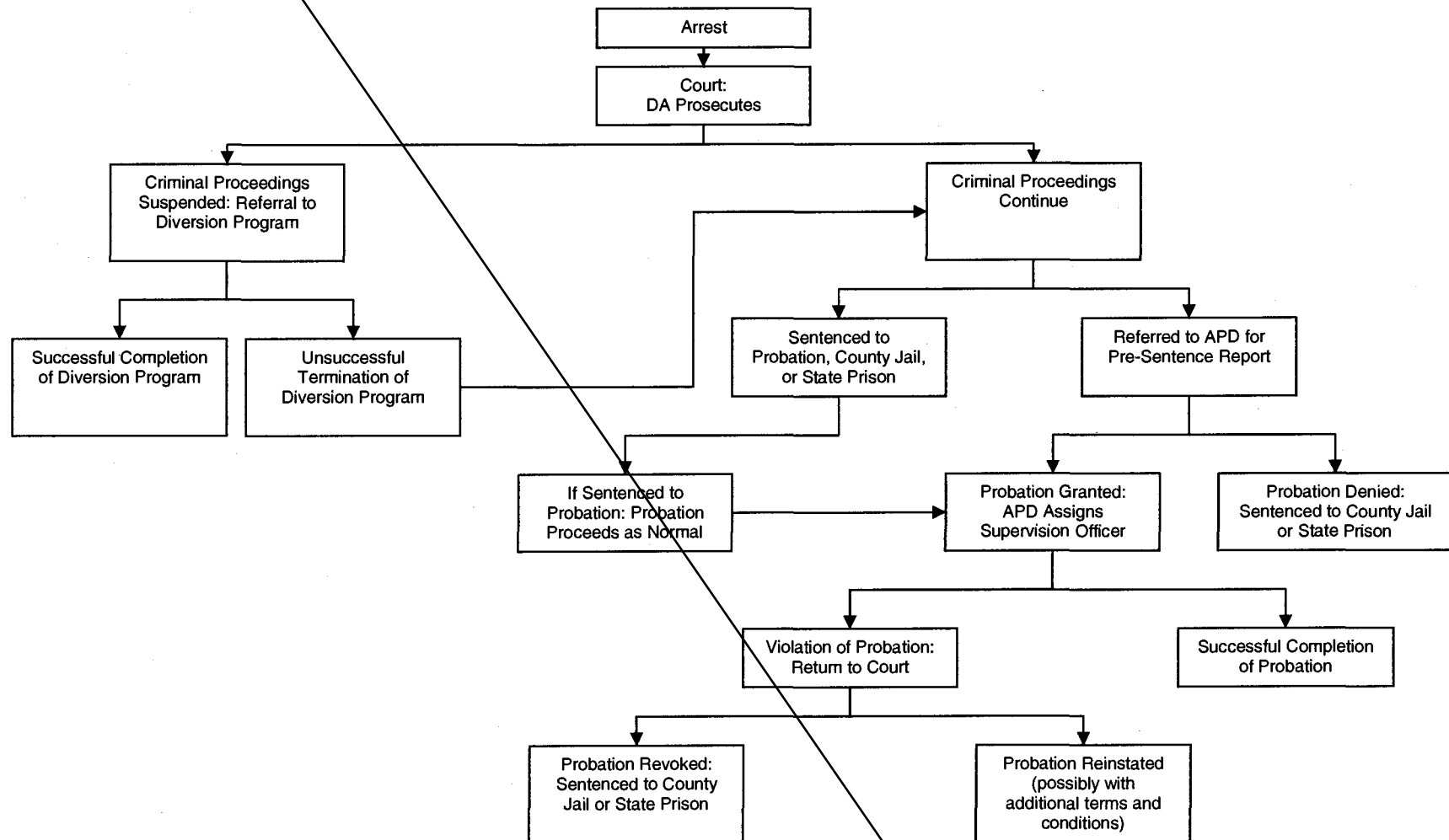
In June the Department initiated a new "evidence-based" presentence report containing defendant's risk/needs information and recommendations based on a standardized risk/assessment tool – the COMPAS (Correctional Offender Management and Profiling for Alternative Sanctions) – to assist the Courts with sentencing recommendations.

Information about Rights to Crime Victims

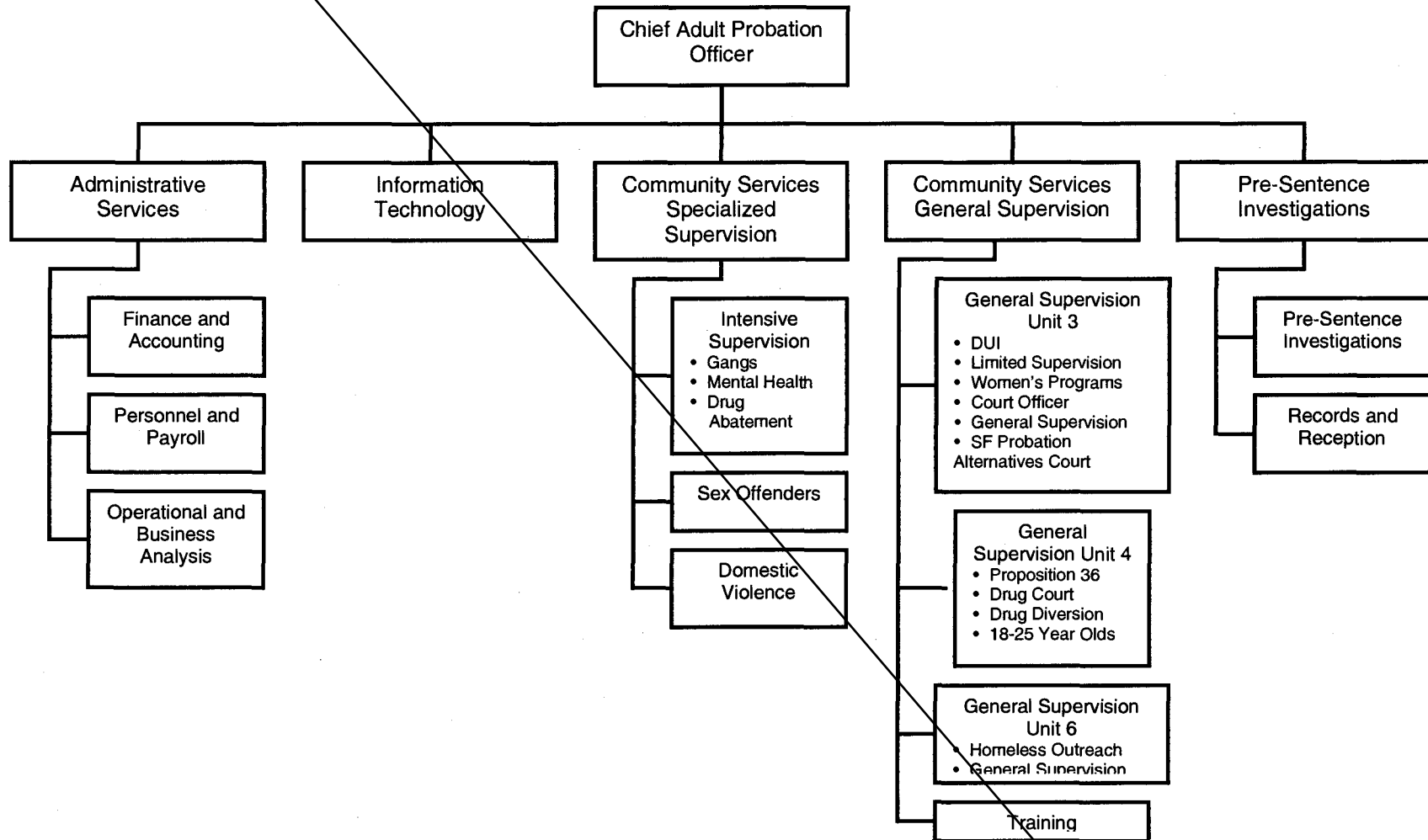
Anyone in the City and County of San Francisco may potentially become a victim of crime. Victims have a legal right to a direct, meaningful voice in identifying the harms done by an offender. Penal Code Section 1191.1 requires the Department to notify all victims of a crime prior to "all sentencing proceedings concerning the person who committed the crime." Victims are also generally permitted to make a statement to be included in the pre-sentence report. The Department in collaboration with the Courts and the District Attorney seeks to give victims their legal voice in the sentencing phase of the criminal justice system. Additionally, many victims rely on probation officers for information about the court process and the meaning of court orders that relate to them.

ADULT PROBATION DEPARTMENT'S ROLE IN THE CRIMINAL JUSTICE PROCESS

The following flowchart tracks a case from the time of arrest through the San Francisco criminal justice system and highlights the Adult Probation Department's role in pre-sentence investigations, community supervision, and the revocation process in the event of subsequent offenses.



ADULT PROBATION DEPARTMENT ORGANIZATIONAL STRUCTURE



The following shows the programmatic and functional structure of the Department as of June 2011.

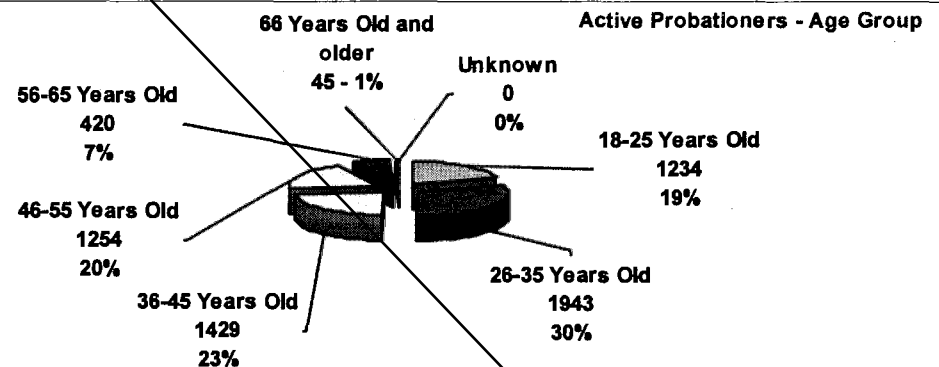
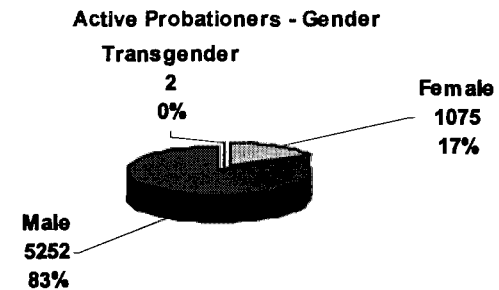
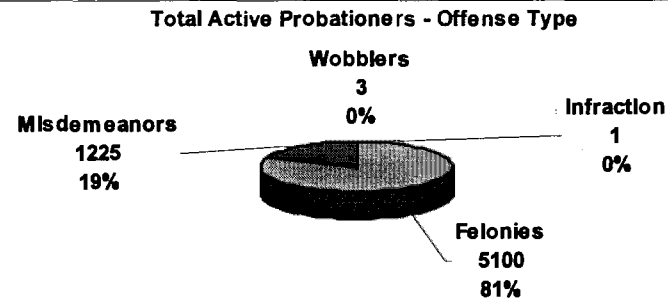
Division	Functions
CHIEF/CHIEF DEPUTY	Provides leadership and direction to the Department. Responsible for the oversight of Community Services, Pre-Sentence Investigations, Administrative Services, and Information Technology.
ADMINISTRATIVE SERVICES DIVISION	Provides Fiscal Management: Budget development and monitoring, financial reporting, and accounting. Personnel Services: All human resources functions, workplace safety, and payroll. Operational and Business Analysis: Statistical analysis, contract administration, purchasing, grant administration, and capital improvements.
INFORMATION TECHNOLOGY DIVISION	Maintain information technology infrastructure, maintain case management database, and integrate case management system with other public safety agencies.
COMMUNITY SERVICES SPECIALIZED DIVISION	Supervise adult probationers, monitor and enforce Court-ordered conditions of probation, and help probationers become successful and crime free members of the community.
COMMUNITY SERVICES GENERAL DIVISION	Supervise adult probationers, monitor and enforce Court-ordered conditions of probation, and help probationers become successful and crime free members of the community.
PRE-SENTENCE INVESTIGATIONS DIVISION (Including Support Staff)	<p>Conduct pre-sentence investigations, provide pre-sentence reports as mandated by the Penal Code, inform victims of rights, and administer risk/needs assessments.</p> <p>Coordination of incoming and outgoing records, assist probationers who report to the Department, manage supply requests, and provide transcription services.</p>

**ADULT PROBATION DEPARTMENT
ACTIVE PROBATIONERS SUMMARY FY 2010-11**

TOTAL ACTIVE PROBATIONERS as of 6/6/2011:	6329
Felonies	5100
Misdemeanors	1225
Wobblers	3
Infraction	1

Active Probationers as of 6/6/2011 - Gender	
SEX CODE	Total
Female	1075
Male	5252
Transgender	2
Grand Total	6329

Active Probationers as of 6/6/2011 - Age Group	
Age Group	Total
18-25 Years Old	1234
26-35 Years Old	1943
36-45 Years Old	1429
46-55 Years Old	1254
56-65 Years Old	420
66 Years Old and older	49
Unknown	0
Grand Total	6329



ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division is dedicated to providing the Adult Probation Department with support overseeing the areas of Fiscal Management, Personnel Services, Grant and Contract Administration and Business Analysis.

Fiscal Management

The Administrative Services Division provides Fiscal Management to the Adult Probation Department. Fiscal Management includes budget development and monitoring, financial reporting to the Mayor's Office, Controller, BOS, and the State, review of labor and non labor expenditures and work order expenditures. Accounting includes general ledger, accounts payable and receivables, grants accounting and participating in internal and external audits.

Fiscal Year 2010-2011 Financial Statement

SOURCES

Charges for Service	232,111
Grants	1,011,381
General Fund	10,815,134
Total	12,058,626

USES

Labor	10,742,191
Non Personnel Services	426,205
Materials and Supplies	109,582
Capital Outlay	15,056
Services from Other Departments	765,592
Total	12,058,626

Chart 1: FY 2010-2011 Sources of Funds

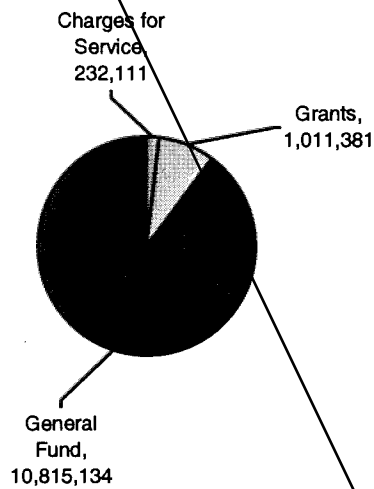
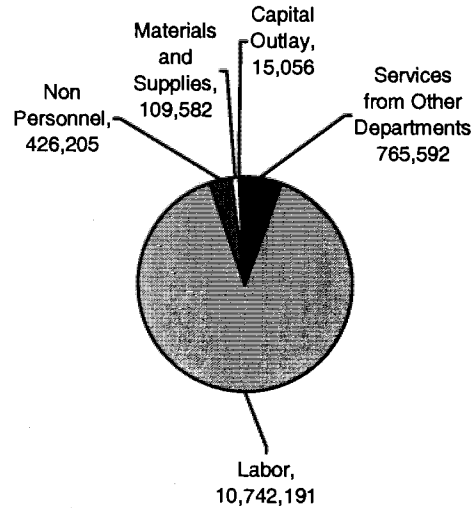


Chart 2: FY 2010-2011 Uses of Funds



2010-11 Personnel Services

Personnel Services performs all Human Resources functions consistent with San Francisco Civil Service Rules, San Francisco City and County Charter, the Administrative Code, and state and federal laws. Activities include recruitment, processing of newly hired, promoted or separated employees, maintenance of personnel records and reporting, assists in the resolution of disciplinary and grievance matters, ensures workplace safety, and processing of all personnel related transactions. Additionally, the Payroll Unit is responsible for processing all payroll transactions ensuring timely and accurate compensation to approximately 125 employees.

2010-11 Personnel Services Transactions

New Hires	35
Promotions	4
Retirements	3
Separations	8

Grant and Contract Administration

Grant Administration includes grant fiscal monitoring and reporting to County, Federal and State Agencies. Coordination of grant auditing, tracking of performance statistics and grant modifications. Contract Administration ensures Department compliance with citywide contracting guidelines. Monitoring and reporting of all Contract activities.

Business Analysis

Business Analysis provides support in the areas of statistical gathering and analysis for strategic planning, establishes best practices and development of office policies and procedures. This function also provides purchasing and capital improvements.

Major Accomplishments

Developed and submitted FY 2010-2011 Annual Budget
Secured Grant Funding for SFPAC (Reentry Court)
Secured Grant Funding for Domestic Violence (Violence Against Women Act)
Secured Grant Funding for Evidence Based Supervision Practices (SB678)
Established a Probation Aide Program
Filled 39 positions
Developed and Implemented a Purchasing and Accounting Procedures Manual
Filled Analyst and Accountant positions

Performance Measures

As required by Section 88 of the San Francisco Administrative Code, the Department has established performance measures and associated performance targets for the Administrative Services Division.

	2009-2010 Actual	2010-2011 Target	2010-2011 Actual
ADMINISTRATION AND DEPARTMENT-WIDE			
Increase collection of fines, fees and restitutions			
Amount of fines, fees and restitutions	\$225,445	\$230,000	\$232,111

Effective November 2007 the Courts assumed collections for the Adult Probation Department

Maximize staff effectiveness			
Percentage of available employees receiving performance appraisals	100%	100%	100%

All City employees have a current performance appraisal			
# of available employees for whom performance appraisals were scheduled	89	90	90
# of available employees for whom scheduled performance appraisals were completed	89	90	90

Goals

- Continue to Improve Fiscal Management and implement additional best practices for financial systems.
- Provide timely and thorough responses to information requests from the Mayor, Board of Supervisors, Controller's Office, Federal, State and various oversight agencies.
- Develop FY 2011-12 Budget that addresses budgetary deficiencies.
- Continue to seek and secure grant funding opportunities
- Ensure adherence to City Administrative and Financial Procedures
- Staff development and training
- Review and ensure adequate staffing and appropriate classifications within the Administrative Services Division

INFORMATION TECHNOLOGY DIVISION

Major Accomplishments of Information Technology Division

In Fiscal Year 2010-2011, the Department implemented COMPAS Risk and Need Assessment and automated pre-sentence reports data collection and report generation modules that enable the Implementation of Evidence Based Probation Supervision.

The Department fully integrated APD's Community Justice Center (CJC) location to the Department's main system which increased the efficiency and productivity.

The Department implemented a data backup and recovery system to minimize disruptions to daily public safety activities in the event of disasters or outages.

The Department completed the infrastructure upgrade to meet Department of Justice requirements for Level 2/CLETS systems upgrade and successfully upgraded to Level 2/CLETS system.

The Department successfully implemented the Dragon Naturally Speaking Voice recognition software.

The Department is working on the development and phased implementation of completing a major information technology upgrade, which will accommodate the Departments growing technological needs.

Goals for Information Technology Division

- The Department has made substantial progress toward implementation of a modern information technology system. The Department continues to work with the JUSTIS Council on integration between information technology systems used by all criminal justice and public safety agencies in the City.
- The Department continues to work on implementation the California Department of Justice Supervised Release File, which will provide (statewide) law enforcement officers access to Department information regarding probationers and basic contact information for the supervising officer within the Department, as well as providing notification to Department officers of probationer arrests.
- The Department is in the process of implementing Electronic File Management System that will increase the Department's productivity and efficiency.
- The Department continues to strive toward implementing the appropriate and proven technologies to enhance the Department's productivity and efficiency in order to improve public safety.
- The Department continues to improve access to information and collaboration with other City departments in order to provide better public and officer safety.
- The Department collaborates with City public safety departments to establish frameworks and processes for inter-departmental IT projects and to ensure successful and timely projects.

COMMUNITY SERVICES SPECIALIZED SUPERVISION DIVISION

At the end of Fiscal Year 2010-2011, the Community Services Specialized Supervision Division supervised approximately 1,330 probationers on intensive supervision caseloads for sex offenders, domestic violence offenders, gang members, probationers with mental health needs, and probationers who have extensive substance abuse issues. As part of this supervision, the Division works on behalf of victims to enforce stay away orders and orders of victim restitution.

Sex Offender Unit

The Sex Offender Unit includes two Deputy Probation Officers and one Supervising Probation Officer, who supervise a total of approximately 155 probationers. The Sex Offender Unit utilizes the state-mandated STATIC 99R risk assessment tool designed to measure the risk to sexually reoffend posed by probationers with history of sex offenses.

The Sex Offender Unit works with the San Francisco Police Department and the California Department of Corrections and Rehabilitation to collaboratively address the public safety risks posed by sex offenders and to minimize that risk. The unit uses electronic monitoring with Global Positioning [satellite] System (GPS) functionality to monitor sex offenders designated as high risk based on the STATIC 99R assessment.

Intensive Services Unit

The Intensive Services Unit supervises high-risk probationers, who are affiliated with gangs, have identified mental health needs, and who have severe drug-related problems. These probationers are required to report to the Department frequently and officers conduct field visits to verify residence addresses, enforce stay away orders, and monitor compliance with terms and conditions of probation.

- At the end of Fiscal Year 2010-2011, three officers in the Intensive Supervision Unit supervised approximately 188 probationers who are affiliated with gangs in the Mission, Western Addition, and Bayview/Hunters Point neighborhoods. Each gang caseload is geographically based in order to facilitate intensive supervision and connection to the community. Gang officers work closely with other law enforcement agencies to supervise these probationers.
- At the end of Fiscal Year 2010-2011, two officers in the Intensive Supervision Unit supervised approximately 155 probationers who have serious identified mental health needs. The Department works closely with treatment providers, San Francisco's Behavioral Health Court, and other entities within the criminal justice system to provide extensive supervision and supportive services to probationers with mental health needs. Probation officers supervising these caseloads worked closely with Jail Psychiatric Services (JPS) and Citywide case management, and other community providers. One officer was assigned as the primary Court officer in Behavioral Health Court.
- At the end of Fiscal Year 2010-2011, three officers in the Intensive Supervision Unit supervised approximately 178 probationers who have extensive substance abuse issues. The Drug Abatement program provides intensive supervision to cases, by working closely with both law enforcement and treatment providers, and contacting probationers frequently both in the office and in the community. They have worked diligently to increase their referral to services for probationers to address their criminogenic needs.

Domestic Violence Units

At the end of Fiscal Year 2010-2011, the Department had one Domestic Violence Unit made up of one Supervising Probation Officer and 9 Deputy Probation Officers who supervise approximately 650 probationers with convictions for domestic violence. These probationers are required to attend a specialized orientation session and to complete a 52-week Batter Intervention Program.

The department was awarded funding during the fiscal year 2010-2011 from CalEMA through the Violence Against Women Act (VAWA) to maintain a specialized domestic violence caseload to intensively supervise a small caseload of probationers convicted of domestic violence crimes.

The caseload consists of one officer and two probation support aides to supervise 40 probationers convicted of domestic violence. All of the probationers reside in the Bay View Hunters' Point district, because 14% of the probationers convicted of domestic violence reside in that District. The caseload utilizes EBP to create a supervision model that is field supervision intensive, services focused, and victim centered.

During Fiscal Year 2010-2011, the orientation process and referral to Batter Intervention Programs were streamlined, thereby ensuring that probationers received their treatment referral on the same day as the orientation.

The Domestic Violence Unit and the Division Director work closely with the Department on the Status of Women, as well as with the Justice and Courage Oversight Panel, which coordinates the City's response to domestic violence and the support network available for victims of domestic violence. The Domestic Violence Units also work with the San Francisco Police Department to monitor and enforce stay away orders imposed to protect victims.

The Domestic Violence Unit shares a Court Officer who represents the Department at Superior Court proceedings for domestic violence probationers.

Learning Center

The Learning Center located within the San Francisco Adult Probation Department offers probationer's a unique educational program where they are able to work toward their General Education Diploma (GED) certificate, High School Diploma, or to improve basic academic skills. This program is unique due to the fact that it is rare for probation departments to offer such an opportunity. This is partnership between the San Francisco Sheriff's Department - 5 Keys Charter School and the District Attorney's Back on Track Program. 5 Keys is the first charter high school in the United States that is catered toward adult offenders that were incarcerated or on probation/parole.

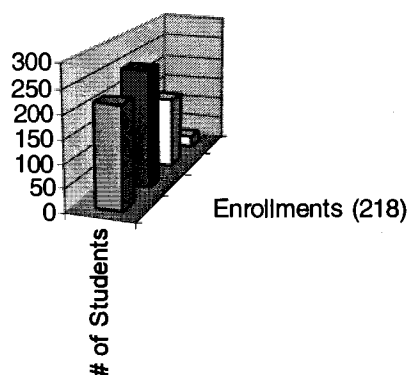
The Learning Center is open daily and offers a High School Diploma (HSD) course, a weekly GED Preparation Course, and a basic skills review course.

Every student regardless of how many units they have is required to take the Adult Basic Education (TABE) test before enrolling in classes. This helps to properly place each student into the correct course. Each student has his or her own academic goal and will work toward that goal in class and independent study. In the class, a computer based program called PLATO and 5 Keys Independent Study Program packets are used as the main curriculum. Each student is responsible for completing and turning in a certain amount of work weekly in order to get full credit for the class and to meet his or her academic goal. Students are expected to complete at least one Independent Study Packet (ISP) or the equivalent in PLATO each week. This is equal to one high school credit.

At the time that this report was prepared, twelve (12) students were signed up to take the California High School Exit Examination (CAHSEE), four (4) signed up to take the GED, and five (5) are very close to attaining their High School Diploma.

The Learning Center Statistics (9/2010 through 9/2011)

- Enrollments (218)
- Referrals from P.O.'s (253)
- Withdrawn Students (155)
- Students that Re-enrolled after being withdrawn (25)



Major Accomplishments of Community Services Specialized Supervision Division

Awarded CalEMA grant to develop a specialized domestic violence caseload in the Bayview District

The Learning Center opened at the department to provide probationers the opportunity to receive a high school diploma, GED, or gain literacy.

Certification of three new Batter Intervention Programs (BIP)'S: and collection of fees for the first time.

Engaging offenders in their community by establishing and operating a satellite office in the Bayview District.

Revised and expanded existing DV protocols to incorporate and update procedures with DV programs, increasing home and field contacts, and incorporating supervision of offenders using evidence-based probation supervision.

Community Supervision

Over the past year, the Department has expanded community supervision of adult probationers and community visibility of probation officers.

- Field supervision of probationers.
- Participation in community meetings at which officers and other Department staff participate in discussions of community-based violence prevention strategies.
- Conducted joint operations with local, state, and federal law enforcement agencies to serve outstanding bench warrants and conduct probation compliance checks on high-risk probationers.
- Provided community supervision at major community events.
- Enhance supervision of high risk offenders utilizing electronic monitoring with (GPS)

Performance Measures for Community Services Specialized Supervision Division

	2009-2010 Actual	2010-2011 Target	2010-2011 Actual
Goal: Provide protection to the community through supervision and provision of appropriate services to adult probationers			
Maximum established caseload size per probation officer in the domestic violence unit	77	72	80
Number of site visits made to batterer treatment programs	51	60	144
Number of batterer treatment programs certified or renewed by Department	7	7	8
Number of community meetings attended by probation staff (all Divisions)	159	150	407
Percentage of new domestic violence probationers attending domestic violence orientation	97%	100%	97%
Percentage of new probationers receiving intake (all Divisions)	58%	100%	82%
Number of probationers referred to treatment services (all Divisions)	1496	1500	2210
Number of cases successfully terminated (all Divisions)	1474	1100	1970
Number of visits to the Department (all Divisions)	16,299	13,400	16,263
Number of jurisdictional transfers initiated (all Divisions)	266	250	287

Goals for Community Services Specialized Supervision Division

The Division's primary goals for supervision are to reduce recidivism and to assist probationers to successfully complete probation and become productive members of the community. Progress toward these goals will improve safety in all communities within San Francisco.

Decrease recidivism by probationers

The Division is committed to protecting the community by making every effort to reduce crime committed by probationers. The Division is particularly focused on eliminating violent crimes and homicides committed by probationers. In order to reach this outcome, the Division is focusing on providing appropriate supervision:

- Increase office visits by probationers: The primary means of supervision used by the Department is scheduled visits by probationers to the Department. Resources permitting, the Department will increase the number of office visits scheduled for probationers. This will be based on assessed risk of violence and re-offenses. In addition to verifying compliance with terms and conditions of probation, office visits give probation officers the opportunity to evaluate the ongoing service needs of each probationer.
- Increase field supervision and joint operations with law enforcement agencies: The Division conducts probation compliance checks, verifies probationer addresses, and serves warrants during field operations that are frequently conducted in conjunction with law enforcement agencies. Joint operations with law enforcement agencies are especially critical for high-risk probationers on specialized caseloads such as domestic violence, sex offenders, gang members, drug dealers, and probationers with identified mental health problems. Field work gives probation officers key opportunities to network with the community, better assess the needs of probationers, and coordinate and utilize the services available in the community to meet the probationer needs.

Assist probationers to successfully complete probation

The Division is committed to helping probationers gain the tools and skills that will help them successfully complete probation, and reduce the risk of re-offense.

- Increase service referrals: Many probationers have severe unmet needs that may contribute to their criminal behavior. Probationers often lack job skills, are addicted to drugs or alcohol, are homeless, and have inadequate social skills. The Department refers probationers to appropriate programs and works with program staff to create individualized treatment plans.
- Increase verification that probationers comply with Court-ordered treatment referrals: Resources permitting, the Department will increase monitoring of compliance with treatment programs ordered by the Court. Common Court-ordered treatment programs include domestic violence batter intervention programs, substance abuse treatment, anger management, and vocational programs.
- Continue to support case management courts: The Division supports San Francisco's robust network of collaborative case management courts including Behavioral Health Court and the Domestic Violence Court.

COMMUNITY SERVICES GENERAL SUPERVISION DIVISION

At the end of Fiscal Year 2010-2011, the Community Services General Supervision Division was responsible for supervising approximately 5,100 probationers; approximately 1,800 on specialized caseloads (homeless probationers, 18-25 year olds, and probationers with offenses based in substance abuse), approximately 1,700 on general supervision, and another 1,600 assigned to limited supervision caseloads based on assessed risk level. As part of general supervision case management, the Division works on behalf of victims to enforce stay away orders and orders of victim restitution.

Homeless Outreach Program

The Homeless Outreach Program consists of 2 Deputy Probation Officers who provide direct community supervision for homeless probationers in the Tenderloin and South of Market neighborhoods. The officers routinely use bicycles or travel on foot to provide outreach to homeless probationers in the community. These officers regularly collaborate with community based organizations, the San Francisco Police Department, the San Francisco Homeless Outreach Team, and the San Francisco Fire Department to meet the needs of this homeless population that struggles with quality of life issues.

Prior to the creation of the Homeless Outreach Program, a large percentage of homeless probationers had a very poor record of reporting for scheduled visits to the Department. The Homeless Outreach Program has substantially increased probation reporting by homeless probationers and increased timely referral of these probationers to supportive services.

18-25 Year Old Program

The 18-25 Transitional Age Program consists of 7 officers who supervise approximately 480 probationers that are between the ages of 18-25. During Fiscal Year 2010-2011, the officers supervising these caseloads made 510(referrals) based on a risk and needs assessment to supportive services for substance abuse treatment, job skills, and education. This is a model unit for the implementation of SB 678 in improving adult services by utilizing Evidence-Based Practices that include training staff in motivational interviewing, implementation of Compas risk and needs assessment, and the development of a rewards and response to behavior matrix and cognitive behavioral training.

Substance Abuse Prevention Programs

In Fiscal Year 2010-2011, the Department operated four programs to specifically address offenses based in substance abuse. These programs are supported by San Francisco's strong network of collaborative Courts, diversion programs, and supportive services.

Drug Diversion

Drug Diversion is a program that provides supportive services to first time drug offenders. Upon successful completion of the program, charges against the defendant are dismissed. Pursuant to Penal Code Section 1000.1(b), the Department is responsible for recommending to the Court whether candidates for Drug Diversion are suitable. At present, the Department has also assumed the responsibility of determining eligibility for participation in this program per Penal Code Section 1000(b). Two probation officers supervise Drug Diversion participants and monitor program compliance..

Drug Court

Two probation officers supervise individuals referred to San Francisco's Adult Drug Court, which is a collaborative effort between the Adult Probation Department, Department of Public Health, the Superior Court, the District Attorney and the Public Defender. The Drug Court provides monitoring and treatment services to defendants whose criminality is directly related to their substance abuse.

Proposition 36 (Substance Abuse Crime Prevention Act)

The Substance Abuse and Crime Prevention Act, also known as Proposition 36, was passed by California voters in 2000. Proposition 36 allows persons convicted of certain crimes the opportunity to receive substance abuse treatment instead of incarceration. The Department has provided monitoring and supervision of defendants participating in Proposition 36, providing status reports to the Court and referring defendants to the Department of Public Health Offender Treatment Program (OTP).

Funding for supervision of persons enrolled in Proposition 36 has not been included in the Department's Fiscal Year 2010-2011 budget. Nonetheless, the Department will continue to support this mandated responsibility.

Driving Under the Influence (DUI)

The Driving Under the Influence (DUI) Program supervises individuals on probation for offenses within the Vehicle Code relating to driving under the influence of alcohol or drugs. Probationers supervised by this program are referred to treatment providers and are given the opportunity to reactivate their driving privileges following completion of a treatment program and payment of fines and fees. The DUI Program supervises approximately 900 probationers in which 93% of the cases are on a misdemeanor grant of probation.

Court Officer

The Court Officer represents the Department at Superior Court proceedings in Department 22, where most of the probation violations are heard. This specialization increases operational efficiency by reducing the time officers spend in Court on probation matters. The Court Officer has been instrumental in assisting the Courts on probation matters and assisting the Department in developing training and policy updates when appropriate.

Community Justice Court (CJC)

The Adult Probation Department in partnership with the Superior Court, District Attorney's Office, Defense Counsel, Department of Public Health, Human Services Agency and various other city agencies and community groups is fully committed to assist the San Francisco Community Justice Center (CJC). This is a multi-disciplinary approach that uses a problem-solving justice model to focus primarily on the needs and risk of nonviolent offenders in the Tenderloin, South of Market, Union Square, and the Civic Center neighborhoods.

Probation Alternative Court

This is a collaborative court with a multi-agency (Courts, District Attorney, Public Defender and Adult Probation) approach that focuses on the needs of high risk, serious or violent probationers that normally would be facing a state prison commitment. These probationers are closely monitored by a probation officer and a social worker who utilize the COMPAS assessment to identify the criminogenic needs and connect the probationer to appropriate services with follow-up monitoring and intervention as necessary.

Training

Training: Pursuant to Title 15, Division 1, Chapter 1, Subchapter 1, Article 8, Section 318 of the California Code of Regulations, the Department was monitored for training standards compliance on August 24, 2011 for fiscal year 2010-2011 and was found in compliance with the Standards in Training for Corrections (STC) program

- The training Department has trained the Department, the Courts, the District Attorney's Office, Public Defender's Office and other City Departments on the California Risk Assessment Pilot Project (Cal RAPP).
- Also provided the Department training on the following:

- Simplified Court Report Writing
- Provided the Collaborative Courts with a COMPAS presentation and evidence-based practices training for sentencing decisions
- Motivational Interviewing
- Coaching Circles for Motivational Interviewing
- Positive Confrontation: The Alternative to Force
- Win-Win Communication
- Solution-Focused Problem Solving
- Domestic Violence: Scope, Impact and Intervention

The Department is also hosting National Institute of Corrections and Crime and Justice Institute Supervisor's Leadership Academy. This training is designed for first line supervisors working in agencies implementing evidence-based probation supervision. Participants include supervisors from the following counties: Tulare, Marin, Yolo, Santa Clara, Sonoma, Napa, San Joaquin, Alameda, as well as, supervisors from San Francisco Adult and Juvenile Probation Departments.

Supervisors in the Department also participated in the following workshops provided by the Department of Human Resources: Fundamental Supervisory Model, Coaching Performance, Progressive Discipline, Performance Appraisals, Performance Improvement Plan, among others.

Newly hired Department staff completed basic Probation Officer Core Training (179.5 hours) on April 8, 2011. Newly promoted supervisors completed Supervisor Core Training (80 hours) on March 25, 2011.

Major Accomplishments of Community Services General Supervision Division

Community Supervision

Over the past two years, the Department has expanded community supervision of adult probationers and community visibility of probation officers.

- Field supervision of probationers.
- Participation in community meetings at which officers and other Department staff participate in discussions of community-based violence prevention strategies.
- Provided community supervision at major community events including Halloween and Pink Saturday.

Specialized Caseloads

In Fiscal Year 2010-2011, with the hiring of new staff, the Department was able to shift staffing to the specialized caseloads within the Community Services General Supervision Division and provide focused supervision for homeless probationers, 18-25 Transitional Age Youth program, CJC and the Probation Alternative Court:

- Designated two caseloads to supervise homeless probationers in the Tenderloin and SOMA neighborhoods (officers assigned to these caseloads patrol on bicycles).
- Designated six caseloads to supervise probationers age 18-25.
- Two officers to provide supportive services to CJC.
- A designated caseload with an officer closely working with a social worker for intensive case management in a collaborative court model.

Performance Measures for Community Services General Supervision Division

	2009-2010 Actual	2010-2011 Target	2010-2011 Actual
Goal: Provide protection to the community through supervision and provision of appropriate services to adult probationers			
Number of cases under limited supervision	1840	1300	1695
Number of probationers age 18-25 referred to supportive services	193	193	396

Goal: Maximize staff effectiveness			
Percentage of eligible APD peace officer employees completing a minimum of 40 hours of mandated training	100%	100%	100%
Percentage of newly appointed peace officer managers who have completed mandatory training	100%	100%	100%

Goals for Community Services General Supervision Division

The Division's primary goal is to apply EBP supervision that focuses on the risk level and specific criminogenic needs driving offender recidivism. EBP will ensure effective strategies are employed to reduce recidivism and improve safety in all communities within San Francisco.

Decrease probationer recidivism

The Division is committed to protecting the community by making every effort to reduce crime committed by probationers. The Division is particularly focused on eliminating violent crimes and homicides committed by probationers. In order to reach this outcome, the Division is focusing on providing appropriate supervision based on assessed risk and needs of the offender population as reflected in supervision plans:

- Increase office visits by probationers: The primary means of supervision used by the Department is scheduled visits by probationers to the Department. Resources permitting, the Department will increase the number of office visits scheduled for probationers based on assessed risk level. In addition to verifying compliance with terms and conditions of probation, office visits give probation officers the opportunity to evaluate the ongoing service needs of each probationer.
- Increase field supervision and joint operations with other law enforcement agencies: The Division conducts probation checks, verifies probationer addresses, and serves warrants during field operations that are frequently conducted in conjunction with law enforcement agencies. These field operations are currently limited by lack of overtime funding, officer workload, and availability of vehicles. Field visits and joint operations with law enforcement agencies are especially critical for high-risk probationers on specialized caseloads, for homeless probationers and 18 to 25 year olds. Field work gives probation officers key opportunities to assess probationer needs, the public safety risk of individual probationers and verify compliance with conditions of probation. Consistent with Evidence Based Practices the Department is focused on engaging on-going support in the communities where probationers reside.
- Assist probationers to successfully complete probation: The Division is committed to helping probationers gain the tools and skills that will help them successfully complete probation.

- Increase service referrals: Many probationers have severe unmet needs that may contribute to their criminal behavior. Probationers often lack job skills, are addicted to drugs or alcohol, are homeless, and have inadequate social skills. The Department refers probationers to appropriate programs and works with program staff to create individualized treatment plans.
- Increase verification that probationers comply with Court-ordered treatment referrals: Resources permitting, the Department will increase monitoring of compliance with treatment programs ordered by the Court. Common Court-ordered treatment programs include substance abuse treatment, anger management, and vocational programs.
- Continue to support case management courts: The Division supports San Francisco's robust network of collaborative case management courts including the Drug Court.

Focus on core probation population

In order to provide appropriate supervision for medium to high-risk probationers and meet commitments to the Court, the Department is committed to finding ways to efficiently utilize existing operations.

- Provide opportunities for rewards and response to behavior matrix for probationers: The Department will develop a rewards and response to behavior matrix that will hold probationers accountable for their actions. This matrix will be applied consistently to reinforce positive behavior or for sanctions that are applied quickly and swiftly for anti-social behavior. Evidence Based Practices show that earned discharge can be used to provide an incentive for probationers to remain arrest free. The Department will work with other stakeholders in the development of a rewards and response to behavior matrix with supportive policies and training regarding its application to meet legal and departmental criteria. In addition to providing an incentive toward compliance and pro-social behavior, more consistent use of earned discharge will allow the Department to shift resources to those probationers who need more intensive supervision, based on assessed risk level.
- Increase efficiency of jurisdictional transfer process: Approximately 980 probationers supervised by the Department live outside the City and County of San Francisco. The Department has begun streamlining the process by which supervision of these probationers is transferred to their county of residence, and this process is primarily handled by the Community Services General Supervision Division.

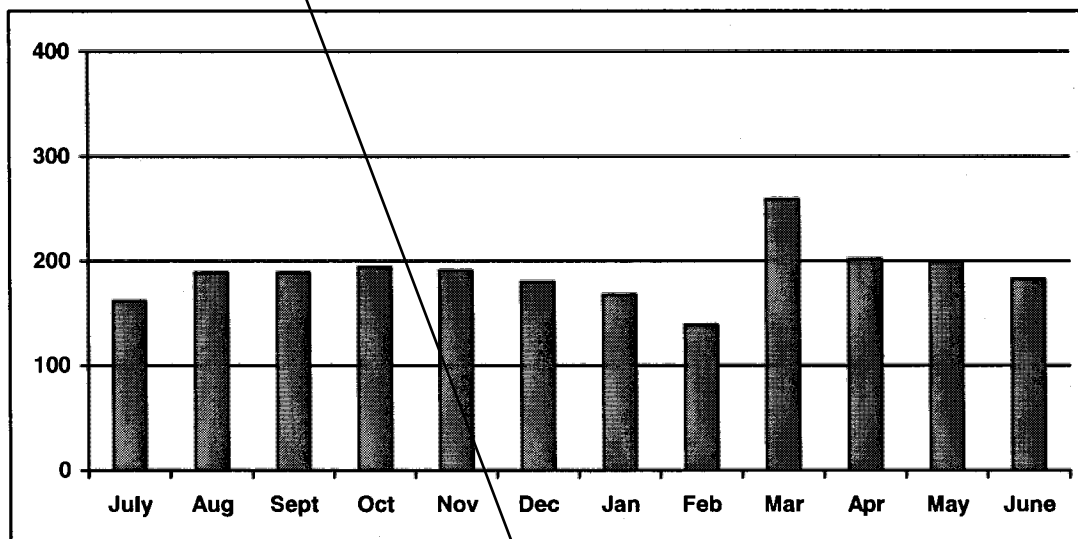
PRE-SENTENCE INVESTIGATIONS DIVISION

The principal responsibility of the Pre-Sentence Investigations Division is to prepare complete, accurate, objective, and timely reports for the San Francisco Superior Court. The Penal Code and the Welfare and Institutions Code require that the Department prepare investigation reports to guide the Court in decisions for adult defendants. The Court depends on the Department to provide investigative reports on criminal cases that include detailed information regarding the circumstances of the offense, background of the defendant, statements from victims and involved parties, and an analysis of aggravating/mitigating factors in felony cases. Officers also provide information to assist the Court in determining the eligibility and appropriateness of offenders for specific diversion programs.

At the end of Fiscal Year 2010-2011, the Pre-Sentence Investigation Division included 16 Deputy Probation Officers, three Supervising Probation Officers, and one Division Director.

For Fiscal Year 2010-2011, Deputy Probation Officers assigned to investigation functions conducted an average of 175 pre-sentence investigations per month.

Chart 3: Pre-Sentence Reports July 2010 – June 2011



Major Accomplishments of Pre-Sentence Investigations Division

Risk/Needs Assessments

Validated risk needs assessments are critical tools for community supervision, risk mitigation, and case planning to facilitate successful reentry. In Fiscal Year 2010-2011, the Department implemented the COMPAS validated risk/needs assessment to better identify public safety risks underlying service needs to help reduce recidivism by identifying criminogenic needs and applying evidence based practices. This assessment was incorporated into presentence reports in June 2011 as a means of better informing sentencing recommendations.

- The COMPAS risk/needs assessment tool was implemented in July 2011 for felony probationers. This assessment helps officers determine the Individual Treatment and Rehabilitation Plan (ITRP), appropriate levels of supervision, criminogenic needs as well as identifying underlying service needs.

Performance Measures for Pre-Sentence Investigations Division

	2009-2010 Actual	2010-2011 Target	2010-2011 Actual
Goal: Provide timely reports to guide the courts with rendering appropriate sentencing decisions			
Percentage of reports submitted to the Court two days prior to sentencing as per agreement with the Courts	99%	100%	92%
Percentage of identifiable victims for whom notification was attempted prior to the sentencing of the defendant	96%	100%	100%
Percentage of reports submitted to the Court prior to sentencing as defined in the Penal Code	0%	10%	12%

Goals and Objectives for Pre-Sentence Investigations Division

Deliver 100% of pre-sentence reports to the Court at least two days prior to sentencing

Per an agreement with the Court, all pre-sentence reports are due to the Court two days prior to the date on which the matter will be heard. State law requires pre-sentence reports be delivered to the Court five days prior to sentencing. However, due to limited resources, the Department has an agreement with the Court that reports be delivered at least two days prior to sentencing. Any further reductions in resource levels or staffing will further erode the Department's ability to prepare mandated pre-sentence reports. The Department will work with the Court to reduce workload and streamline the pre-sentence investigation process for some cases.

Continue report revision process and implement newly-designed report formats

In order to better serve the Court, the Department is in the process of substantially updating the report format for Supplemental Court Reports. The Department will continue this report format revision process and will work with the Court to implement the new report format. The Department expects these changes to streamline workflow, standardize the way information is presented in reports, and improve the consistency of sentencing recommendations.

CONTACT INFORMATION

HOURS 8:00AM – 5:00PM MONDAY THROUGH FRIDAY

**TELEPHONE
(MAIN NUMBER)** (415) 553-1706

FAX (415) 553-1771

ADDRESS HALL OF JUSTICE
880 BRYANT STREET
ROOM 200
SAN FRANCISCO, CA
94103



~~EXHIBIT 31~~



City & County of San Francisco Public Safety Realignment & Post Release Community Supervision

2011 Implementation Plan

Executive Committee of the Community Corrections Partnership

Jeff Adachi, Public Defender

George Gascon, District Attorney

Charles Haines, Judge (designated by Presiding Judge)

Michael Hennessey, Sheriff

Barbara Garcia, Director, Department of Public Health (designated by Board of Supervisors)

Wendy Still, Chief, Adult Probation Department (Chair)

Gregory Suhr, Chief, Police Department

As recommended to the San Francisco Board of Supervisors, Public Safety Committee, July 21, 2011; and as approved by the Executive Committee of the Community Corrections Partnership, August 18, 2011.

The Executive Committee of the Community Corrections Partnership acknowledges that additional funding is necessary in order to fully implement this plan.

Please direct comments on this plan to Chief Wendy Still, Adult Probation Department, at wendy.still@sfgov.org or (415) 553-1687. Written comments may be mailed to Adult Probation Department, Hall of Justice, 880 Bryant Street, San Francisco, CA 94103.

TABLE OF CONTENTS

Summary of Recommendations	I
Overview of 2011 Public Safety Realignment Act (AB109)	1
Local Planning and Oversight	4
<i>Community Corrections Partnership</i>	<i>4</i>
<i>Reentry Council</i>	<i>5</i>
New Populations and Funding	6
Proposed Implementation Strategies	8
<i>I. Sheriff's Department - County Jail Inmates</i>	<i>9</i>
<i>II. District Attorney</i>	<i>11</i>
<i>III. Public Defender</i>	<i>13</i>
<i>IV. Superior Court - Parole and Postrelease Community Supervision Violations</i>	<i>14</i>
<i>V. Adult Probation - County Postrelease Community Supervision</i>	<i>14</i>
<i>VI. Department of Public Health - Treatment and Health Services for Offenders under PCS</i>	<i>18</i>
<i>VII. Human Services Agency - Housing and Human Services for Offenders under PCS</i>	<i>20</i>
Proposed Outcomes	23
Glossary of Terms	25
Attachments	

SUMMARY OF RECOMMENDATIONS

The Executive Committee submits the following recommendations to the Board of Supervisors, City & County of San Francisco

1. Consider and adopt 2011 Implementation Plan herein, as the City & County of San Francisco's Public Safety Realignment plan as required by PC1230.1 and the Postrelease Community Supervision strategy as required by PC3451 as added by the Post-Release Community Supervision Act of 2011 contained in AB109. This Plan contains recommendations for implementation including using both funds allocated by the State as well as additional resources that will be required by the City/County to successfully implement the plan.
2. Consider and adopt the following amendments to the San Francisco Administrative Code:

Article XXII, Section 2A.300 Postrelease Community Supervision Authority

The Adult Probation Department is designated as the county agency responsible for implementing postrelease community supervision as specified in Section 3451 of the California Penal Code as added by the Post-Release Community Supervision Act of 2011.

SECTION 13.63 Home Detention Program

The Sheriff is authorized to offer a home detention program, as specified in Section 1203.016 of the California Penal Code, in which inmates committed to the County Jail or other County correctional facility or inmates participating in a Work Furlough program may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the County Jail or other County correctional facility.

SECTION 13.64 Electronic Monitoring Program in lieu of Bail – Sheriff's Department

The Sheriff is authorized to offer an electronic monitoring program, as specified in Section 1203.018 of the California Penal Code, to inmates being held in lieu of bail in the County Jail or other County correctional facility.

Article XXII, Section 2A.301 Home Detention and Electronic Monitoring Program – Adult Probation Department

The Chief Adult Probation Officer is authorized to offer an electronic monitoring and/or home detention program to individuals who are granted probation or are under postrelease community supervision as a sanction for violating supervision conditions, as specified in Sections 3453 and 3454 of the California Penal Code.

OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB109)

In an effort to address overcrowding in California's prisons and assist in alleviating the state's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011. AB109 transfers responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation to counties. Implementation of the Public Safety Realignment Act is scheduled for October 1, 2011.

Additionally, Section 1230 of the California Penal Code is amended to read "Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, presiding Judge or his or her designee, and the department representative listed in either section 1230 (b) (2) (G), 1230 (b) (2) (H), or 1230 (b) (2) (J) as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs."

Key elements of AB109 include:

Target Population: The postrelease community supervision population, released from prison to community supervision, is the responsibility of local probation departments and is inclusive of non-violent, non-serious, non-sex offenders with a prior PC 667.5(c), PC 1192.7(c) or registerable offenses pursuant to Penal Code section 290. (see Attachment 1) The population that will serve their prison sentences locally includes the non-violent, non-serious, non-sex offender group. The California Department of Correction and Rehabilitation (CDCR) estimates San Francisco's "average daily population" (ADP) of these offenders will be:

421	<u>Postrelease community supervision</u>
61	<u>Parole and postrelease community supervision violators in jail on revocations</u>
164	<u>Sentenced to local incarceration under AB109</u>

At some point in time all 646 (ramping up to 700 during Fiscal Year 2011-12) offenders will be on postrelease community supervision to Adult Probation, requiring the full range of supervision, sanctions and service resource available through the department.

This population becomes a local responsibility as of October 1, 2011 when the Post-Release Community Supervision Act of 2011 is implemented. **These estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections.**

Additional key elements of AB109 include:

- **Redefining Felonies:** Revises the definition of a felony to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years. Some offenses, including serious, violent and sex-offenses, are excluded and sentences will continue to be served in state prison.
- **Local Postrelease Community Supervision:** Offenders released from state prison on or after October 1, 2011 after serving a sentence for an eligible offense shall be subject to, for a period not to exceed 3 years, postrelease community supervision provided by a county agency designated by that county's Board of Supervisors.
- **Revocations Heard & Served Locally:** Postrelease community supervision and parole revocations will be served in local jails (by law maximum revocation sentence is up to 180 days), with the exception of paroled 'lifers' who have a revocation term of greater than 30 days. The Courts will hear revocations of postrelease community supervision while the Board of Parole Hearings will conduct parole violation hearings in jail.
- **Changes to Custody Credits:** Jail inmates will be able to earn four days of credit for every two days served. Time spent on home detention (i.e., electronic monitoring) is credited as time spent in jail custody.
- **Alternative Custody:** Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible inmates must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses.
- **Community-Based Punishment:** Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision.

Summary of Realignment Components & Local Legislative Recommendations

Population Affected (as of effective date of AB109)	Component of Public Safety Realignment	Local Legislative Recommendations
<i>Released from State Prison</i>	State prisoners serving sentences for non-violent, non-serious and non-sex offenses with one of these offenses in their criminal history will be placed on county postrelease community supervision instead of state parole. The Court will adjudicate violations of county postrelease community supervision.	Recommendation that the Board designate Adult Probation as the administrator of county postrelease community supervision, including administration of home detention and electronic monitoring program for postrelease community supervision offenders and probationers.
<i>On State Parole</i>	Violations of State Parole will be adjudicated by Board of Parole Hearings inside County Jail.	
<i>Currently Held Pretrial in County Jail</i>	Certain inmates may be released pre-trial on electronic monitoring.	Recommendation that the Board designate Sheriff as administrator of electronic monitoring for inmates.
<i>Currently Sentenced in County Jail</i>	Certain inmates may be placed on home detention.	Recommendation that the Board expand Sheriff's duties as administrator of Home Detention for inmates.
<i>Realigned Local Incarceration and Postrelease Community Supervision Population</i>	Establish outcome measures related to local incarceration inmates and postrelease community supervision populations (per AB109).	Recommendation that the Board approve funding for an expert to develop a research design, collect data and report to the Board on the outcomes associated with AB109.
<i>Realigned Local Incarceration and Postrelease Community Supervision Population</i>	Existing AB109 and SB678 funding formula and allocation methodology do not adequately fund the County's actual cost of managing the AB109 offender population, and fiscally penalizes San Francisco's effective correctional practices.	Recommendation that the Board and Mayor's Office raise concerns regarding funding formula and allocation methodology to State Legislative Representatives (detailed on page 9).

LOCAL PLANNING AND OVERSIGHT

COMMUNITY CORRECTIONS PARTNERSHIP

In the last two years, there have been statewide efforts to expand the use of evidence based practices in sentencing and probation practices, and to reduce the state prison population. SB 678 (2009) established a Community Corrections Partnership (CCP) in each county, chaired by the Chief of Adult Probation, charged with advising on the implementation of SB 678 funded initiatives. AB109 (2011) established an Executive Committee of the CCP charged with development of a 2011 Realignment Plan that will recommend a city-wide programming plan for the realigned population, for consideration and adoption by the Board of Supervisors.

The CCP Executive Committee will advise on the progress of the Implementation Plan. Chaired by the Chief Adult Probation Officer, the CCP Executive Committee will oversee the realignment process and advise the Board of Supervisors in determining funding and programming for the various components of the plan. Voting members of the Executive Committee include: a Judge (appointed by the Presiding Judge); Chief Adult Probation Officer; County Sheriff; District Attorney; Chief of Police; Public Defender; and Director of County Social Services/Mental/Public Health (as determined by the Board of Supervisors).

This plan was developed by CCP Executive Committee members, their designees and other key partners. Meeting attendees included:

David Koch	Adult Probation Department
Diane Lim	Adult Probation Department
Tom Murphey	Adult Probation Department
Wendy Still	Adult Probation Department
Cristel Tullock	Adult Probation Department
Gayle Revels	Controller's Office
Craig Murdock	Department of Public Health
Jo Robinson	Department of Public Health
Lenore Anderson	District Attorney's Office
Lauren Bell	District Attorney's Office
Stephanie Holm	District Attorney's Office
Sharon Woo	District Attorney's Office
Noelle Simmons	Human Services Agency
Scott Walton	Human Services Agency
Allison Magee	Juvenile Probation Department

Olivia Dopler	Mayor's Office
Toni Gibbs	Mayor's Office
Paul Henderson	Mayor's Office
Melissa Howard	Mayor's Office
Rebekah Krell	Mayor's Office
Mark Reinardy	Mayor's Office
Greg Wagner	Mayor's Office
Rick Wilson	Mayor's Office
 Rick Parry	 Police Department
 Jeff Adachi	 Public Defender
Simin Shamji	Public Defender
 Jessica Flintoff	 Reentry Council
Jennifer Scaife	Reentry Council
 Ellen Brin	 Sheriff's Department
Jan Dempsey	Sheriff's Department
 Charles Haines	 Superior Court
Sue Wong	Superior Court
Mike Yuen	Superior Court

The planning group has met weekly since April 29, 2011 discussing funding methodology, policies and programming necessary to implement the plan. The substantive policy and operational plan, without specific budget detail was voted on and approved at the July 15, 2011 meeting,

REENTRY COUNCIL

The Reentry Council regularly shares information with the CCP. The success of the Reentry Council is rooted in its shared leadership, engagement of formerly incarcerated representatives, and strong participation of safety net and health partners since the Fall of 2005. It is co-chaired by the Chief of Adult Probation (added as co-chair in February 2011), District Attorney, Mayor, Public Defender, and Sheriff. The Public Defender's Office has provided primary staffing of the Council since February 2007. In FY 2011-12 the positions supporting the Reentry Council and work of the Community Corrections Partnership transfer to Adult Probation. Centralizing support of the Reentry Council and Community Corrections Partnership in the Adult Probation Department signals a commitment by the City to collaboratively engage in coordination of resources and justice system realignment efforts. The District Attorney's Office, Mayor's Office, and Sheriff's Department have each provided varying levels of in-kind staff time to the administration of the Council. SF Administrative Code 5.1 establishes the Reentry Council and outlines its powers and duties, and responsibility for reporting to the Mayor and Board of Supervisors.

JUVENILE JUSTICE COORDINATING COUNCIL

San Francisco's Juvenile Justice Coordinating Council (JJCC) was established pursuant to Section 749.22 of Article 18.7 of the Welfare and Institutions Code which requires counties to establish a multi-agency council to develop and implement a continuum of county-based responses to juvenile crime. The anticipated realignment of the State's juvenile justice system is scheduled for FY 2012-13 in the "second phase" of AB109 implementation. Currently, the Community Corrections Partnership, Juvenile Justice Coordinating Council and Reentry Council are working to strengthen their partnership to ensure consistency amongst stakeholders and continuity in programming for transitional aged offenders as realignment strategies are developed and implemented.

NEW POPULATIONS AND FUNDING

San Francisco has a long history of providing innovative, quality alternatives to incarceration, problem solving courts, progressive prosecutorial programs, holistic indigent defense, rehabilitative in-custody programming, and evidence-based supervision and post-release services. Local partners will continue to build upon our successful models and implement promising new practices to responsibly meet the diverse needs of these additional individuals.

PROJECTED POPULATION

The State has estimated that San Francisco will assume responsibility for approximately 700 additional offenders at any point in time across all agencies. This population is diverse and includes offenders who have been convicted of property, public order, drug, and domestic violence offenses, and gang-involved offenders. Of these 700 people, it is anticipated that at any one time an average daily population of approximately 225 offenders will be serving a sentence of local incarceration or sanctioned to other custodial/programmatic options. All 700 people will at some point be on postrelease community supervision.¹

PROJECTED FUNDING

The formula establishing statewide funding allotments for AB109 implementation in Fiscal Year (FY) 2011-12 assumes \$25,000 per offender for six months of local incarceration, with each of these offenders allocated \$2,275 for rehabilitative services while incarcerated or in alternative incarceration programs. This same level of funding will be made available for parole violators serving a 60-day revocation, albeit on a pro-rated basis. Offenders on postrelease community supervision are funded at \$3,500 per person for community supervision and \$2,275 per person for rehabilitative services (for a maximum of 18 months). The above formula establishing a statewide allotment was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and California State Association of Counties (CSAC).

¹ These estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections.

The level of local funding available through AB109 is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting AB109 eligibility criteria
- 30% based on U.S. Census Data pertaining to the total population of adults (18-64) in the County as a percentage of the statewide population; and
- 10% based on the SB 678 distribution formula

Based on this formula San Francisco is projected to receive \$5,787,176 for FY 2011-12 to serve approximately 700 additional offenders at any point in time. This funding includes:

Postrelease Community Supervision (PCS)/local incarceration	\$5,049,838
AB109 Planning grant	\$ 200,000
AB109 Training and implementation activities	\$ 356,325
District Attorney/Public Defender (PCS representation)	\$ 181,013
TOTAL	\$5,787,176

Funding for San Francisco Superior Court operations is unknown at this time; the Administrative Office of the Courts (AOC) will make this determination of the funding distribution in the near future.

The funding formula is based on an October 1, 2011 implementation through June 30, 2012 and is for the first year only. CSAC/CAO's and the Department of Finance will revisit the formula for future years. San Francisco continues to be negatively impacted by statewide budgeting formulas for criminal justice reforms (i.e., SB 678 and AB109). This formula rewards counties that historically over-rely on prison incarceration, and penalizes counties like San Francisco that have created innovative local criminal justice strategies designed to increase public safety and reduce victimization without relying solely on incarceration. The Executive Committee recommends that the City and County of San Francisco and CSAC lobby legislative representatives to change the formula to create economic incentives that support counties who have effective strategies in place and award funds to counties based on the county's percentage of the overall statewide population of adults rather than their percentage of the prison population.

The final 2011 Implementation Plan will contain actual budget details specifying revenue and expenditures for all of the public safety and social service agencies providing services and programming needed to effectively manage the AB109 realigned offender population. (see Attachment 2) The FY 2011-12 budget is pending finalization. Partners are leveraging other federal, state, and private sources. However, a gap will remain between what the State is proposing for funding and the actual cost of proposed operations and services. A draft plan will be submitted July 20, 2011 to the Reentry Council for public and Council review.

AB109 becomes operative October 1, 2011. State funding will be provided to counties after their Realignment Plan is approved by the Board of Supervisors. Annually, state funding is allocated to San Francisco's Community Corrections Performance Incentives Fund (CCPIF). This fund was established by SB 678 (2009), the California Community Corrections Performance Incentives Act. SB 678 gives broad discretion to probation departments in selecting and implementing evidence-based practices to maximize return on investment and improve outcomes with more effective supervision of probationers, which ultimately impacts commitments to state prison. The Adult Probation Department's use of evidence-based supervision practices has successfully reduced the number of probationers being sent from San Francisco to state prison for probation violations, from a three-year average of 256 (2006-2008) to 199 in 2009. Adult Probation anticipates receiving a one-time grant of \$831,075 for FY 2011-12. These funds will be directed toward services and support for existing probationers (totaling approximately 6300).

JUSTICE REINVESTMENT

PC 3450(b)(7), as added by AB109, states that "fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county." AB109 defines justice reinvestment as "a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety." In April 2011, San Francisco was awarded a technical assistance grant by the U.S. Department of Justice to participate in a Justice Reinvestment Initiative (JRI). During the first phase of the JRI award, local partners have been meeting with JRI consultants to discuss challenges and inefficiencies in San Francisco's criminal justice system. The next step in this process is an in-depth analysis of San Francisco's criminal justice data, which will enable partners and JRI consultants to identify the drivers of criminal justice costs. This analysis will in turn inform policy recommendations, developed by local partners with support of the JRI team, aimed at reducing inefficiencies and improving outcomes. Phase two of the JRI award will likely include some funding for implementation of the policy recommendations developed through this process, and will support San Francisco's ongoing efforts to respond effectively to criminal justice realignment.

PROPOSED IMPLEMENTATION STRATEGIES

The proposed strategies that follow take into consideration the multifaceted needs of the AB109 population, and the resources necessary to achieve desired public safety outcomes. A cornerstone of all of these strategies is a validated risk and needs assessment and Individualized Treatment and Rehabilitation Plan (ITRP) made possible through COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) that is being implemented with guidance from Northpointe, Inc. and administered by Adult Probation and shared with relevant partners. As part of this implementation process, Adult Probation has developed a "strategy implementation blueprint" to help guide the complex process of connecting policies to explicit operations that can be measured for performance (See Attachment 3)

I. SHERIFF'S DEPARTMENT – COUNTY JAIL INMATES

PROJECTED ADDITIONAL NUMBER OF INMATES

The Sheriff's Department (SFSD) believes it will see jail population increases of at least 140 inmates per month for the first 3 months followed by some leveling off. SFSD also estimates it will continue to admit at least 40 inmates a month on new commitments of people who would otherwise have gone to state prison. The 225 inmate figure referenced earlier in the report derives from State estimates of parole and postrelease community supervision violators serving revocations in jail and offenders sentenced to local incarceration on new charges.

The additional inmates include (1) those convicted of a felony now sentenced to 16 months, 2 years, or 3 years in county jail in lieu of state prison; (2) the additional number of people in county jail who are pretrial; (3) violators of postrelease community supervision; (4) violators of state parole up to 180 days (an exception is that paroled lifers with revocation terms greater than 30 days will serve time in state prison); and (5) postrelease community supervisees sanctioned with flash incarceration of up to 10 days for each violation.²

PROPOSED STRATEGIES FOR COUNTY INMATES

To address these projected increases, the SFSD will maximize county jail capacity and utilize alternatives to incarceration through the Department's Community Programs division. By expanding the Sheriff's authority in the use of home detention and electronic monitoring, the Board of Supervisors will provide additional alternatives to incarceration to be utilized for both the pretrial and sentenced populations.

County Jails

The Sheriff's Department currently operates six jails: one intake and release facility and five housing jails. One housing jail with a 360-bed capacity is currently closed due to a low jail census. People convicted of non-serious, non-violent, and non-sex offense felonies will serve sentences in the county jail. This change is prospective and will apply to anyone who is convicted on or after October 1, 2011. Typically these sentences will be 16 months to three years; this is longer than the average 90-day sentence currently served in California county jails. Enhanced and consecutive sentences may create even longer sentences. AB109 changes how credits for good time and work time are calculated from one day of good time and one day of work time for every six days served in jail to one day of good time and one day of work time for every 4 days served in jail. This means that inmates will be required to serve 50% of their sentence in custody, minus any credits for time served prior to their sentence as determined by the Court, instead of two-thirds of their sentence, which is the current law. This change will help mitigate, to some degree, the impact of longer sentences being served in the county jails. Further, all postrelease community supervision

² These estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections

revocations and almost all parole revocations will be served locally. AB109 encourages the use of flash incarceration up to 10 days in county jail for postrelease community supervisees who violate their community supervision terms.

Further analysis is necessary once AB109 is implemented to accurately determine the impact on jail beds, alternative incarceration programs and court security/inmate transportation. Based on current population trends there is limited capacity for additional inmates before the closed 360-bed facility needs to re-open. With these increases, expansion of in-custody programming is necessary to maintain safety and offer productive use of free time while incarcerated. Enhancements to jail programming such as substance abuse services, restorative justice programs, veteran services, and the 5 Keys Charter High School are considered necessary. AB109 offenders will be assigned to programming based on meeting eligibility criteria and availability. SFSD will work with the courts and CDCR parole personnel to provide programs and services to inmates serving time in jail for a parole revocation to the extent possible within funding constraints.

Community Programs & Alternatives to Incarceration

The Community Programs division of SFSD provides a number of alternatives to incarceration and supervises people in these alternatives while they remain in the constructive custody of the Sheriff. These alternatives to incarceration are frequently utilized to transition inmates back into the community. SFSD will increase reliance on alternatives to incarceration in order to manage anticipated population increases under AB109. These additional alternatives provided for by AB109 legislation include involuntary home detention and electronic monitoring for the pretrial population.

Penal Code Section 1203.018 will allow SFSD to release prisoners being held in lieu of bail in the county jail to an electronic monitoring program under specific circumstances. The Sheriff and the District Attorney may prescribe reasonable rules and regulations under which such a program will operate. Specific eligibility criteria will limit the number and type of pre-trial prisoners eligible for this program.

Additionally, AB109 provides legal mechanisms to use alternatives to incarceration for sentenced populations. In San Francisco, these alternatives will include electronic monitoring, home detention, residential treatment beds, restorative justice classes, substance abuse services, parenting classes, the 5 Keys Charter High School, employment counseling and services, and transitional housing. An inmate under the supervision of Community Programs may be provided multiple services as determined by their individual needs.

All jail programming and alternatives to incarceration managed by the Sheriff will be made available to AB109 offenders providing they meet eligibility criteria and space is available. Once an offender has been sentenced to the county jail, both jail program staff and SFSD Community Programs staff will review the program and services the prisoner is participating in and develop a timeline and plan for the prisoner, if eligible, to transition from the county jail to an appropriate alternative to incarceration. Decisions regarding this

plan will consider in-custody behavior, participation and progress in jail programs and services, the pre-sentence report and court commitment, eligibility based on current charges and prior convictions, and availability of the alternatives to incarceration best suited for the prisoner. SFSD will supervise people in alternative to incarceration programs through a highly visible community presence and random site checks. SFSD will provide a swift response if a person absconds or violates conditions of their participation in the program. Increased staffing for Community Programs will likely be needed to ensure strong enforcement and maximize community safety.

At least 60 days prior to the inmate's date of release from SFSD custody, SFSD Community Programs staff will meet with Adult Probation Department Pre-Release Specialists to ensure a smooth transition at the time of the prisoner's release. Changes may be made to the preliminary transition plan at any time while the prisoner is in SFSD custody.

II. DISTRICT ATTORNEY

Impact of Realignment on the San Francisco District Attorney's Office

Realignment will have a significant impact on the workload of the San Francisco District Attorney's Office (SFDA), as well as the sentencing options available to resolve cases. SFDA anticipates three major impacts:

First, SFDA will now be responsible for reviewing, charging, and prosecuting many violations of postrelease community supervision. For these cases jurisdiction of the Board of Parole Hearings (BPH) is being transferred to the SF Superior Court and those postrelease community supervision violation hearings will be handled by SFDA.

Second, SFDA anticipates that prosecutors will need to make more court appearances and engage with cases for longer periods of time. Given that non-violent, non-serious, non-sex offender cases sentenced to state prison now serve their time locally, local authorities will take on additional responsibilities to track and monitor offenders after conviction. The number of appearances on one case will likely increase both before sentencing, because getting agreement on appropriate sentences may be protracted, thereby lengthening the time it takes for cases to resolve, and after sentencing, given that sentence violations come back to SFDA for assessment and adjudication. This could continue for years at a time per case.

Third, SFDA must now develop expertise in alternative sentences and work closely with criminal justice partners to ensure effective sentencing without reliance on incarceration. Prison is excluded as a sentence option for numerous offenses, and given that many offenders will be returning to county jail from state prison, merely relying on jail in lieu of prison will overburden the jail system. To hold these offenders accountable and protect the public, SFDA will need to develop creative and effective sentencing approaches based on risk and needs assessments of the offender.

SFDA Plan to Prepare for Realignment and Expand Use of Alternatives

Given these anticipated changes, SFDA is rolling out the following action plan to prepare the office for changes under Realignment:

To equip prosecutors with a "Recidivism Reduction Approach" to assessing sentencing advocacy options, SFDA will organize staff trainings on alternative sentencing options and best practices in recidivism reduction and develop tools to increase capacity of line staff to utilize a recidivism reduction analysis when deciding best sentencing strategies.

To expand SFDA's ability to advocate or support alternative programs and placements in lieu of prison or jail, SFDA aims to create new "Alternative Sentencing Planner" staff positions to help develop potential alternatives to both pre-trial detention and jail or prison at sentencing for offenders. The Alternative Sentencing Planners will be able to help prosecutors understand options available to resolve cases considering information about the offender provided by probation and defense bar, victim rights, restorative justice, and information about available alternative programs.

To speed up the case resolution processes, SFDA will work with the SF Superior Court to expand the use of the Early Resolution Calendar (ERC). SFDA will work with Superior Court to expand the use of ERC, and SFDA will also seek to create a new Case Expediter staff position who can work full-time on the Early Resolution Calendar.

To help SFDA access relevant offender history information earlier in the case resolution process, SFDA will work with Adult Probation to evaluate the possibility of completing the COMPAS risk assessment tool earlier.

To increase utilization of SF's wide array of Collaborative Court programs, SFDA will partner with other criminal justice agencies to strengthen guidelines for Collaborative Court programs and educate line staff on the existence of the programs and the eligibility requirements. The new San Francisco Probation Alternatives Court which is designed to provide successful interventions for probationers with motions to revoke who are facing State prison sentences is an important component of our realignment strategy.

SFDA will also explore expanding programs such as Back on Track for categories of offenders that may be well suited for alternative programs. SFDA will also work with our partner agencies to identify gaps in community-based programming and assess the viability of expanding various programs as appropriate.

III. PUBLIC DEFENDER

Public Defender's Realignment Team

The Public Defender will establish a specialized Realignment Team within the office's existing Reentry Unit and Clean Slate Program. The team will work exclusively with the AB 109 population, and provide services to approximately 164 individuals who will now qualify for county jail and alternative program placement sentences under AB 109.

The Public Defender's Realignment Team includes an attorney, a court alternative specialist and a social worker.

The attorney assigned to the Realignment team will be responsible for designing alternative sentencing strategies and identifying clients who are eligible for programs under AB 109. The attorney will also train other attorneys on alternative sentencing strategies. The Attorney will also work with the District Attorney's "Alternative Sentencing Planners" to explore and develop new sentencing alternatives under AB 109.

The court alternative specialist and social worker will collaborate with the Adult Probation Department's postrelease community supervision unit to help identify new referrals and to discuss progress of clients who are receiving services. The court alternative specialist will also seek appropriate placements and programs for individuals under AB 109. The social worker will perform clinical work, assess client needs, refer clients to services and advocate for these individuals.

This plan contains limited resources to provide representation to individuals facing "postrelease community supervision" violation hearings. The volume of hearings, as well as the court's protocol for handling the hearings, will determine the resources required. Additional attorneys, investigators and paralegals may be required to provide representation at these hearings.

Coordination with Existing Reentry Programs

The Public Defender's Realignment team will work closely with the office's existing reentry programs and will also coordinate its efforts with other criminal justice agencies and community partners.

The Public Defender's Reentry Unit provides an innovative blend of legal, social and practice support through its Clean Slate and Social Work components. The Reentry Unit's social workers provide high quality clinical work and advocacy, effectively placing hundreds of individuals in drug treatment and other service programs each year.

The office's Clean Slate Program assists over 3,000 individuals each year who are seeking to "clean up" their records of criminal arrests and/or convictions. Clean Slate helps remove significant barriers to employment, housing, public benefits, civic participation, immigration and attainment of other social, legal and personal goals. The program prepares and files over 1,500 legal motions in court annually, conducts regular community

outreach, distributes over 6,000 brochures in English and Spanish and holds weekly walk-in clinics at five community-based sites, in predominantly African American and Latino neighborhoods most heavily impacted by the criminal justice system.

It is anticipated that an increase in the demand for Clean Slate Program services will increase under AB 109, and additional resources may be necessary to provide assistance to individuals subject to post-release community supervision.

IV. SUPERIOR COURT – PAROLE AND POSTRELEASE COMMUNITY SUPERVISION VIOLATIONS

PROJECTED ADDITIONAL NUMBER OF REVOCATION CASES

Under AB117, a budget trailer bill accompanying the 2011 Budget Act, the Superior Court's role in criminal realignment previously outlined under AB109 has been substantially narrowed to handle only the final revocation process for offenders who violate their terms or conditions of postrelease community supervision or parole. The Court will assume responsibility for postrelease community supervision revocation hearings beginning in October 1, 2011.³ AB117 also delays the Court's role in revocation proceedings for persons under state parole supervision and serious and violent parole violations until July 1, 2013. According to state estimates, the total parole and post-release supervision population expected to be serving revocations sentences in local custody is estimated to be 61 on any given day.⁴

The state budget appropriated funds for the Judicial Branch to undertake this new function and San Francisco's allocation will be finalized in late August 2011. The Judicial Branch is also developing the implementation plan and final revocation procedures by September 2011.

V. ADULT PROBATION

PROJECTED ADDITIONAL NUMBER OF OFFENDERS ON POSTRELEASE COMMUNITY SUPERVISION

The Adult Probation Department (APD) estimates there will be 585 offenders during the initial phase of realignment each day on county postrelease community supervision. These include inmates released from state prison who would have otherwise been placed on state parole and offenders who have served their prison sentences locally in jail. This number on

³ State funding is allocated equally to District Attorneys and Public Defenders to handle postrelease supervision violation cases in court however no funding was dedicated to the provision of "conflict counsel".

⁴ These estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections.

postrelease community supervision is projected to grow to an estimated 700 during the coming fiscal year.⁵

PROPOSED STRATEGIES FOR POST-RELEASE SUPERVISEES

APD shall be designated as the county agency responsible for administering programs directed to the postrelease community supervision population. This includes the full range of options for community supervision spanning intensive community supervision (with routine home visits), home detention with electronic monitoring, day reporting, residential substance abuse treatment, outpatient behavioral health treatment (e.g., substance abuse, mental health, sex offender, batterer's intervention), urinalysis testing, cognitive behavioral interventions, restorative justice programs, community service, family strengthening strategies, pre-release "reach-in" services (assessments and supervision planning pending release from prison or jail), referral to education, vocational training/employment services and housing resources, and imposition of up to 10 days jail as a sanction for violating supervision conditions.

Postrelease Community Supervision Unit

The term of postrelease community supervision will not exceed three years, and individuals may be discharged following as little as 6 months of successful community supervision. Supervisees may be revoked for up to 180 days; all revocations will be served in the local jail. Postrelease community supervision shall be consistent with evidence-based practices demonstrated to reduce recidivism, and APD may impose appropriate terms and conditions, appropriate incentives, treatment and services, and graduated sanctions.

Adult Probation has invested heavily in establishing evidence-based supervision and intervention practices proven effective in reducing recidivism and improving outcomes. At the heart of evidence-based practices are concepts of risk, need and responsivity (the practice of assessing and identifying criminogenic risk factors contributing to ongoing criminal behavior, which can be changed through application of culturally, developmentally and gender appropriate interventions, teaching new skills and building on offender strengths to mitigate criminality). These principles are applied in the recently implemented Evidence-Based Presentence Investigation Assessment report. Risk and need factors are assessed prior to sentencing using the COMPAS assessment tool; this information guides sentencing recommendations and identification of the most appropriate supervision conditions to reduce the likelihood of re-offense.

APD will create a specialized supervision unit with responsibility for intensive supervision of the postrelease community supervision population. These staff will administer the COMPAS risk/needs assessment tool to every postrelease community supervisee – consistent with the above referenced principles – and ultimately develop an Individual

⁵ These estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections.

Treatment and Rehabilitation Plan (ITRP). This action will guide supervision intensity, treatment/program referrals, case management efforts and offender activities. The COMPAS program was chosen because of its long history of utilization and rigorous evaluation/validation with adult offender populations. Additionally, CDCR uses the same tool to assess parolee risk so this information can be built upon when the AB109 offender population is released to Adult Probation for supervision.

Additionally, a system of rewards and responses is being developed for use with the postrelease community supervision population, and ultimately will drive intervention decisions with all offenders under supervision. The use of the rewards and response decision matrix will provide guidance to probation officers regarding the type of intermediate sanction to impose in responding to violations. This strategy requires probation officers to consider offender risk and criminogenic need factors, severity of the violation, and their behavior before determining the most appropriate graduated response. A key component of successfully implementing AB109 relies on creating an effective violation hearings process combined with consistent imposition of graduated sanctions in response to violations of supervision conditions. Conversely, when an offender achieves a certain milestone in supervision, (e.g., completes substance abuse treatment), the probation officer needs to identify an appropriate reward (incentive). This matrix establishes a decision-making structure for Adult Probation staff to ensure consistency in responses to violations. A methodology of this type is important given the fact a provision in AB109 allows discharge of postrelease community supervision following six months of violation-free supervision. Use of this program by APD reaffirms the agency's commitment to evidence-based practices and public safety.

Given the anticipated high-risk level of postrelease community supervision offenders, APD projects additional Deputy Probation Officers are needed to provide more intensive supervision of this offender cohort, proposed at a ratio of 50:1. The proposed ratio recognizes the reality of fiscal constraints; American Probation and Parole Association (APPA) standards recommend a 20:1 caseload ratio given the assessed risk level of the supervised population.

Collaborative case planning is the focal point of this active engagement approach involving the offender, his/her family, probation officer, law enforcement and multiple service providers (e.g. housing, employment, vocational training, education, physical health, nutritional supports, behavioral health, and pro-social activities). Individual factors such as strengths, risk factors, needs, learning style, culture, language and ethnicity are integral to determination of appropriate interventions and services. In addition to these important considerations, the ITRP will determine the level of supervision the probationer requires and identify the type of evidence based treatment and services the probationer needs to be successful on supervision, promoting dual goals of reducing the risk of re-offense and increasing pro-social functioning and self-sufficiency.

Another key element of enhanced supervision with the AB109 population includes an emphasis on actively engaging the offender's family in the supervision process. A family-focused model, tapping into available positive supports in the client's social ecology and

building capacity within the family has proven effective in improving outcomes with high risk offenders. APD has pioneered a "family impact statement" to inform sentencing recommendations in presentence reports, and case management activities. Family strengthening and cognitive skill building programs will be utilized to enhance supervision. Additionally, Adult Probation will partner more extensively with Family and Support Services (Child Welfare) to ensure children of offenders are receiving needed services and that coordination of intervention activities and service delivery occurs to maximize efficiency and increase potential for intervening successfully with intergenerational criminality. This will include coordination with the Department of Public Health and the Human Services Agency, along with the Juvenile Department, San Francisco Unified School District (SFUSD) and appropriate community agencies to address service needs. As well, APD is partnering with Child Support Services to assist offenders with child support obligations in obtaining employment and negotiating reasonable support payments that provide necessary financial support to families. This action promotes more responsible behavior on the part of the offender and aids in removing barriers that non-payment of support obligations causes in terms of restricting access to driving privileges, obtaining education and vocational training, etc.

Additionally, educational deficits will be addressed through assessment of offender needs by Adult Probation's Learning Center. GED and high school diploma programming is provided and post-secondary education and vocational training referrals are made when appropriate. Offenders transitioning out of local incarceration can continue educational programming initiated while in the Sheriff's custody when they are released to community supervision.

In addition to the intensive supervision and collaborative case planning mentioned above, Adult Probation will actively explore a variety of alternatives to incarceration for use in managing the postrelease community supervision population and responding to violations. Building upon the success of the Probation Alternative Court (PAC), Adult Probation will draw upon this experience to craft appropriate alternative custody options to address criminogenic risk factors, hold the offender accountable, and enhance community safety. It is envisioned that violations of post-release supervision could be handled in PAC or a similar court to create greater consistency and ensure application of evidence-based sanctioning principles.

Reentry Division and Pre-release Team

The Reentry Division provides administrative support to the Reentry Council, and coordinates local justice realignment initiatives in relation to San Francisco's Community Corrections Reinvestment strategy. This division in APD will provide analysis of local efforts to implement justice realignment strategies, report regularly on progress made in these areas, and oversee the Federal Justice Reinvestment Initiative (JRI) technical assistance grant to develop local strategy.

This division will be responsible for: (1) supporting the Community Correctional Partnership Council, coordinating city funding streams for resources to support inmate

reentry, probationers, and postrelease community supervisees; (2) coordinating and overseeing the implementation of received reentry grants and collaborating with community-based organizations and other city agencies; and (3) providing the Board, Mayor's Office, and criminal justice partners with statistical reports that detail San Francisco's effectiveness and progress in implementing criminal justice realignment.

The pre-release team (comprised of two probation officers and two social workers) will have responsibility for pre-release planning with all inmates releasing from county jail and prison to postrelease community supervision status. Ideally the assessment and planning activities performed by these specially trained staff will occur 90 days prior to an inmate's release to community supervision. In all instances pre-release planning will begin at least 30 days prior to release. This is intended to ensure risk and need factors are assessed and a case management plan developed with a goal of connecting the offender to needed services *prior* to his/her release from incarceration. To ensure limited resources are appropriately directed and effectively coordinated, these staff will work closely with jail program staff, prison counselors, and local community providers.

Community Assessment & Service Center

Central to improving outcomes for the postrelease community supervision population is ensuring access to an array of services for these offenders, and creating a one-stop model of service delivery. To accomplish this goal APD is proposing creation of a Community Assessment and Service Center (CASC), a model patterned after day reporting programs emphasizing collaborative case management and pairing the expertise of Adult Probation staff with center staff in the provision of assessments and services (delivered both in-house and on a referral basis). The CASC will also serve as an alternative to revocation of supervision with offenders sanctioned to program participation in response to violation of supervision conditions. Adult Probation staff will conduct COMPAS assessments, deliver cognitive skill building curriculum (designed specifically for the high-risk offender population to address criminogenic needs and criminal thinking), obtain UA samples for analysis, monitor GPS equipment and conduct regular office visits with offenders at the Center.

It is anticipated that assessment center services will be contracted to a community-based organization, and that staff functions would include assessments and referrals to a host of community-based programs including education, 5 Keys Charter School, mental health services, substance abuse treatment (outpatient and long-term residential), medical services, HIV/AIDS prevention and education, housing services, food and nutrition resources, and parenting skills services.

VI. DEPARTMENT OF PUBLIC HEALTH - TREATMENT AND HEALTH SERVICES FOR OFFENDERS UNDER POSTRELEASE COMMUNITY SUPERVISION

It is expected that a significant number of probationers will present with substance abuse and/or mental health problems that will need to be treated as a part of the individual's

integration into community life and to prevent recidivism. Recent data analysis indicates nearly 80% of the incarcerated population have substance abuse problems requiring treatment interventions. Arranging treatment services in advance of an offender's release is a critical risk reduction activity.

Central to this success is the establishment of a matrix of services that will provide an appropriate level of intervention to those probationers with a diagnosable behavioral health condition. The Department of Public Health has a history of serving the offender and ex-offender population with innovative and evidence based treatment services targeting the myriad of health related needs that affects this population.

The Department of Public Health will provide care coordination, individualized client based services, treatment and transitional housing to some of the anticipated 700 individuals who will be out-of-custody and under postrelease community supervision.

PROJECTED ADDITIONAL NUMBER OF OFFENDERS IN NEED OF TREATMENT OF HEALTH SERVICES

The Department of Public Health estimates that 600 of the 700 total number of probationers will present with a behavioral health condition that will warrant a treatment intervention. A system of care comprising the following is proposed:

- Residential mental health treatment
- Residential substance abuse treatment
- Short term residential treatment
- Intensive outpatient treatment
- Day treatment
- Transitional housing
- Medication management

PROPOSED STRATEGIES FOR TREATMENT AND HEALTH SERVICES

The Department of Public Health (DPH) has identified several programs that can be made available to AB109 offenders who have untreated substance abuse and mental health issues. DPH's health care delivery system is evolving to become the reformed, integrated system outline in the federal Affordable Health Care Act.

The client's "Health Home," will act as a portal of entry into the larger system of care and will guide the client through their identified treatment plan. If a probationer has a primary care medical concern they will be enrolled in Healthy San Francisco, the county's program to provide medical care to uninsured and underinsured residents. Those receiving Medical entitlements will be enrolled in the San Francisco Health Plan, the county's program to serve the uninsured mentally ill.

Care Coordination: Through a complement of experienced clinicians, the DPH proposes to create a Care Coordination entity that will assist probationers in navigating the health service system, which is especially important when a client has multiple chronic conditions. With well-coordinated patient centered care, clients can transition between providers, programs, and levels of treatment more easily, their preferences for treatment are respected, and their treatment histories made available to all of those involved in their health care. Poorly coordinated care can lead to errors, higher costs, and treatment failures. It will also be the Care Coordinators responsibility to assess and refer the probationer to an appropriate level of care, and work closely with the Adult Probation Department in ensuring that the client meets all minimum treatment expectations.

Basic Treatment Path: Data indicates that clients with behavioral health problems have done well in intensive outpatient settings. These programs are matched to appropriate service elements within the program. Clients may attend daily, stay at the site most of the day, have meals, and participate in a range of group treatment activities addressing addiction, mental health and illness, trauma, domestic violence, and anger management. A small percentage of this population will require a more intensive program that includes 45 days of residential treatment/stabilization, followed by a longer period in the intensive outpatient program. The probationer will enter the spectrum of services depending on their presenting problem.

VII. HUMAN SERVICE AGENCY - HOUSING AND HUMAN SERVICES FOR OFFENDERS UNDER COMMUNITY SUPERVISION

Central to the success of individuals and their families are individualized housing and support services provided by the Human Services Agency (HSA). HSA will provide services, access to benefits, and housing to some of these 700 people who will be out of custody on postrelease community supervision.

PROJECTED ADDITIONAL NUMBER OF PEOPLE IN NEED OF HOUSING AND HUMAN SERVICES

Of the 700 individuals estimated to be shifted to local supervision, the Adult Probation Department estimates that 25% of this population, or 175 individuals, will be in need of housing assistance. Based on the data cited below however, HSA roughly estimates that 13%, or 91 individuals, will require housing assistance and that 12% will seek other types of public assistance.⁶

The recent "Homeless Triangle" series reported on SF Gate cited California Department of Corrections and Rehabilitation (CDCR) point-in-time data on the number of parolees whose address is listed as either "transient" or "homeless." For San Francisco, this data yielded an

⁶ AB109 offender population estimates are based upon data provided by CDCR; however, the Community Corrections Partnership Executive Committee anticipates the actual population to be greater than the State projections.

estimate that one in seven (13%) of released state inmates are homeless. This would be a conservative estimate given that some parolees likely listed an address at which they are temporarily staying, couch surfing or merely receiving mail.⁷ Another source, the *2011 San Francisco Homeless Point-In-Time Count and Survey Report*, identified 6,455 homeless individuals in the City. Based on data compiled from 1,024 surveys conducted from February 1st to March 15th, 2011, an estimated 15% of the homeless population is on parole or probation. When divided by the total parolee and probationer population in San Francisco, this yields an estimate that 13% of that population is homeless at any point in time.

An April 2009 data match found that there were 894 ex-offenders receiving public assistance through a subset of the programs administered by HSA. The benefit programs include County Adult Assistance Programs (CAAP), CalWORKs, Food Stamps and Medi-Cal. When divided by the total estimated parolee and probationer population in San Francisco, this yields an estimate that 12% of that population receives public aid through HSA. This estimate may be off if the total size of the City's parolee and probationer population has changed significantly since 2009.

The AB109 population will access residential treatment programs and supportive housing for individuals with high physical and behavioral health needs through the Department of Public Health. Risk/needs assessments suggest a portion of the AB109 population will require (and benefit from) independent housing (i.e., no onsite staffing or supervision, but the client still has an assigned case manager). Consequently HSA's rent subsidy model (described in the attachment) emerges as a superior alternative to their transitional housing program for addressing the needs of this group, particularly as regards increasing opportunities for this population to access more permanent housing. CASC will refer to access points for new and existing housing programs.

PROPOSED STRATEGIES FOR HOUSING AND HUMAN SERVICES

Housing-Related Services

Multiple Agencies administer and service housing programs that will service the AB109 population. HSA administers three main types of housing programs:

- *Emergency shelter.* Shelter reservations are required and must be made in person at one of four locations around the city. Shelter stays range from one night to 6 months. Shelters offer meals and service linkages.

The AB109 population will have the same access to shelters as any other homeless resident of San Francisco. HSA does not need new resources to serve this population.

⁷ Gurley, R. Jan. "The Homeless Triangle: San Francisco, Los Angeles and Prison." Published on Spot.Us at <http://spot.us/pitches/515-the-homeless-triangle-san-francisco-los-angeles-and-prison/story>

- *Rental assistance and rent subsidies.* Several HSA-funded service providers offer rent subsidies of up to \$800/month and/or one-time rental assistance grants of up to \$1500 that can cover items such as back rent, security deposit, moving costs, utility assistance and housing-related legal services. Clients must meet eligibility criteria, including income criteria, and be homeless or at imminent risk of homelessness. Rent subsidy clients must also be able to cover the difference between the subsidy amount and the market rent rate on their unit.

The AB109 population will have very limited access to these programs as most restrict eligibility to families with dependent children, are operating at maximum capacity, and/or are short-term programs that will sunset within the next year. However, this is a program model with demonstrated success that the City might want to consider developing for the ex-offender population. New resources would be needed to serve this population and a new contract would need to be put in place.

- *Permanent supportive housing.* HSA contracts with several nonprofit service providers who lease renovated single-room occupancy (SRO) hotels and rent rooms to formerly homeless clients. Homeless CAAP and Supplemental Security Income (SSI) clients have priority for placement. Each site has onsite property management and case managers who provide service referrals.

HSA's Housing First programs operate at capacity and no new sites are expected to come online in the near future. Unit availability is driven by turnover of existing tenants. A limited number of the ex-offenders paroled to San Francisco under AB109 may be able to access this housing through the regular referral process, but HSA cannot guarantee that a particular number will be served or that ex-offenders in need of housing will be able to access it in a timely fashion.

DPH will also potentially provide limited transitional housing for the AB109 population connected to their services.

Non Housing-Related Services

HSA administers a range of other services and benefits, including:

- *County Adult Assistance Programs (CAAP).* CAAP offers cash assistance to low-income adults without dependent children through four separate programs: General Assistance (GA) provides a benefit of up to \$342/month. Personal Assisted Employment Services (PAES) provides a benefit of up to \$421/month, as well as employment services and transportation benefits for participants who are engaged in an employment plan. SSIP provides a benefit of up to \$421/month for clients with a disability who have a pending application for federal SSI benefits. Cash Assistance Linked to Medi-Cal (CALM) provides a benefit of up to \$421/month for aged and disabled immigrants who do not qualify for federal or state assistance. CAAP clients also have access to SSI screening and application assistance.

- *CalWORKs*. Cash assistance and welfare-to-work services for low-income adults with dependent children.
- *CalFresh* (formerly Food Stamps). A monthly benefit that can be used to purchase food.
- *Medi-Cal*. Health coverage for low-income children, pregnant women, seniors and persons with disabilities. Individuals who are screened for Medi-Cal and determined to be ineligible are referred to other state and local subsidized health care programs.
- *Services for seniors and persons with disabilities*. A range of community-based services including in-home supportive services, meals programs, transportation, legal services, socialization programs and naturalization services.

Most of these services and benefits are mandated by federal, state or local law, meaning that anyone who meets the program eligibility criteria is entitled to be served. Applications are accepted in person, by mail, fax, phone and/or online, depending on the program. The online portal at www.BenefitsCalWIN.org can be used to apply online for CalWORKs, CalFresh and Medi-Cal, and there are several community-based organizations whose staff are trained to help clients submit online applications. The AB109 population will have access to all services for which they are eligible.

HSA does not need new resources to serve this population through its regular processes. It would also be possible for HSA to arrange a one-time training for community-based organizations designated to work with the AB109 population on how to use the BenefitsCalWIN tool. However, new resources will be needed if any sort of special access to services is required for the AB109 population, (e.g., pre-release eligibility determinations or scheduling of intake appointments).

PROPOSED OUTCOMES

This policy initiative (and the intervention strategies articulated in the local Public Safety Realignment plan) is intended to improve success rates of offenders under supervision resulting in less victimization and increased community safety. Accomplishing this in the most cost efficient manner and employing proven correctional and justice system practices, is emerging as the primary strategic goal of the initiative.

OUTCOMES MEASURES

The Realignment Plan seeks to achieve the following three outcomes:

1. Implementation of a streamlined and efficient system in the City and County of San Francisco (CCSF) to manage our additional responsibilities under realignment.
2. Implementation of a system that protects public safety and utilizes best practices in recidivism reduction.

3. Implementation of a system that effectively utilizes alternatives to pre-trial and post-conviction incarceration where appropriate.

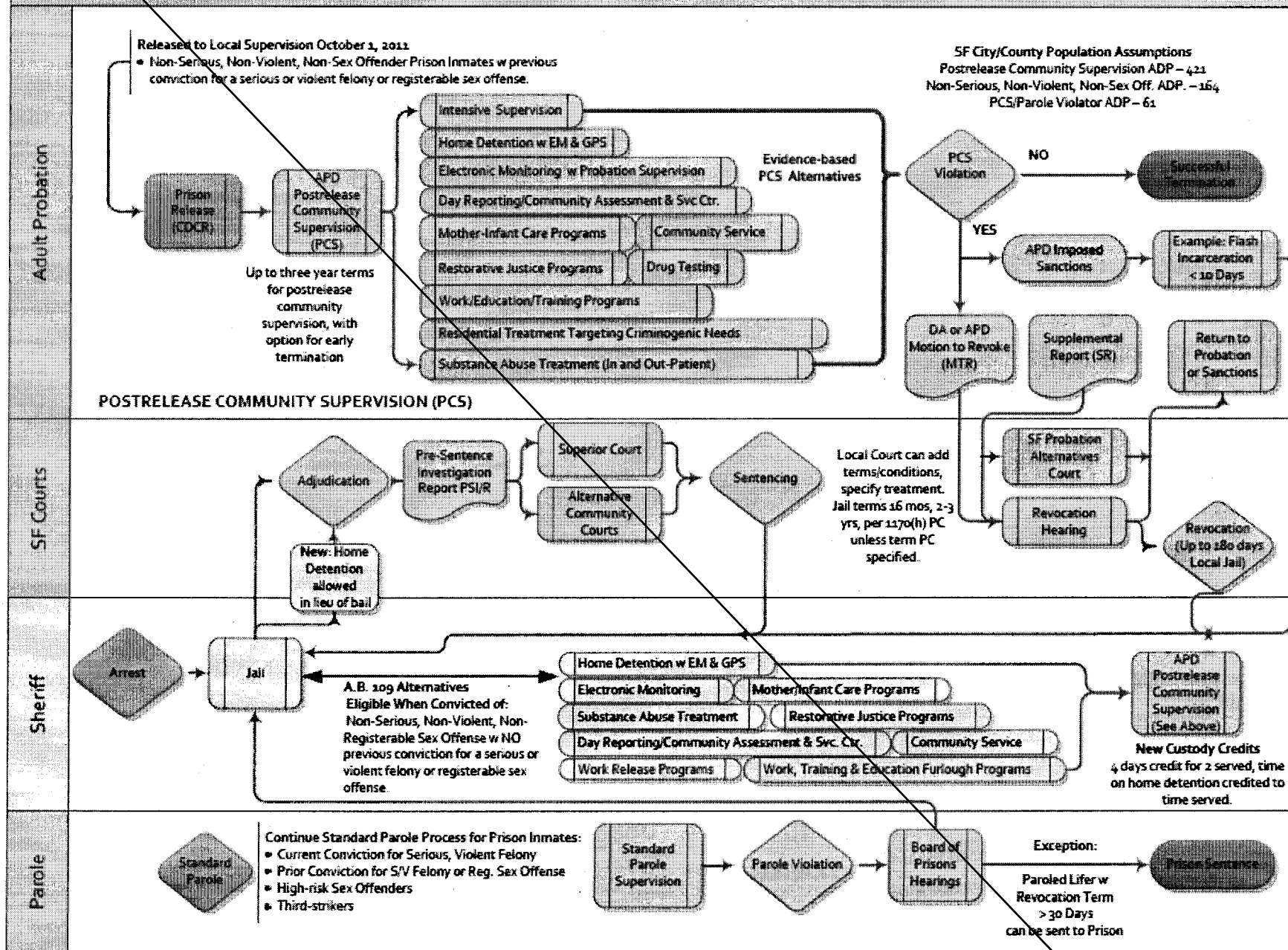
To achieve these outcomes, CCSF partners will develop and track several outcome measures. Examples of potential outcome measures include:

- CCSF partner feedback on effectiveness of mechanisms in place to collaboratively address realignment issues as they arise
- Recidivism rates for non-violent, non-serious, non-sex offenders
- Recidivism rates for parolees now under CCSF jurisdiction
- Number and type of offenders sentenced to county jail and state prison
- Number and type of offenders sentenced to probation or alternative programs

Potential measures will be discussed and developed among the CCSF partners before the October 1, 2011 beginning of realignment, (or be developed by an outside source).

GLOSSARY OF TERMS

AB109	Public Safety Realignment Act of 2011
APPA	American Probation and Parole Association
BPD	Board of Parole Hearings
CAAP	County Adult Assistance Programs. CAAP offers cash assistance to low-income adults without dependent children through four separate programs
CalWORKs	Cash assistance and welfare-to-work services for low-income adults with dependent children.
CalFresh	(formerly Food Stamps) - a monthly benefit that can be used to purchase food.
CAO	County Administrative Officers
CASC	Community Assessment and Service Center
CCP	Community Corrections Partnership
CCPIF	Community Corrections Performance Incentive Fund
COMPAS	Correctional Offender Management Profiling for Alternative Sanctions
CSAC	California State Association of Counties
DA	San Francisco District Attorney
DPH	Department of Public Health
EM	Electronic Monitoring
FTE	Full-Time Equivalent
GPS	Global Positioning System
HD	Home Detention
HSA	Human Service Agency
ITRP	Individualized Treatment and Rehabilitation Plan
Medi-Cal	Health coverage for low-income children, pregnant women, seniors and persons with disabilities.
PC	California Penal Code
PCS	Postrelease Community Supervision
PD	San Francisco Public Defender
PV	Probation or Postrelease Community Supervision Violation
SFAPD	Adult Probation Department
SFPD	San Francisco Police Department
SFSD	San Francisco Sheriff's Department
SRO	Single-room occupancy
UA	Urinalysis sample



Attachment 2

State Realignment (AB 109) Proposed Budget Detail Fiscal Year 2011-12	
Sources	
AB 109 Revenue	\$ 5,787,176
General Fund in FY 2011-12 Budget	\$ 4,800,000
Total Sources	\$ 10,587,176
Uses	
Adult Probation	\$ 4,242,724
Sheriff	\$ 5,150,938
Public Defender	\$ 190,507
District Attorney	\$ 190,507
Human Services	\$ 132,500
Public Health	\$ 650,000
Economic & Workforce Development	\$ 30,000
Total Uses	\$ 10,587,176

Postrelease Community Supervision (PCS) local Incarceration	\$ 5,049,838
AB 109 Planning Grant	\$ 200,000
AB 109 Training and Implementation Activities	\$ 356,325
District Attorney/Public Defender (PCS representation)	\$ 181,013
Court Associated with PCS hearings	
Funding for Superior Court operation is unknown at this time, AOC will distribute	\$ 5,787,176

San Francisco Adult Probation Department Strategic Plan Blueprint

"Protecting the Community, Serving Justice, and Changing Lives"

Workload Needs/Demands Policy, Economic, Community & Demographic Factors Shaping the Size & Characteristics of the probation population

State/Local Policies:

- AB 109, Public Safety Realignment Act for local supervision of realigned offender population by probation staff.
- California Risk Assessment Pilot Projects (Cal-RAPP)
- SB678, implementing evidence-based practices in community corrections
- State policies re Drug Courts, Mental Health, Pre-entry, reentry and Probation Alternatives Court
- Offender targeting priorities
- LE policies/priorities
- Partner agency policies/priorities

Economic Factors:

- Increases in unemployment
- Reductions in public health and welfare funding

Community Factors:

- Political view: crime begins and ends in the community; expectation: offenders should be worked w/ locally
- The justice community trusts the research behind EBP; policy must be based on EBP
- Services have a greater impact on behavior than incarceration. Prison is criminogenic
- Tremendous concern about the inter-generational impact of crime and incarceration – particularly on women and children
- Victims' rights must be high priority in the justice system

Demographic Factors:

- Changing arrest patterns re violent/nonviolent crime
- Victims demographics
- Growing concerns about domestic violence

Strategic Direction Values, Principles, Practices

Values:

- Protection of the community
- Respect & personal wellness
- Opportunities for offender rehabilitation, improved public safety, victim restoration, maximizing officer and employee potential.
- Teamwork and cooperation
- Impartiality, accountability, diversity, professionalism and work ethic.
- Commitment to Safety & Service.
- The trust placed in us - integrity

Principles of EBP

- Assess actuarial risk/needs.
- Enhance intrinsic motivation.
- Target Interventions: *Risk Principle*: Prioritize supervision/treatment for higher risk offenders; *Need Principle*: Target interventions to criminogenic needs; *Responsivity Principle*: Be responsive to temperament, learning style, motivation, culture, and gender; *Dosage*: Structure 40-70% of high-risk offenders' time for 3-9 months; *Treatment*: Integrate treatment into sentence/sanction requirements.
- Skill train with directed practice (use cognitive behavioral treatment methods).
- Increase positive reinforcement.
- Engage ongoing support in natural communities.
- Measure relevant processes/practices.
- Provide measurement feedback.

Work Processes/Procedures The Logic that Drives the Work

Application of Values & EBP into Practice:

Organizational Level Strategies

1. Define success as recidivism reduction and measure performance;
2. Tailor conditions of supervision;
3. Focus resources on moderate and high-risk offenders;
4. Front-load supervision resources;
5. Implement earned discharge;
6. Implement evidence-based supervision;
7. Engage partners to expand intervention capacities.

Supervision Level Strategies

8. Family-Focused Supervision Model;
9. Assess criminogenic risk/need factors;
10. Develop/implement case plans that balance surveillance and treatment;
11. Involve offenders to enhance their engagement in assessment, case planning, and supervision;
12. Engage informal social controls to facilitate community reintegration;
13. Incorporate incentives and rewards into the supervision process; and
14. Employ graduated, problem-solving responses to violations of conditions in a swift and certain manner.

Special Target Populations Require Specialized Services and Supervision:

- See attached description of Target Population Initiatives

Performance Outcomes What We Expect to Occur

Process Outcomes:

- Risk/Needs Assessment completed
- Sentences reflect assessed risk/needs
- Probation sentences increase
- Prison sentences decrease
- Family and children impact statements included in case plans
- Victims are fully involved in the process

Impact Outcomes:

- Probationer and PCS arrests, conviction, violations and revocations decrease
- Recidivism is reduced
- Probation/PCS Cases are completed
- Offenders receive needed services
- Offenders comply w/ court orders
- Harm to individuals and community is reduced
- Increased victim restitution and responsiveness to their needs

Justice System Resources and Infrastructure

For SF-APD and its partner justice agencies, city/county departments and agencies, nonprofit stakeholders, victims groups and advocates

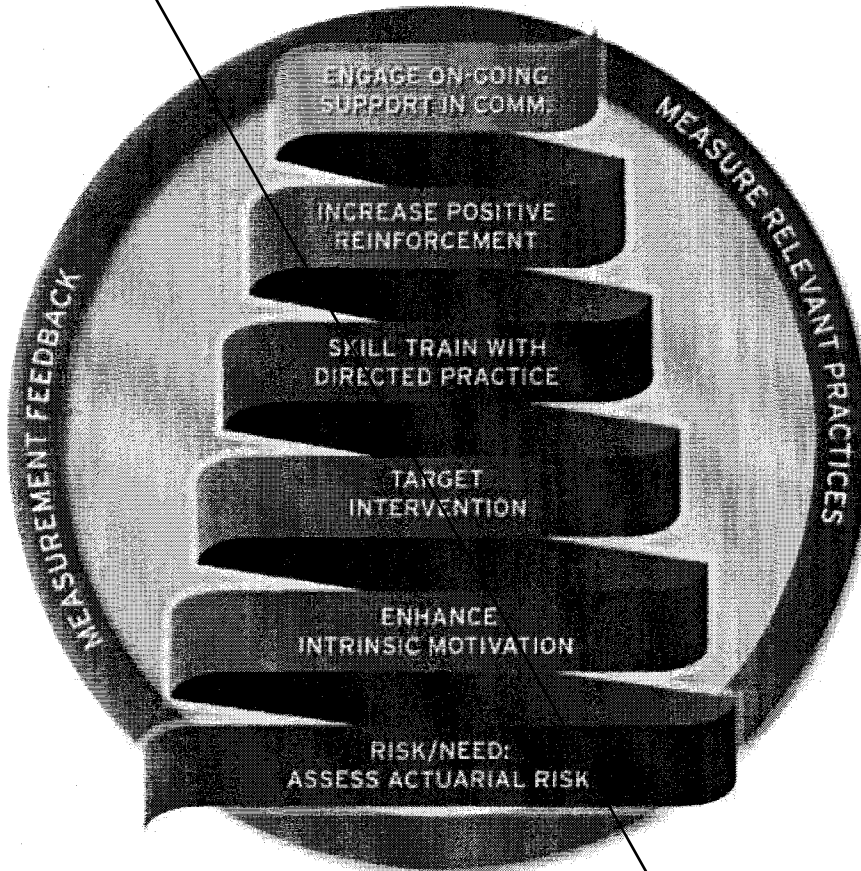
Based on Assessment of Assets, Barriers and Gaps for Each Organization

Technology, Equipment	Facilities, Management, Budgeting	Staffing, Staff Resources, Training	Communications, Coordination, Planning	Policy Development, Performance Monitoring
--------------------------	---	---	--	---

~~EXHIBIT~~ 32

San Francisco Adult Probation Department

IMPLEMENTING EVIDENCE BASED SUPERVISION AND PRINCIPLES OF EFFECTIVE INTERVENTION



PROTOCOLS

Domestic Violence Specialized Supervision Program



WENDY S. STILL
Chief Adult Probation Officer

TABLE OF CONTENT

I. Executive Summary	Page 3
II. Department Overview/Domestic Violence Unit	Page 4
III. Department Mission Statement	Page 6
IV. Department Vision Statement	Page 6
V. Program Design	Page 6
VI. Program Goals	Page 7
VII. Program Objectives	Page 8
VIII. Theoretical Framework	Page 9
IX. Fundamental Approaches	Page 13
X. Guiding Principles	Page 15
• EBP Principles	Pg 15-20
• APPA Guidelines	Pg 21-30
• DV Officer Essential Qualifications	Pg 30-33
XI. "The Start of Probation"	Page 35
XII. Supervision Processes	Page 36
• Assignment of cases	Page 36
• Risk/Needs Assessments	Page 37
• Contact Standards	Page 39
• Individual Treatment and Rehabilitation Plan	Page 39
• Orientation	Page 40
• Batterer Intervention Program Referrals	Page 41
• Batterer Intervention Program Re-referrals	Page 42
• Program Referrals Other than BIP Referrals	Page 42
• Intake Interview	Page 43
• Victim Contact	Page 44
• Progress Reports	Page 47
• Recommendations	Page 49



WENDY S. STILL
Chief Adult Probation Officer

• Probation Modifications/Revocations	Page 50
• Modifications/Early Terminations/Dismissals	Page 52
• Bench Warrants	Page 52
• Police Incident Reports	Page 53
• Case files	Page 54
 XII. Approval of Batterer Intervention Programs	 Page 55
XIII. Court Processes	Page 60
• Court Officer Processes	Pg 60-66
XIV. DV Unit Field Work Protocols	Page 66
• Field Work Procedures	Pg 66-76
• Probation Field Sheet	
XV. Administrative Onsite Review Form AP-DV21	



WENDY S. STILL
Chief Adult Probation Officer

PROTOCOLS

EXECUTIVE SUMMARY

The Domestic Violence Unit Protocols were developed to give probation officers assigned to the unit a clear understanding of the processes involved in the supervision of Domestic Violence probationers in the community. The foundations of current practices in the Domestic Violence Unit are based on the San Francisco Adult Probation Department Mission Statement and Vision Statement:

“Protecting the Community, Serving Justice, and Changing Lives”

“The San Francisco Adult Probation Department achieves excellence in community corrections, public safety, and public service through the integration of evidence based practices, and a family focused, victim centered approach into our supervision strategies. We collaborate with law enforcement, Courts, Department of Public Health, Child Welfare Workers, victim organizations and community based organizations to provide a unique blend of enforcement, justice, and treatment. We are leaders in our profession, exemplifying the highest standards. We extend a continuum of integrated services to address our probationers’ criminogenic needs and empower them to become productive law-abiding citizens.”

This task of supervising probationers is built around a theoretical framework of fundamental approaches and guiding principles. Evidence Based Practices have been



WENDY S. STILL
Chief Adult Probation Officer

incorporated in these protocols to have definable outcomes for probation supervision of domestic Violence probationers in the San Francisco community.

DEPARTMENT OVERVIEW / DOMESTIC VIOLENCE UNIT

On May 1, 1996, the San Francisco Adult Probation Department (SFAPD) inaugurated the Domestic Violence Unit which worked collaboratively with the Domestic Violence Court. Creation of the Domestic Violence Unit and collaboration with the Court resulted from a recommendation of the Commission on the Status of Women to develop a specialized Domestic Violence Unit where domestic violence cases would be closely and adequately supervised.

The Violence Against Women Act of December 2005 data revealed that nearly one in four women experienced at least one physical assault by a partner during adulthood. Approximately 2.3 million people each year in the United States are raped and/or physically assaulted by a current or former spouse, boyfriend or girlfriend. Women who were physically assaulted by an intimate partner average 6.9 physical assaults per year by the same partner. Thirty-eight percent of domestic violence victims will become homeless at some point in their lives and stalking affects over 1.4 million people a year. These statistics on domestic violence and assaults are alarming and still show that there is a need for specialized Domestic Violence probation supervision to address issues of violence in the community.

Data from August 2011 revealed that SF-APD is responsible for supervising approximately 6,261 adult probationers. Of this number, the Domestic Violence Unit



WENDY S. STILL
Chief Adult Probation Officer

oversees 543 probationers which is 8% the total population. The distribution of offenses for probationers assigned to the SFAPD DV Unit is as follows: Spousal Violence Crimes 34%, DV Crimes Against Person 3%, Crimes Against Person (other than DV) 42%, Property Crimes 6%, Narcotics Sales 9%, Drug Offenses 3%, and Non Contact Offenses 3%. As of August 2011, 90% of the DV Units probationers were men and 10% are women. Combined, their ages are as follows: 18 % are 18-25 years old, 29% are 26-35 years old, 28% are 36-45 years old, 19 % are 46-55 years old, and 6% are 56 or older. When SFAPD analyzed the social factors of our DV probationers we found that 43% of domestic violence probationers resided in three districts in San Francisco: Bayview/Hunters Point District (15%), Mission District (12%), and the South of Market District (12%). Typically, people in these three districts are under-employed, under-educated, and require skills training/support.

The Domestic Violence Unit Protocols were first adopted in 1996; this is the 3rd revision. These protocols were updated in 2011 to incorporate Evidence Based Principles and a Victim Centered approach for effective offender intervention and outcomes. The new protocols will use the tools developed from the recently acquired Probation Specialized Supervision grant to enhance supervision processes for Domestic Violence probation clients and should directly impact caseload sizes within the unit. As a result of these changes, the re-victimization of Domestic Violence victims should be reduced and probation outcomes should improve.



WENDY S. STILL
Chief Adult Probation Officer

DEPARTMENT MISSION

"Protecting the Community, Serving Justice, and Changing Lives" is the core mission of the Department and the Domestic Violence Unit.

DEPARTMENT VISION

The San Francisco Adult Probation Department achieves excellence in community corrections, public safety, and public service through the integration of evidence based practices, and a victim centered approach into our supervision strategies. We collaborate with law enforcement, Courts, Department of Public Health, victim organizations and community based organizations to provide a unique blend of enforcement, justice, and treatment. We are leaders in our profession, exemplifying the highest standards. We extend a continuum of integrated services to address our probationers' criminogenic needs and empower them to become productive law-abiding citizens.

PROGRAM DESIGN

The San Francisco Adult Probation Department Domestic Violence Unit model of providing supervision services is based from the Department Mission and Vision Statement, Evidence-Based Principles (EBP) of effective intervention of Domestic Violence probation clients, and the American Parole and Probation Association (APPA) Community Corrections Response to Domestic Violence: Guidelines for Practice.



WENDY S. STILL
Chief Adult Probation Officer

PROGRAM GOALS:

1. The safety of the victim(s) and increase victim satisfaction with Adult Probation Department Services.
2. The rehabilitation of the probationer by developing case plans that utilize Evidence Based Principles and Practices.
3. The development of new strategies in collaboration with agencies in the Criminal Justice System and the Family Violence Council to have better outcomes.
4. The adoption of Evidence Based Practices in the supervision of domestic violence probationers.
5. The establishment of measurable outcomes to address probationer recidivism to enhance public safety.
6. The adoption of Evidence Based Practices into the Batterer Intervention Program design that will incorporate treatment modalities such as Cognitive Behavioral Therapy.



WENDY S. STILL
Chief Adult Probation Officer

PROGRAM OBJECTIVES:

1. Increase victim safety by increasing victim contact with Adult Probation Department staff and Victim Services. Develop and conduct a yearly victim survey.
2. Ensure that all Domestic Violence cases have an assessment of their criminogenic needs and assault risk and develop Individual Treatment and Rehabilitation Plans (ITRP) that address these risk factors.
3. Collaborate and advocate with the Justice and Courage project and Family Violence Council for the adoption of EBP.
4. Will make program referrals for treatment based on probationers' criminogenic needs, provide incentives and rewards for incremental progress on treatment goals, and use intermediate sanctions for minor violations of probation.
5. Will measure program referrals, assessments conducted, program completions, victim notifications, probation revocations, new convictions, number of victim surveys, number of earned discharges, number of victim contacts, number of successful completions of probation.
6. Ensure that all probation clients complete their mandated 52 week Batterer Intervention Program and ensure that certified programs conduct self assessment and program checklist.



WENDY S. STILL
Chief Adult Probation Officer

THEORETICAL FRAMEWORK

A theoretical framework is the body of knowledge that creates the foundation for any successful program. It answers the most practical intervention questions: what needs to happen to move Domestic Violence probationers away from criminal behavior and towards pro-social behavior? We are now able to draw on a considerable body of theories and research from criminology and psychology.

Fortunately, there has been a proliferation of Meta Analyses of practices that has served as the foundation for the Evidence Based Supervision (EBS) and intervention strategies for offenders.

There are theories regarding what causes crime and how to prevent recidivism. It is extremely important that Probation Officers become students of these theories because it will make them a better practitioners. Since no theory can fit all offenders, several theories are presented and will provide the framework for our EBS and intervention strategies utilized for Domestic Violence probationers.

Definition of Domestic Violence

Domestic Violence, also called intimate partner violence (IPV), is an ongoing, debilitating pattern of physical, emotional, and/or sexual abuse involving force or threat of force, associated with increased isolation from the outside world and limited personal freedom and accessibility to resources. A battered person is any person who has been physically injured or emotionally or sexually abused by a person from a current or past



WENDY S. STILL
Chief Adult Probation Officer

intimate relationship. Specific definitions used in this protocol reflect guidelines provided by a Centers for Disease Control and Prevention sponsored panel of experts from the government, private sector, and education/research arenas and published in Intimate Partner Violence Surveillance Uniform Definitions and Recommended Data Elements.

These include:

- Physical abuse or violence: "The intentional use of physical force with the potential for causing death, disability, injury or harm"
- Sexual violence or abuse: "Use of physical force (and intimidation or pressure) to compel a person to engage in a sexual act against her or his will, whether or not the act is completed."
- Emotional or psychological abuse "...involving trauma to the victim caused by acts, or coercive tactics." Emotional abuse represents the psychological burden and consequences or trauma of physical and/or sexual assault as well as verbal and psychological abuse including humiliation, deprivation, and coercion. Other examples of emotional or psychological abuse are rooted in financial and social areas and include controlling money, use of the car, contact with friends and family and other extracurricular activities. For example: frequent calls on the cell phone, monitoring voice mail or caller id history on the phone, hiding the car keys or taking the battery out of the car so that they are late for work, setting limits on who the victim can see and what they can do in their spare time. While the great majority of victims of domestic violence are female, it is important to remember that males can also experience domestic violence and that domestic violence occurs in both heterosexual and same sex relationships.

Theories of Violence: Why Men Batter



WENDY S. STILL
Chief Adult Probation Officer

To be effective, intervention strategies for domestic violence must be based on a clearly articulated theory of violence. To the extent possible, all parts of the community must share this view of violence to effectively coordinate their responses to the problem.

Information regarding the evolution of theories of violence in the United States is useful because various forms of these theories are being discussed in many countries in Central and Eastern Europe and the Commonwealth of Independent States. The first theory developed in the United States was that men who battered women were mentally ill and that women who remained in violent relationships were also mentally ill. This theory proved to be wrong. The number of relationships that involved violence was much greater than original theorists guessed and psychological tests did not support the theory that violence was caused by mental illness. In fact, many batterers and their victims tested "normal" under psychological tests.

Another theory developed that men battered because they learned this behavior in their families. Although there is a statistical relationship between boys who witness their fathers battering their mothers (they are seven times more likely to batter their own wives), there is no significant statistical relationship between girls who witness battering and those who later become victims. Further, many men who witnessed violence as children do not abuse their partners as adults.

A third theory was that women suffered from a "learned helplessness" as a result of repeated battering, which prevented them from resisting the violence or leaving the relationship. This theory does not address the economic, social, and familial reasons that force women to stay in the relationship; it is also inconsistent with the experiences of many women who actively attempt to secure their safety. Research indicates that battered women resist the abuse in many ways and engage in a variety of survival or coping strategies.



WENDY S. STILL
Chief Adult Probation Officer

Yet a fourth theory was that batterers follow a “cycle of violence” with intermittent violent and repentant episodes. The “cycle of violence” theory did not conform to many battered women’s experiences. Many women reported that their partners never repented in their violent relationships, and that violence was not cyclical but rather a constant presence in their lives.

These theories evolved into the current understanding of why violence against women happens. This understanding of how and why men batter was developed through many years of interviews with victims and batterers. According to this model, batterers use abusive and threatening behaviors to exert and maintain Power and Control over their victims. In these relationships, violence rises out of a perceived need for power and control, a form of bullying and social learning of abuse. The Power and Control Wheel is based on this assumption. A diagram called the “Power and Control Wheel,” developed by the Domestic Intervention Project in Duluth, identifies the various behaviors that are used by batterers to gain power and control over their victims. The wheel demonstrates the relationship between physical and sexual violence and the intimidation, coercion, and manipulation of the wife and children that are often used by batterers.

Typology of Male Domestic Violence Offenders:

The Type I or sociopathic batterer presents high levels of physical abuse and emotional abuse. This subtype is likely to be violent outside his home and to have been arrested for violent and nonviolent crimes.

The Type II, or antisocial batterer, is less likely to have been arrested than the sociopathic batterer. He is generally violent and verbally and physically abusive within his intimate relationship.



WENDY S. STILL
Chief Adult Probation Officer

Gondolf's Type III, or typical batterer, commits less severe verbal and physical abuse than either of the above types. He is less likely to use a weapon and is generally less violent outside the home.

FUNDAMENTAL APPROACHES

Domestic violence is behavior in which one person in an intimate relationship misuses his or her power to control or coerce the other partner. Domestic violence includes physical, emotional, sexual, and economic abuse and often involves behaviors to intimidate and control victims. The violence and abusive behaviors are repeated by individuals in a relationship either as a current or former intimate partner of the same or opposite sex (i.e., spouses, ex-spouses, cohabitants, former cohabitants, those who are parents of a child in common, and those in a dating relationship). These relationships allow for the development of a violent context in which victims are coerced, intimidated, degraded, and exploited. This context creates an atmosphere of fear that serves to control the victim.

The San Francisco Adult Probation Department (SF APD) is committed to implement Evidence Based Practices that focus on reducing criminogenic tendencies amongst all offenders including probationers involved in Domestic Violence in the community. The EBP practices should enhance victim and community safety and bring back focus on addressing probationer needs and issues while holding them accountable for their behavior in the community.

The supervision practices involve a collaborative court with Domestic Violence Court to process domestic violence cases and help monitor Domestic Violence cases. This process also includes a higher focus on High-Risk Offenders, delivery of rehabilitation



WENDY S. STILL
Chief Adult Probation Officer

programs that diminish multiple risk factors that will reduce the likelihood of the probationer reoffending; and effective case management that combines risk management strategies with rehabilitation treatment/services.

The department has taken a victim-centered approach to ensure that victim safety is in line with the rehabilitation processes for probationers. The frequency of successful victim contact will help increase the understanding between the probation supervision process and the victim in order to promote and maintain victim safety while a probationer is in the community addressing his/her issues. This process will also involve collaborations with victim service agencies such as the DA Victim Services Division to ensure Domestic Violence victims have access to services and resources that would help them overcome the violence they experienced with the probationer. The victim will also have an opportunity to give the department feedback to ensure that services offered are appropriate and meet their needs through the probation rehabilitation process.

Treatment programs and their efficacy is another key issue in the approach SFAPD has taken with DV probationers in the community. Batterer Intervention Programs (BIP) must adhere to processes outlined in 1203.097 of the California Penal Code. The department is committed to this mandate by providing oversight for certified programs in the community. Higher frequency of contact with a designated DV unit staff member along with training in EBP practices for all certified BIP will help make a probationer's treatment experience more meaningful in the community.

These are some of the approaches the SFAPD DV Unit has adopted to provide meaningful supervision for probationers in the community and help victims overcome the issues that have brought them to this violent episode of their life.



WENDY S. STILL
Chief Adult Probation Officer

GUIDING PRINCIPLES

The SFAPD has adapted the principles of Evidence Based Practices to guide the methods used to manage domestic violence offenders in the community. The principles will also define how we address the specific needs and meet the expectations of DV victims in the community.

The practice of incorporating Evidence Based Principles into community supervision is part of the growing interest in prisoner reentry in the United States. In 2008 the Urban Institute convened a group of leading experts on offender supervision and published the ground breaking publication, "Putting Public Safety First: 13 Parole Supervision Strategies to Enhance Reentry Outcomes". Adult Probation incorporates these thirteen strategies into its supervision practices and has added a 14th to address the importance of family-focused interventions. The fourteen strategies are listed below.

The first seven strategies are at the organizational-level and remaining seven are focused on supervision:

Organizational Level Strategies

1. Define success as recidivism reduction and measure performance;
2. Tailor conditions of supervision;
3. Focus resources on moderate and high-risk parolees;
4. Front-load supervision resources;
5. Implement earned discharge;
6. Implement place-based supervision; and
7. Engage partners to expand intervention capacities.



WENDY S. STILL
Chief Adult Probation Officer

Supervision Level Strategies

8. Assess criminogenic risk and need factors;
9. Develop and implement supervision case plans that balance surveillance and treatment;
10. Involve probationers to enhance their engagement in assessment, case planning, and supervision;
11. Engage informal social controls to facilitate community reintegration;
12. Incorporate incentives and rewards into the supervision process; and
13. Employ graduated problem-solving responses to violations of conditions in a swift and certain manner.
14. Take into account family needs and supports in the supervision and case management process.

These 14 evidence based approaches can readily be applied to the probation population; so many offenders on adult probation supervision are reentering their communities after serving time in jail, the same strategies that apply to improve state prisoner reentry are applicable. Moreover, these strategies are consistent with and further amplify the eight principles of evidence based practice that focus on reducing criminogenic tendencies amongst all offenders.

Eight Evidence-Based Principles for Effective Interventions:

1. **Assess Actuarial Risk/Needs** - Assessing offenders' risk and needs (focusing on dynamic and static risk factors and criminogenic needs) at the individual and aggregate levels is essential for adherence to best practices principles.



WENDY S. STILL
Chief Adult Probation Officer

2. **Enhance Intrinsic Motivation** - Research strongly suggests that "motivational interviewing" techniques, rather than persuasion tactics, effectively enhance motivation for initiating and maintaining behavior changes
3. **Target Interventions**
 1. **Risk Principle** - Prioritize supervision and treatment resources for higher risk offenders.
 2. **Need Principle** - Target interventions to criminogenic needs.
 3. **Responsivity Principle** - Be responsive to temperament, learning style, motivation, gender, and culture when assigning to programs.
 4. **Dosage** - Structure 40% to 70% of high-risk offenders' time for 3 to 9 months.
 5. **Treatment Principle** - Integrate treatment into full sentence/sanctions requirements.
4. **Skill Train with Directed Practice** - Provide evidence-based programming that emphasizes cognitive-behavior strategies and is delivered by well-trained staff.
5. **Increase Positive Reinforcement** - Apply four positive reinforcements for every one negative reinforcement for optimal behavior change results.
6. **Engage Ongoing Support in Natural Communities** - Realign and actively engage pro-social support for offenders in their communities for positive reinforcement of desired new behaviors.
7. **Measure Relevant Processes/Practices** - An accurate and detailed documentation of case information and staff performance, along with a formal and valid mechanism for measuring outcomes, is the foundation of evidence-based practice.
8. **Provide Measurement Feedback** - Providing feedback builds accountability and maintains integrity, ultimately improving outcomes.



WENDY S. STILL
Chief Adult Probation Officer

These 8 EBP principles will be applied as supervision and case management practices at SFAPD as follows:

1. Treatment and programming will be targeted to offenders at greatest risk to reoffend. Other less restrictive and intrusive types of programming will be offered to lower risk offenders.
2. Offender criminogenic needs (dynamic risk factors) will be assessed using research-based instruments. The goal of programming is to diminish these needs.
3. Programming will take into account individual offender characteristics that interfere with or facilitate an offender's ability and motivation to learn (responsivity principle).
4. Individual programming will occur within the context of a larger behavior management plan developed for each offender, which will include the priority and sequence of treatment programs, the means for measuring treatment gains, and the goals for a crime free lifestyle.
5. Treatment programming will employ cognitive-based strategies which research has consistently determined are more effective than any other form of correctional intervention given their focus on changing criminal thinking and anti-social behavior in offenders.
6. Strength-based approaches engaging assessed pro-social behavior/individual strengths will be combined with intervention programs possessing the capacity for rewarding positive behavior in addition to responding appropriately to negative behavior will be used to motivate behavioral change.
7. Programming will involve the offender's immediate family members, natural supports in the community and social service agencies in the community to increase likelihood of success. The justice system should empower the community—families, neighborhoods, religious and cultural institutions, businesses—to reduce crime through deliberate



WENDY S. STILL
Chief Adult Probation Officer

efforts that assist offenders under correctional control and provide support to reduce criminal behavior.

8. All programs have identified outcomes and developed integrated methods for measuring progress toward meeting objectives. Data related to performance measures will allow evaluation of progress in meeting objectives and inform program improvements.

The top eight criminogenic risk/need factors identified in assessments and addressed through correctional interventions and pro-active case management are listed below. These will be the focus of SFAPD supervision activities.

Criminogenic Factor	Factors Affecting Recidivism Risk	Need or Desired Outcome
Anti-social Attitudes	Attitudes, beliefs, values, and rationalizations supportive of crime; emotional states of anger, resentment, and defiance	Less risky thinking and feelings and adopting a pro-social identity
Antisocial peers and friends	Close association with criminals and relative isolation from pro-social individuals	Reduced association with criminals, enhanced associations with pro-social individuals
Antisocial Personality	Adventurous, pleasure seeking, low self control, restlessly aggressive	Learn problem solving, self management, coping, and anger management skills



WENDY S. STILL
Chief Adult Probation Officer

Family and/or martial factors	Lack of nurturance, caring, or close monitoring and supervision	Reduced conflict, build positive relationships and communication; enhanced monitoring and supervision
Substance Abuse	Abuse of alcohol and/or drugs	Reduced use, personal and interpersonal supports for substance abuse behavior; enhanced alternatives to use
Lack of Education	Low levels of performance and satisfaction	Enhanced rewards, performance, and satisfaction
Poor Employment History	Low levels of performance and satisfaction	Enhanced rewards, performance, and satisfaction
Leisure/Recreation	Low levels of involvement and satisfaction in antisocial activities	Enhanced involvement and satisfaction in pro-social activities

Unique justice system practices in San Francisco can also enhance the overall process of using EBP to manage domestic violence offenders in the community. The following are those unique processes:

- The use of the Collaborative Courts (Domestic Violence Court-DV Court) process in managing domestic violence probation cases. Currently all DV cases are monitored through DV court while probationers are engaged in their treatment programs. All DV cases that require Court action are facilitated through DV Court.
- All DV probationers will have a secondary DV assessment conducted as part of the supervision process.



WENDY S. STILL
Chief Adult Probation Officer

- The increased frequency of victim contacts will be a part of the strategy of supervising DV probationers in the community
- All DV probationers must complete a mandated 52 week BIP.

APPA Guidelines for Domestic Violence Community Supervision and Enforcement

Guideline 1:

Recommended sentences, supervision conditions, and case plans match the level of assessed risk and provide community corrections personnel with the tools and authority needed to hold offenders accountable and promote victim safety. All DV probation cases monitored through the collaborative Domestic Violence Court probation conditions follow the 1203.097 PC Statutes. This statute outlines specific conditions of probation for Domestic Violence offenders.

Guideline 2:

The process of moving cases through investigation, sentencing and intake is expedited so that supervision begins as soon as possible. All new DV grants of probation are referred to the Adult Probation Department Orientation immediately after sentencing in Department 15. In the event the DV grant is generated in another department or is a transfer in from another jurisdiction, the probation officer will schedule the orientation at the first intake visit with the defendant. This process ensures that these DV probationers are aware of their specific DV probation conditions and that they are immediately referred to a BIP..



WENDY S. STILL
Chief Adult Probation Officer

Guideline 3:

Initial supervision is intensive and occurs within a context of ongoing evaluation of risk; differential supervision and intervention options are implemented based on risk level changes. Supervision strategies seek to foster victim safety, offender accountability, and offender behavior change. Upon assignment to the DV Court and DV unit all new DV probationers must undergo assessment. This process includes a Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment; application of a DV-specific assessment tool, the Ontario Domestic Assault Risk Assessment (ODARA); development of an Individual Treatment and Rehabilitation Plan (ITRP); a Court Review scheduled 2 weeks after sentencing to demonstrate proof of enrollment in a BIP; a referral to the DV Orientation; and an intake interview with the assigned DV probation officer. All of these tasks must occur within 30 days of case assignment.

Guideline 4:

Offenders are required to maintain abstinence from alcohol and other drugs. The 1203.097 PC statute allows the Court or Probation Department to make provisions for probationer to enter a licensed chemical dependency program if needed. The COMPAS assessment will identify this need and an ITRP developed to address substance abuse issues.

Guideline 5:

Offenders are required to relinquish firearms or other known weapons. Probationers will be advised about the Federal and State firearm prohibition for DV offenders during the



WENDY S. STILL
Chief Adult Probation Officer

intake interview process. Officers will then conduct a records check through the Automated Firearms System to check if a DV probationer has any firearms registered in his/her name. Any checks that are positive during this query will be immediately reported to law enforcement for confiscation of the weapon or further Court action.

Guideline 6:

Community corrections professionals are aware of stalking behaviors and the threat they represent to victims and employ supervision strategies that prohibit stalking by the offender and promote victim safety. The DV Unit currently receives stalking cases that have 52 week BIP treatment requirements. These probationers are referred to a specific BIP that has the professional capacity to deal with these types of probationers. SF APD will participate in the SF District Attorney's Office Stalking Task Force.

Guideline 7:

Community corrections professionals thoroughly document activities, findings, and problems related to case supervision. All probationer, victim, and collateral contacts must be documented in the Ctag system and case file. The officers must also update information in the ITRP on a regular basis to ensure ITRP goals are being met.

Guideline 8:

Protocols and strategies are adapted as needed to be culturally sensitive. Probationers are referred to BIPs that are aware of cultural sensitivity and diversity. Resources are also made available to probationers to accommodate diverse language.



WENDY S. STILL
Chief Adult Probation Officer

Guideline 9:

Community corrections personnel remain vigilant about their own and others' safety during the course of supervision. Officer safety is the highest priority for departmental staff while they perform their duties as outlined. Officers who conduct field work are given tailored ballistics vests and have access to police radios when conducting field work. Officers conduct field visits independently though may pair up for field visits when assessed circumstances of the case indicate existence of safety concerns. All officers are required to provide an itinerary of anticipated field visits to the Unit Supervisor and Unit Officer of the Day. Field work is always conducted with officer safety as the primary goal.

Guideline 10:

Community corrections professionals impose immediate responses for any violations of supervision conditions. The department will use evidence based practices of employing graduated, problem-solving responses to violations of conditions in a swift and certain manner.

Guideline 11:

Warrants for violators and absconders are processed and served expeditiously. DV Unit officers receive on a daily basis information directly from DV Court through the Court Officer if their probationer received a Bench Warrant. Officers will make all attempts to contact the probationer to immediately address the Bench Warrant through their attorney and through DV Court. If contact is not made, officer can access the resources



WENDY S. STILL
Chief Adult Probation Officer

of the SFPD Fugitive Recovery Enforcement Team or through the SFPD District station to serve the outstanding Bench Warrant on the probationer.

Guideline 12:

Procedures are followed for promoting victim safety when a cross-jurisdictional placement and supervision of a domestic violence offender is requested or carried out. It is departmental policy to adhere to the 1203.9 PC Jurisdictional Transfer statutes and the Interstate Compact. Probationers who are determined to reside in another jurisdiction are transferred through a 1203.9 PC transfer or through Interstate Compact.

APPA Guidelines for Victim Safety and Autonomy

Guideline 1:

Community corrections professionals contact domestic violence victims using methods that promote victim safety and provide victims with information that will help them make decisions about their safety. Probation Officer is required to send a Victim Notification Letter (VNL) within 7 days of case assignment. SFAPD has collaborated with the District Attorney's Victims Services Division to create a resource guide for victims of domestic violence. This resource guide will be sent to DV victims in conjunction with the VNL.

Guideline 2:

Community corrections professionals discuss risk assessment information with the victim. The victim will be sent correspondence indicating case file information, probation officer contact information as well as risk assessment information as part of the



WENDY S. STILL
Chief Adult Probation Officer

supervision process. In addition, SFAPD staff will work with the DA Victim Service Division staff to facilitate contacts with victims.

Guideline 3:

Further periodic contact occurs with the consent of victims unless they are being notified of an escalation in their risk or a change in the case status. It is the mandate of these protocols to increase victim contact. Attempts to contact the victim shall be made every 30 days for high risk cases and every 90 days for all other probation cases unless victim safety issues are identified. In these cases, the probation officer must immediately make every effort to contact the victim if the victim's contact information is known.

Guideline 4:

Community corrections professionals validate the experiences of domestic violence victims, provide encouragement and assistance to victims, promote their safety, and actively support each victim's right to autonomy and self-determination. All victim contacts will be professional and with an understanding that the victims of Domestic Violence may have some issues and needs to be addressed that affect their personal safety. Victim Satisfaction Surveys will be conducted on all victims to ensure that this guideline is met.

Guideline 5:

Community corrections professionals protect the confidentiality of victim information. All victim contact information is confidential, but victims must always be informed that Court processes require victim testimony to substantiate any violations of stay away orders or



WENDY S. STILL
Chief Adult Probation Officer

any other possible violations of the probation. In these cases, DA Victims Services should have a role in providing support for victims in Court.

Guideline 6:

Community corrections professionals assist victims with preliminary safety planning and refer them to domestic violence victim advocates for additional safety planning assistance. DA victim advocates provide safety planning processes for victims and every effort will be made to ensure that initial victim contacts were made in collaboration with SF DA Victim Services.

Guideline 7:

Community corrections professionals recognize the risks of separation violence to victims and monitor cases closely to warn victims of related risks, and hold offenders accountable. All DV staff are required to participate in a minimum 16 hours of DV related training to help recognize and deal with the issues of risk and victim safety.

Guideline 8:

Community corrections professionals identify additional victims of the perpetrator (if any) other than the victim of record and contact them with information that will help them make decisions about their safety. Probationers have regular records checks to identify any new police incident reports. If officers find new reported incidents of violence which include new victims, probationers are immediately returned to Court. If appropriate, probation conditions are modified to include additional stay away orders and these new victims are contacted as outlined in the victim section of these protocols.



WENDY S. STILL
Chief Adult Probation Officer

Guideline 9:

Women offenders on community supervision are screened for a history of or current domestic violence, and if abuse is present, they are provided the same supportive services as are non-offender victims. All women offenders are referred to BIPs that deal specifically with women offenders. If identified during this treatment process, San Francisco has resources available for women probationers through the SF Sheriff's Re-Entry program.

Guideline 10:

Community corrections professionals are cognizant of the risks to children and others living with an abuser, report suspected abuse or neglect as mandated, and share appropriate information about the offender's behavior to assist in decision-making about the safety of the victim and others living with domestic violence. All DV Unit probation Officers are mandated Child Abuse Reporters if there are any suspicions that child abuse has occurred.

APPA Guidelines for Batterer Intervention Programs

Guideline 1:

Batterer Intervention Programs (BIP) are used in conjunction with community supervision protocols. The primary focus of a batterer intervention program is offender accountability; any rehabilitative benefits for offenders are secondary. The goal is stopping the violence and abuse. The Court's requirement to order BIP treatment as a



WENDY S. STILL
Chief Adult Probation Officer

condition of probation supervision is stated in 1203.097 PC. The goal of the BIP treatment program under this statute is "to stop domestic violence".

Guideline 2:

BIPs conform to appropriate standards that have been developed in partnership with domestic violence advocacy organizations. The BIPs must have components outlined under 1203.097 PC which was developed in partnership with various advocacy groups throughout the state.

Guideline 3:

Community corrections professionals discuss with victims the purpose and limitations of batterer programs. SFAPD has adopted a Victim Centered Approach under these protocols which will address this issue. Furthermore, frequent victim contacts, better coordination with the DA Victim Services Division, and a yearly victim satisfaction survey will help guide this model of supervision to achieve this guideline.

Guideline 4:

There is regular communication between BIP personnel and community corrections officers regarding attendance, participation, and progress of offenders in these programs. Community corrections professionals respond immediately when offenders fail to comply with court-ordered program attendance and participation. DV probationers in this jurisdiction have periodic Court reviews which require BIP Progress Reports for this Court process. Probationers who fail to adhere to attendance requirements and participation requirements are addressed in this DV Court process.



WENDY S. STILL
Chief Adult Probation Officer

Guideline 5:

Where possible, batterer intervention programs accommodate offenders with special needs or diverse cultural backgrounds. BIPs, under 1203.097 PC, require programs to provide content that is culturally and ethnically sensitive.

Guideline 6:

Female domestic violence offenders do not attend batterer intervention program groups with male offenders. The 1203.097 PC statute requires probationers to attend same-gender group sessions.

Guideline 7:

BIPs have protocols for assessing and referring offenders with substance abuse or mental health problems to appropriate treatment programs, when indicated. San Francisco BIPs adhere to these guidelines and documents the recommendations in the Progress Reports submitted to SFAPD. In addition, programs can request case conferences with the DV Unit Probation Officers to collaboratively address this issue with any probationer.

DV Officer Essential Qualifications



WENDY S. STILL
Chief Adult Probation Officer

In order to ensure that these guidelines and principles can be met, staffing of the unit is crucial for the processes outlined in these protocols. The following is an outline of essential qualifications for probation officers assigned to the unit:

1. Interviews, investigates and supervises Domestic Violence adult offenders including cases which may entail severe personality and emotional disorders, dangerously aggressive behaviors, aggravated offenses; interviews offenders, law enforcement officers, government agencies, employers, victims, family, relatives, acquaintances, and others in order to evaluate the nature of the violation, extent of responsibility, attitude, plans and other related information; interacts with workers from other agencies in cases of mutual interest; investigates personal background, family history, education, employment and financial status; conduct visits to adult offender homes and other community locations to obtain pertinent social and economic background information; prepares and submits case findings requiring reports with recommendations for unit supervisor's approval; may represent department in court; records disposition and conditions of probation, interviews probationers about installment payments of court imposed fines, restitution and child support. Maintain case files in accordance to existing standards outlined in the Adult Probation Department and the Domestic Violence Unit. Officers are required to have contact with their assigned probationers per DV Unit Contact standards.
2. Officers are assigned Officer of the Day duty days requiring the officer to cover OD duties for DV Unit from 8:00 am to 5:00 pm; uses the In & Out Board on a daily basis; advises OD of any scheduling issues such as field work or Court appearances; checks voice mail and e-mail on a daily basis; officers are also on a rotational Supplemental report assignment list and can receive report



WENDY S. STILL
Chief Adult Probation Officer

assignments per assignment from the DV Unit supervisor. In addition, DV Unit members are to submit monthly statistical reports to their unit supervisor. Officers are to conduct case assessments for all cases assigned to their caseloads. Case reviews will be conducted to the Unit Supervisor to ensure that this process is met.

3. Appears in Court as needed and represents the department in matters involving probation decisions and questions raised by the Court, District Attorney, or the defendant's attorney; submits Supplemental Reports and any rotational Supplemental Reports in a timely manner as required; calendars and presents motions to extend, revoke, modify, and terminate probation. May present oral progress and/or supplemental reports in Domestic Violence Court regarding probationer's conduct in the community or pertinent information regarding victims of domestic violence issues. Serve as Court officer for Domestic Violence Court as needed and/or assigned and is included in a Back-up Court Officer rotation maintained by the DV Unit Supervisor; prepare, obtain, and review materials needed for probationers listed on the daily Domestic Violence Court calendar, this process requires that an officer prepare files for the daily Court calendars which includes running probationers in the local and state data base system to determine if he/she has new police incident reports, new arrests, and/or new warrants; findings should be noted in case files. After Court, files are placed in the unit Court files shelf and officers are to get their files from these shelves as soon as possible.
4. Assists in training of new or reassigned officers to the Domestic Violence Unit and may act as backup supervisor when needed. All officers must complete their



WENDY S. STILL
Chief Adult Probation Officer

mandated 40 hours of training annually, 16 hours of this mandated training should be focused on DV related issues and concerns.

5. May represent the department at community group meetings focused on Domestic Violence and/or related issues pertinent to the Domestic Violence Unit, and aid in the development of resources for batterers and/or victims of Domestic Violence.
6. Discusses the nature and conditions of probation with probationers and respondents; counsels and advises probationers and refers them to certified agencies and organizations dealing with Domestic Violence issues or related social, emotional or legal problems; evaluates probationers' progress complying with court orders through ongoing records checks; prepares periodic reports and recommendations; discusses revocation action, case progress and case termination with supervisor, answers questions from Courts, other departments and community organizations regarding the status and progress of probationers. Establish lines of communications with victims and offer pertinent service referrals to community based agencies that deal specifically with victims of Domestic Violence issues, conducts Batterer Intervention Program referrals by sending the e-mail referral forms to the programs and providing the Unit supervisor with the copies of documents required for the referral process.
7. Serves as liaison between the probation department and the Courts, Department of Human Services, Sheriff's Department, California Department of Corrections, and other agencies which deal directly with batterers and victims of Domestic Violence; confers with other staff members on casework techniques and special problems; maintains contacts with various employment related agencies;



WENDY S. STILL
Chief Adult Probation Officer

supervises Domestic Violence probationers during their enrollment in batterers treatment programs; prepares and maintains reports and records.

8. The DPO must be able to work in the office or in the field. Duties may require the DPO to work nights and/or weekends.



WENDY S. STILL
Chief Adult Probation Officer

THE START OF PROBATION

Most of the domestic violence probation grants are ordered out of Department 15, known as the Domestic Violence Court. Other grants of probation on domestic violence cases come from different Courts, and some are from other jurisdictions.

PROBATION GRANT FROM DV COURT:

1. The Judge orders the defendant to attend the Domestic Violence Orientation at the Adult Probation Department. Domestic Violence Orientations are held at the Adult Probation Department Conference Room every week. The Judge advises the defendant that failure to attend the Domestic Violence Orientation is a violation of probation, and orders the defendant to appear in Court in two weeks for an attendance and referral compliance check. If the defendant fails to attend the Domestic Violence Orientation, the Probation Department notifies the Court through the Probation Department Court Officer and further Court action may be taken on a case by case basis.
2. The Judge orders the defendant to see the Probation Officer/Court Officer in Court. The defendant is given and signs the Orientation Referral Form. Spanish-speaking defendants are given the Orientation Referral Form in Spanish and are instructed to report to the Adult Probation Department to see their assigned Spanish-speaking Probation Officer on the regularly scheduled orientation day. One copy of the Orientation Referral Form is



WENDY S. STILL
Chief Adult Probation Officer

given to the defendant and another copy is placed in the defendant's probation file.

PROBATION GRANTS FROM OTHER COURTS:

1. Defendants who have Domestic Violence Offenses and are sentenced from other Courts are ordered to report to Department 15, normally two days after the grant of probation, where they are given instructions to attend the Domestic Violence Orientation as discussed above.
2. If the Court does not order the defendant to report to Department 15 for the Domestic Violence Orientation instructions, the defendant reports to the Adult Probation Department for the assignment of a Probation Officer. The assigned Probation Officer instructs the defendant to attend the orientation. The Probation Officer will have the defendant's case added to the Department 15 calendar for future Progress Reports regarding treatment requirements.

SUPERVSION PROCESSES

ASSIGNMENT OF CASES

Once the Adult Probation Department's Records and Reception Unit receive the Court Slip containing the Probation Order, a file will be generated. The Probation Number, which is also the SFPD Number, will be assigned to the defendant in the case management system (Ctag). The defendant's file should contain his/her mug shot,



WENDY S. STILL
Chief Adult Probation Officer

incident report, and Pre-Sentence Report, SFPD Rap Sheet, CII and FBI records, if available. If the defendant has a prior probation record, the new grant of probation will be added to the file. If the defendant is on active grant of probation and is being supervised by another unit, the new grant will be forwarded to the Domestic Violence Unit Supervisor for transfer to the Domestic Violence Unit. All Ctag entries must be updated prior to the transfer of the case to the Domestic Violence Unit.

The main criteria for acceptance of a case for assignment to the Domestic Violence Unit is that the defendant is being ordered by Court to attend a 52 week Domestic Violence BIP, regardless of the offender's conviction offense.

The file on the new probationer will be "charged out" to the Domestic Violence Unit by Records and Reception staff to ensure proper entries have been made in the Ctag assignment and paper file tracking system. The Domestic Violence Unit Supervisor assigns the case to one of the Probation Officers in the Unit. Spanish-speaking probationers are assigned to Spanish-speaking Probation Officers. All probationers who are 18-25 year old will be assigned to the caseload handling probationers in the age group. The assignment is then entered into the Ctag case management system and in the Court Management System (CMS) (QPRO) screen.

Risk/Needs Assessment:

The San Francisco Probation Department will utilize the Northpointe COMPAS risk and needs assessment tool and a secondary validated DV tool (the ODARA) to assess assault risk of probationers assigned to the Domestic Violence Unit. This information will be used to formulate an ITRP for the DV probationer which is a fundamental process of evidence based supervision. The DPO will use the assessment tool to identify each



WENDY S. STILL
Chief Adult Probation Officer

probationer's strengths, needs, and criminogenic risk factors which is foundational to developing an ITRP

All cases assigned to a caseload must have an assessment completed within 30 days of case assignment.

The COMPAS assessment tool and the ODARA tool will help determine the risk level for cases assigned to each caseload. This risk level shall be the determining factor for supervision and contact standards for all cases assigned in the DV Unit.

The assessments will include information regarding life conditions of the participant at the time of the crime, as well as examples of his/her assets and capabilities and propensity for dangerousness. Ongoing re-assessment will occur at regular intervals to adjust supervision intensity, modify the ITRP when major milestones have been reached, and impose sanctions in response to serious issues of noncompliance with supervision conditions.

All cases shall have a re-assessment completed every 6 months to address/adjust the supervision level of cases assigned to each caseload. Case re-assessments will be conducted every 90 days for high risk probationers. More frequent re-assessments can be conducted depending upon a changing event to the defendant's probation. Re-assessment must be completed on probationers who have been brought before the Court for any violations of probation. A new arrest or violation of probation should automatically trigger the reassessment.

The assessment will include, but is not limited to, the following areas: 1. Personal development and family of origin; 2. Educational development; 3. Vocational



WENDY S. STILL
Chief Adult Probation Officer

Training/Employment; 4. Criminal justice involvement, both as an adolescent and adult; 5. Past and current relationships; 6. Physical, emotional, history; 7. Parenting history, including children's ages, needs, current places of residence, difficulties and strengths, and the parent's plans for reunification with children if appropriate. 8. Medical history, including use of psychotropic medications; 9. Psychological history, including trauma; 10. Alcohol and drug use history, including substance use/abuse patterns in the woman's family of origin; 11. Living situation prior to commitment; 12. Examples of resiliency; and 13. Assets and capabilities (i.e., SSI eligibility).

CONTACT STANDARDS

All DV cases shall have supervision levels determined through the COMPAS assessment tool. These supervision levels shall have the following contact standards:

High Risk Cases: 1 office visit/1 field contact every 30 days

Medium Risk Cases: 1 office visit and/or 1 field contact, and a collateral contact every 60 days

Low Risk cases: 1 office/collateral contact every 90 days.

Probationer contact is instrumental in ensuring that cases assigned to each caseload are appropriately supervised.

INDIVIDUAL TREATMENT and REHABILITATION PLAN (ITRP)



WENDY S. STILL
Chief Adult Probation Officer

After completion of these two assessments the Probation Officer will develop an ITRP for each participant based on the criminogenic needs identified in the risk and needs assessment. This plan will outline the participant's course of treatment while assigned to the DV Court to include plans for successful rehabilitation. The plan is based in part, on information obtained in the initial interview and assessment process. The ITRP builds on probationer's strengths and capabilities and serves as the fundamental basis for providing services and setting goals for the DV Court participants.

The ITRP will address a wide range of needs identified in the assessment including those related to substance abuse, co-occurring disorders, physical and mental health, medical issues, trauma, social service issues, immediate and long-term treatment goals, and the most appropriate treatment methods and resources to be used. The ITRP will define the treatment plan requirements and expectations for participation and successful completion of program elements, as well as the consequences for non-participation. All DV probationers assigned to the DV Court are mandated to complete a 52 week BIP; this will be indicated in the ITRP.

ORIENTATION

All DV probationers must attend the Domestic Violence Orientation, which is held weekly at the Adult Probation Department. Domestic Violence Orientation is presented by members of the Domestic Violence Unit. Orientation lasts approximately one hour. No probationer is allowed to attend the orientation, if she or he is more than 15 minutes late.

All probationers are required to complete the Domestic Violence Program Placement questionnaire, prior to their Domestic Violence intake interview.



WENDY S. STILL
Chief Adult Probation Officer

After the orientation, all probationers will be seen by a Domestic Violence Probation Officer for intake interview and referral to a Batterers' Intervention Program. This process ensures that all new or reinstated probationers are referred to their BIP after the probationer attends the Orientation process.

In addition to this orientation process, the assigned Probation Officer must see all new or reinstated probationers within eight days from the time the Court refers the case to the Adult Probation Department.

BATTERERS' INTERVENTION PROGRAM (BIP) REFERRALS

The Probation Department must refer the probationer to a BIP using Form AP-DV07. One copy is given to the probationer, another copy stays with the file and copies are sent to the specific BIP by mail. An e-mail to the BIP is required as part of the referral process. Thereafter the program returns the first page of AP-DV07 marked whether the probationer has or has not enrolled in their program. Probation officers must provide the BIP with a copy of the incident report on the case, upon request.

The referral must be recorded in the case management system upon completion of the referral process. This referral process must be done immediately after the DV Orientation process.

All referrals should take into consideration individual offender characteristics when matching probationers to programs. These characteristics include culture, motivational stage, and learning styles. These factors have great influence on an offender's responsiveness to treatment.



WENDY S. STILL
Chief Adult Probation Officer

Domestic Violence probationers should only be referred to BIPs certified and approved by the Adult Probation Department; this list is maintained by the DV Unit supervisor. . If the probationers are residents of other jurisdictions, they are referred to BIPs approved and certified by the Probation Department in that jurisdiction. Domestic Violence probationers who have language problems may be referred to private counseling or other counseling upon approval of the Court.

BATTERERS' INTERVENTION PROGRAM RE-REFERRALS

Once the probationer has been referred to a BIP, he/she cannot change to another program without the permission of the Court or the assigned Probation Officer. The BIP must have a re-referral from the Probation Department before they can accept the probationer.

PROGRAM REFERRALS OTHER THAN BIP REFERRALS

The successful outcome of DV cases will depend upon the Probation Officer's ability to establish a formalized process to deliver services to probationers based upon their needs. Depending upon their needs, probationers will be directed to EBP programs in the following areas of need: education, vocational readiness/training/placement, housing, substance abuse, cognitive behavioral programs, mental health, and sex offender treatment in the community.

Program referrals are a part of this process which should be linked to the probationer's ITRP. Every identified criminogenic need should have a program referral as part of a offender's ITRP. All referrals should take into consideration individual probationer characteristics when matching probationers to programs.



WENDY S. STILL
Chief Adult Probation Officer

All program referrals shall be recorded in probationer's case file and Ctag records. Officers will maintain statistical information on all referrals made each month.

INTAKE INTERVIEW

Prior to intake interview, the Probation Officer must review the probation file. The probationer's file should have the Court Slip, a mug shot, incident report, rap sheet, Pre-Sentence Report for felony cases, CII and FBI records, if available.

All Intake interviews must be completed 10 business days after a case is assigned to an officer. Probation Officers should take all steps in locating probationers assigned to their caseload to meet this intake interview requirement. Probationers who fail to report to the department as directed should be returned to Court as soon as possible for further Court action.

At Intake Interview, the Probation Officer explains to the probationer the terms and conditions of probation as stated or marked in the Court Slip/Probation Agreement or as listed in the CMS printout in the file. The defendant must submit the completed Program Placement Questionnaire Form to his/her Probation Officer and a Background Questionnaire Form and Financial Statement Form must be completed or must be submitted by the probationer during the next probation supervision visit.

Officers must explain the firearms prohibition to probationers during the interview and a check through the Automated Firearms System (AFS) will be done on the SFPD Level II system. Officers logging into the SFPD Level II system can access this query by going



WENDY S. STILL
Chief Adult Probation Officer

to the AFS mask and entering the information in the query fields. All AFS checks must be documented in Ctag and the casefile. AFS checks should also be conducted during the risk re-assessment to ensure probationer compliance to this Federal/State firearms prohibition. Any AFS queries that reveal a probationer may have a firearm must be immediately reported to SFPD or the law enforcement authority where the probationer resides. A police report is required on this finding and a copy of this report must be retained in the file. Violations of the firearms prohibition must be referred to DV Court for further action.

The Probation Officer must schedule a follow up interview with the probationer to conduct assessments that will be used to develop the ITRP; this will include the COMPAS and ODARA assessments.

As part of this intake process, an address verification check must be conducted on all intakes within 45 days of the assignment of the case. The officer must obtain from the probationer documents such as a lease/rental agreement, PG&E bill, cable bill, telephone bill, or any other document that provides proof of residency. This address verification process then requires a probation officer to go to the listed address and verify that the address exists. This process constitutes an address verification check.

If the probationer is from out-of-state, they may be allowed to return to their home state after the Interstate Compact transfer request is completed and approved.

VICTIM CONTACT

The Adult Probation Department is committed to incorporating a victim centered approach in managing domestic violence cases..



WENDY S. STILL
Chief Adult Probation Officer

The DV Unit Probation Officer assigned any new probation case must make an attempt to contact the victim of the domestic violence incident committed by the probationer. The probation officer must send a Victim Notification Letter, AP-DV08 Form immediately upon receipt of the case (e.g. within 7 working days of case assignment) if victim's address is known.

This process can be facilitated through a CLETS record check; review of police incident reports; review of the probationer's District Attorney file; contact through the SFPD Investigator assigned to the case; or through the Victim Services advocate in the District Attorney's Office.

The correspondence sent to victims must have information indicating the case Court number, name and telephone number of the assigned probation officer, status of the Stay Away Order in the probation conditions, contact information for the DA Victim Services Unit, probationer custody/jail release date, risk assessment information and any relevant information pertaining to the probationer's case which will enhance victim safety. The correspondence will also advise the victim to contact law enforcement if there are any "Stay Away Order" violations. The notice will request information regarding any restitution that may be owed by the probationer for domestic violence incidents.

It is a mandate of the DV Unit to increase victim contacts which will help enhance victim safety. Given this mandate, all attempts to contact DV victims must be documented in the probationer's file and in the Ctag case notes screen. Attempts to contact the victim shall be made every 30 days for high risk cases and every 90 days for all other probation cases unless victim safety issues arise. In these cases, the probation officer



WENDY S. STILL
Chief Adult Probation Officer

must immediately make every effort to contact the victim if the victim's contact information is known. Upon the filing of any Motion to Revoke Probation the victim(s) shall be contacted via telephone and/or correspondence. It is the Probation Officer's responsibility to make every effort to obtain a statement from the victim before preparing a Supplemental Report.

Correspondence returned to this department from victims must be noted in the defendant's Ctag notes and case file. Any responses made by victims during these contacts shall be documented in the probationer's Ctag records and case file.

Probation Officers should always be sensitive to the needs and issues of DV victims during any contact. Contacts should be supportive and victims should always be reassured that their issues and concerns are being heard. Probation officers should also maintain their accessibility to victims; matters dealing with victim safety should be addressed immediately. Should the victim speak a language other than English, the probation officer should enlist the assistance of another probation officer who speaks the language needed or use resources provided by the Language Line Services.

A Resource and Referral List developed by Adult Probation Department and the DA Victim Services Unit will be provided to the victim in this correspondence.

All Victim contact information is confidential and will not be released to the probationer. Probation Officers should never disclose any information to probationers that may jeopardize a victim's safety.



WENDY S. STILL
Chief Adult Probation Officer

A Victim Satisfaction survey will be conducted with all victims on an annual basis to determine the level of service given and to help identify service needs for victims of Domestic Violence.

PROGRESS REPORTS

Progress reports from the probationer's assigned Batterers' Intervention Program offers the Probation Officer and the Courts insight into the defendant's compliance with the treatment process. Progress reports must be submitted for each Court date or upon the request of the Probation Department. Once the probationer has attended at least 2 sessions and his/her progress in the program is considered satisfactory, Court review of progress reports will be adjusted accordingly.

It is the responsibility of the Probation Officer assigned to the case to follow-up on all progress reports that are required by the Court process. This follow-up should ensure that the probationer's case file contains updated progress reports from the program prior to the probationer's Court date. On-going contact with program in the form of case conferences/ program site visits is encouraged to help facilitate this requirement.

If the probationer has completed at least 12 sessions, he/she must submit a progress report once every two months, as long as his/her progress on the program and progress on probation are satisfactory. If the probationer has completed 26 sessions, he/she submits his/her progress report once every 3 months, as long as his/her progress on the program and progress on probation are satisfactory. The BIP shall provide progress reports to the Probation Department by e-mail. It is the responsibility of the BIP provider to deliver a progress report to the Probation Department in a timely manner.



WENDY S. STILL
Chief Adult Probation Officer

When the probationer is scheduled to appear in Court, a progress report must be provided to the Court, the Court Officer or his/her Probation Officer. If his/her progress is determined by the Court Officer or Probation Officer to be satisfactory, the probationer may have his/her appearance waived in Court. The Court Officer or the Probation Officer must notify the probationer of the next court hearing relating to the progress report.

If the defendant's progress in the program is less than satisfactory or if the defendant experienced a new arrest or is in violation of the terms of his/her probation, he/she must appear in Court on the progress report.

The DPO shall make entries in the case management system (Ctag) and the narrative portion of the file regarding the defendant's progress on probation. The Court Officer must have the file with him/her on the day these cases are calendared in Court. The assigned DPO must run a record check (QRAP, CII check, and QIS14) the day before these cases are scheduled for a hearing. If the probationer has a new arrest, the Probation Officer must obtain three copies of the incident report. If the probationer has new charges, the DPO must note in the file and in the Ctag system, the status of the new case. All new arrest/incident reports should be screened with the Domestic Violence Unit Supervisor to determine possible courses of action against the probationer.

If the probationer has been rejected or has not been accepted by the program, the probationer must be referred to another program as soon as possible.

If the probationer has been discharged from the program, the DPO may re-refer him/her back to the same program one more time. The Probation Officer is encouraged to work



WENDY S. STILL
Chief Adult Probation Officer

with programs through case conferences in resolving these program discharge issues. If the probationer has been discharged twice by the same program, the probationer must be returned to Court for Probation Revocation/Modification/Review.

At the discretion of the Court, probationers may be given credit for prior program attendance.

RECOMMENDATIONS

It is the policy of the SFAPD to follow a model of graduated rewards and sanctions in every case under supervision including Domestic Violence cases. The graduated reward/response model is an evidence based practice that allows the DPO to consider a probationer's criminogenic needs when determining sanctions for violations reported to the Court. Each recommendation relating to imposition of a sanction or incentive will involve a case consultation between the Probation Officer assigned to the case and the DV Unit Supervisor, prior to submission of a Supplemental Report to Court. Issues addressing technical violations of probation will also be examined through this consultative review process to develop a viable course of action in the probation violation process.

All recommendations shall use the probationer's ITRP to determine issues that should be modified by the Court during this Court process. The foundation for supervision is the probationer's ITRP and this should be a key part of Supplemental Reports submitted to Court.

The DV Court will adopt an evidence-based progressive sanction and incentive program model. This model will include an evaluation of the participant's risks, severity



WENDY S. STILL
Chief Adult Probation Officer

of the violation, the nature of the condition and a review of his/her historical level of compliance with the conditions of probation.

The SF DV Court's response to program violations will consist of a graduated continuum of both sanctions and services. Minor technical violations will be handled administratively by the DPO and more serious violations will be referred to the DV Court. For example, when responding to drug use, the continuum of sanctions could include increasing drug testing, placement in a drug program, house arrest, or a short period of jail ("flash") incarceration. The goal will be to implement the sanction with celerity and certainty, consistent with the level of violation.

The SFAPD maintains a "NO TOLERANCE POLICY" on probationers who re-offend in a violent manner towards the victim in a domestic violence incident or any violent act in the community. Mitigating circumstances may be considered in implementing "NO TOLERANCE POLICY" responses.

Lifting of a stay away order shall not be recommended unless the victim agrees to the lifting of the stay away order, and the victim has been interviewed by the Probation Officer and the DA Victim Services. The victim must indicate that he/she is no longer in danger. The outcome from this interview process will be reported to DV Court for consideration in determining if a Stay Away Order should remain in place or should be lifted. Probationer compliance with all the other terms and conditions of his/her probation and his arrest history should also be considered in this process.

PROBATION MODIFICATION/REVOCATION

If the probationer suffers a new arrest and is in custody, the probationer must be placed on a Probation Hold, and the Probation Officer must file a Motion to Revoke Probation



WENDY S. STILL
Chief Adult Probation Officer

using AP-67 Form within 48 hours from placing the Probation Hold, and schedule the Motion to Revoke hearing within the time frame authorized by the Court. If the probationer is in custody on a new case in another jurisdiction, the DPO should ascertain the location of the defendant, get a copy of the incident report, and upon approval from the Unit Supervisor send a Teletype Hold to the jurisdiction where the probationer is being held. A Motion to Revoke Probation requesting that a Bench Warrant be issued should indicate that a hold has been requested in another jurisdiction. This Motion shall be filed for the Court date specified on the Teletype. The DPO, with the assistance of the court clerk, is responsible for ensuring that the warrant issued is in the San Francisco Warrant Bureau on the specified date.

If the probationer has been arrested on a new case but is no longer in custody, or if the probationer has been named as a suspect in a police incident report, the Probation Officer may file a Motion to Revoke/Modify/Review Probation using AP-67 Form. A Notice to Appear must be sent to the probationer to his address of record.

If the probationer is arrested on a new crime involving violence, the Probation Officer shall recommend that the probationer be remanded into custody and request a Supplemental Report. In making a Supplemental Report, the Probation Officer must make every effort to find the victim, and obtain a statement. In all felony grants of probation, the probationer must be interviewed prior to the preparation of the Supplemental Report.

All revocation recommendations and re-arrest recommendations must be cleared by the Unit Supervisor. Any recommendations for State Prison must be approved by the unit Division Director.



WENDY S. STILL
Chief Adult Probation Officer

PROBATION MODIFICATION/TERMINATION/DISMISSAL

The Probation Officer must follow the criteria and procedures set forth in SFAPD policies and procedures pertaining to Motions to Modify to Court Probation, Motion to Terminate Probation Early (Section 1203.3PC), and Motion to Dismiss Charges (Section 1203.4PC).

It is the policy of the Adult Probation Department to follow a model of graduated rewards and sanctions in every case under supervision including Domestic Violence cases. The graduated rewards model is an evidence based practice that allows DPO's to reward probationers who have addressed his/her criminogenic issues through appropriate treatment referral processes provided by the probation department. Probationers who have successfully completed these treatment processes and who have adhered to their probation conditions and have remained arrest and violent free can be considered for a reduced level of supervision 90 days after successfully completing a BIP, and may be returned to Court for review for possible relief to Modify to Court Probation, Motion to Terminate Probation Early (Section 1203.3PC), and Motion to Dismiss Charges (Section 1203.4PC).

BENCH WARRANTS

If the probationer has a Bench Warrant, all efforts must be made by the Probation Officer to locate the probationer before closing the file. If the location of the probationer is identified, the Probation Officer must notify the probationer that he/she has a Bench Warrant, and to surrender and/or contact his/her attorney. The probationer's attorney of record must file the proper motion in Department 15 to address the Bench Warrant that was issued. The probationer's appearance in Department 15 is mandatory for Motions to Recall Bench Warrants.



WENDY S. STILL
Chief Adult Probation Officer

In the event the DPO is unable to locate the probationer, the probation officer will contact the SFPD Fugitive Recovery and Enforcement Team (FRET) or the SFPD District Station of the probationer's last documented residence to make an attempt to serve the outstanding warrant. Officers can also contact the SFPD Domestic Violence Response Unit to make attempts to serve the outstanding warrant. When providing warrant information to any law enforcement agency, officers will provide updated information regarding the probation status and any information regarding potential risk.

Efforts made to contact the probationer must be documented in the probationer's file and in the Ctag case notes screen. All cases that have been placed on Bench Warrant status must be entered in the legal cases screen of the Ctag case management system by authorized Records and Reception staff.

All Bench Warrant cases submitted to the Unit Supervisor for closing are listed on a spread sheet in the DV Unit. This sheet is maintained by DV Unit support staff. Law Enforcement agencies requesting warrant information must submit a request in writing to the department. Release of this information must be approved by the Chief probation Officer or her designee. *Law Enforcement agencies must also be advised that they should also conduct their own verification process to ensure that the warrant status on the list is still active and has not been previously served. Unit staff participation in warrant service activities and/or operations must receive prior approval by the Chief Probation Officer or her designee. Any warrant service activities must be conducted with trained and properly equipped law enforcement personnel in the community.

POLICE INCIDENT REPORTS



WENDY S. STILL
Chief Adult Probation Officer

Upon receipt of a copy of a new incident report from the San Francisco Police Department on a domestic violence probationer, the support staff of the DV Unit or in his/her absence, the supervisor of the unit must sign the receipt of the report and note the new incident report in the Incident Report Log and immediately forward the report to the assigned Probation Officer.

When the assigned Probation Officer receives the report he/she must make a determination as to what action is to be taken as a result of the new incident. All recommended courses of action such as probation violation bookings, teletype hold, etc must be screened with the DV Unit supervisor or his/her designee. Any course of action determined during this screening process must be noted in the Ctag case management system and in the case file. In all instances, the Judge must be made aware, either by filing a motion in Court or by memo, of the new incident report.

CASE FILES

Files should be maintained per Policy and Procedures # 106.02 of the San Francisco Adult Probation Department pertaining to case files. Probation Officers are required to make all pertinent information notations in the Ctag case management system case notes screen and all other Intake and Case Management screens and in the probationer file. Copies of assessments and re-assessments should also be included in the probationer's case file. These assessments will serve as a foundation in developing the ITRP. Correct and thorough documentation is crucial and required for proper handling of the case.



WENDY S. STILL
Chief Adult Probation Officer

APPROVAL OF BATTERER INTERVENTION PROGRAMS

The California State Legislature, through passage of Assembly Bill 226, designated sole authority to County Probation Departments to approve, deny, suspend, or revoke batterers' program certification and annual renewal.

The Probation Department's standards for certification of batterers' programs are based on the mission of this agency to protect the community. In so doing, the certification and evaluation process focuses on the program's compliance with the law and whether the program procedures and practices advance the safety of domestic violence victims and their children, and hold batterers personally accountable for all acts of abusive behavior.

Pursuant to Penal Code Section 1203.097, the Probation Department shall design and implement a process for approval and renewal of batterers' programs and shall solicit input from domestic violence victim advocacy programs and other criminal justice agencies. Each program is required to obtain only one approval but must renew that approval annually.

Applications to become a program provider of a 52-week batterer intervention program will be accepted for processing when the Probation Department's needs cannot be met by current certified providers. It is the policy of the department to provide BIPs that meet statutory requirements per 1203.097 PC. These programs must strive to incorporate evidence based practices that will help probationers address their needs while on probation.

The probation department will help provide training in evidence based practices and principles applicable to BIPs during monthly BIP providers meetings. These EBP practices incorporated in the BIPs will help achieve the core mission of the Department



WENDY S. STILL
Chief Adult Probation Officer

which is to protect the community, serve justice, and change lives.

Any certified program which has been identified to have some deficiencies in their services provided to probationers will be given, in writing, a description of the issue(s) observed and possible remedies to address the deficiency. This process will include establishing deadlines to address these issues; failure to address these deficiencies will result in suspension and/or revocation of program certification. The designated Compliance Officer will work with any certified program to address these programmatic concerns in a timely manner to help facilitate program services that aid probationers in their rehabilitative journey.

CERTIFICATION PROCEDURES:

1. The staff member in charge of the certification process will mail a Domestic Violence Batterer Intervention Program Provider application packet to the inquiring provider.

The packet will include:

- Cover Letter
- Certification Application
- Penal Code Sections
- Batterer Intervention Programs/Probation Department Requirements.

2. The Compliance Officer in charge of the certification process will review the application packet and ensure that all department requirements and those set forth in Penal Code Sections 1203.097 and 1203.098 have been met and supporting documentation has been received.
3. If anything is missing from the packet, the Compliance Officer will contact the provider and advise them of the additional information that will be needed prior to the certification visit. The Compliance Officer will schedule a date with the program



WENDY S. STILL
Chief Adult Probation Officer

director for the initial Administrative Site Visit and advise him/her that there will also be an unannounced program group visit prior to the Administrative Site Visit.

4. A Compliance Officer from the Domestic Violence Unit will conduct an unannounced program group visit. The Compliance Officer should arrive fifteen minutes before the group's start time in order to speak to the facilitator regarding the goal for the group and the strategies that will be used to achieve that goal.
5. The Compliance Officer should pay special attention to writing down the time the meeting starts, when breaks are taken and for how long and when the meeting ends. The Compliance Officer should write down as many notes as possible regarding their observations, as it will make completing the Site Visit form.
6. The Compliance Officer should complete the Administrative Onsite Review form AP-DV 21 and turn it in to the DV Unit Supervisor the next day.
7. The Compliance Officer ensures that the Site Visit form is complete and makes appropriate notations regarding any areas of concern. Completed forms will be kept in a centralized file by the Compliance Officer.
8. An initial Administrative Site Review will be conducted by the Compliance Officer who will review the application packet and the Site Visit form with the program director to address any areas of concern or to obtain additional information or clarification. The Compliance Officer will also review all required forms/reports as well as the expectation for file set-up as indicated in the Batterers' Program Onsite Certification File Review
9. Before leaving the initial Administrative Site Visit, the supervisor will ensure all items on the Administrative On Site Review form have been completed and/or properly documented.
10. The Compliance Officer will make a determination if the provider is to be certified as a Batterer Intervention Program provider. The Compliance Officer shall discuss



WENDY S. STILL
Chief Adult Probation Officer

his/her recommendation with the DV Unit Supervisor and the Division Director before notifying the program in writing that it has been conditionally certified.

11. Referrals will only be made to certified Batterers' Intervention Programs as outlined in Penal Code Sections 1203.097 and 1203.098.
12. Once all requirements have been met, a certification letter will be sent to the provider by the Compliance Officer.
13. Providers who have not met all program requirements will be notified in writing by the Compliance Officer (with a copy to the Division Director, Chief Deputy and Chief Adult Probation Officer). The provider may appeal this determination by submitting a written rebuttal.
14. Batterer Intervention Programs will have a site visit conducted on a monthly basis and appropriate documentation will be made of all visits.
15. All providers must attend all BIP providers meetings facilitated by the Compliance Officer.
16. The Compliance Officer must complete the Administrative On Site Review form AP-DV21 for certified BIPs.
17. The Compliance Officer must maintain a program file for all certified BIPs. The program file must contain all documents required by the certifications process, the CPC assessment tool, the evidence based CPC Scoring Sheet, the program curriculum, program class schedules, any program statistics submitted, any correspondence to the BIP, program facilitators log, program training log, and any other documents related to the program.

The BIP certification process requires a level of oversight that demands frequent program site visits to ensure services being offered to probation clients are within the structure outlined in 1203.097 PC. This compliance process is currently being facilitated in other probation agencies by a designated Deputy Probation Officer (DPO). The



WENDY S. STILL
Chief Adult Probation Officer

designated DPO or Program Compliance Officer shall have the following essential functions for the Domestic Violence Unit:

- Batterer Program Certification/Re-certification process.
- Monthly Site Visits and Administrative Reviews with all certified BIP; the Compliance officer will conduct at least 2 program site visits per week.
- Program site visits should be conducted during class hours which generally occur during early evening hours or weekends.
- Any site visit conducted will be documented and logged into a site visit tracking system which the Compliance Officer will maintain.
- The Compliance Officer will conduct monthly BIP providers meetings. These meetings will be a venue to provide training to programs about processes that are based on Evidence Based Principles.
- The Compliance Officer will conduct weekly DV Orientation sessions for all probationers referred to this process.
- The Compliance Officer will work with the DV Court Officer to help facilitate the process and/or locate Court slips for DV cases in the unit.
- The Compliance officer will be the primary liaison between all program providers that deliver services to DV probation clients from the unit.
- The Compliance Officer will ensure that all BIPs provide timely progress reports for probationers in DV Court.
- The Compliance Officer will maintain a master list of all DV Unit probationers in each BIP
- The Compliance Officer will maintain a log of BIP referrals, BIP completions, BIP re-referrals which will be submitted to the DV Unit supervisor each month.



WENDY S. STILL
Chief Adult Probation Officer

- The Compliance Officer will also serve as a liaison to the DA Victim Services Division and to other victim services groups in the community.
- The Compliance Officer should attend various community meetings that focus on Domestic Violence and the management of intervention services for probationers and victims of DV.

COURT PROCESSES

The San Francisco Adult Probation Department Domestic Violence Unit assigns a Probation Officer/Court Officer to the Domestic Violence Court to represent the Department in all domestic violence cases.

DUTIES OF THE COURT OFFICER:

The day before the Court Hearing

1. The next day's Court Calendar will be obtained from the Records and Reception printer.
2. All case files for the calendar will be placed by the Probation Officers assigned to the case in a designated area where the Court Officer will gather them together to start the preparation process for the calendar.
3. The Court Officer will review case narratives from the last Court Hearing.
4. Note on the Court Calendar:



WENDY S. STILL
Chief Adult Probation Officer

- a. Proof of Enrollment (POE) cases – which program the defendant, was referred to.
 - b. Progress Report (PR) cases – which program the defendant is attending and any significant development.
 - c. APD Motions – Court Officer reads the reports and summarizes vital information, such as date probation was granted, compliance with reporting requirements, compliance with treatment, new incidents or arrests, prior modifications, etc.
5. The Court Officer will review new incidents, identified through the computer query in (QIS). If there is a new incident report the Court Officer will ensure that three copies of the incident report are available for the Judge, the District Attorney, and the Defense Attorney. It is the primary responsibility of the assigned Probation Officer to run a record check and to obtain a copy of the incident reports.

The morning of the Court Hearing before going to Court

1. The Court Officer will obtain the Bench Warrant Calendar from the Records and Reception printer.
2. Locate files either in the assigned Probation Officer's file cabinet, Bench Warrant file cabinet or in the closed file section.



WENDY S. STILL
Chief Adult Probation Officer

3. Review and determine defendant's performance on probation and the reason the Bench Warrant was issued.
4. Run a computer record check (QRAP and QIS14) for any arrests or incidents since the last Court appearance. If there is a new incident, the Court Officer gets a copy of the report from the reporting agency, and makes copies for the Judge, the District Attorney, and Defense Attorney.
5. Make a note on the Court Calendar, including date probation was granted, performance while on probation (program attendance, reporting requirements, and/or new incidents), summary of new incidents if any, prior modifications, reason for Bench Warrant and recommendation.
6. Read any summaries and recommendation prepared by the assigned Probation Officer.
7. Get copies of upcoming reports for distribution in Court to the District Attorney and the Defense Attorney.

IN COURT:

Prior to Court Hearing

The Court Officer meets with all probationers calendared for Court prior to their Court appearance. Probationers who are in Court for Progress Reports (PR) who may have a copy of their progress reports from their programs should present this information to the Court Officer. Progress Reports from the BIPs are sent to the BIP Reports E-mail box at the department. The Probation Officer assigned the case should print this information



WENDY S. STILL
Chief Adult Probation Officer

for the file the day before the Court date. The Court Officer reads the Progress Report and if the report is satisfactory, the Court Officer gives a written notice of the probationer's next Court appearance. If the Progress Report from the program is not satisfactory, or if the probationer has a new incident, new arrest or has any significant information that needs to be brought to the attention of the Judge, the Court Officer instructs the probationer to remain in Court as his/her Court appearance is needed. The Court Officer notes these instructions on the Court Calendar.

Presentation of Cases to the Court:

1. For Proof of Enrollment (POE) cases – name of program where the defendant was referred.
2. For Progress Report (PR) cases – names of program where defendant is attending plus significant development.
3. For Motion to Revoke (MTR), Supplemental Reports (SR), and Bench Warrant Return (BWR):
 - a. Recommendation
 - b. Date probation was granted
 - c. Every court appearance and outcome
 - d. Performance on probation, including compliance with reporting requirements, program attendance (mention times defendant attended



WENDY S. STILL
Chief Adult Probation Officer

program and absences, date last time defendant attended program), new incidents (include information about victim, i.e. if the same victim, if there is a stay away violation, nature of incident, prior record (especially past assaults and domestic violence cases).

The Public Defender/Defense Attorney might request to be present during the review of the Court Calendar with the District Attorney, since they are entitled to this information.

4. Provide the District Attorney and the Defense Attorney with copies of the new incident report(s) to be presented to the Court.

Presentation to the Judge prior to Court Hearing:

The Court Officer will review with the Judge the Court Calendar. The Court Officer will inform the Judge of probationers who have submitted their Proof of Enrollment (POE) and/or Progress Report (PR), and who have not. The Court Officer will discuss with the Judge the Adult Probation Department's motions, Supplemental Reports and any other pertinent information. The Court Officer will notify the Judge of the probationers that the Adult Probation Department will recommend to be remanded into custody or of any probationers who have been booked on violations of probation prior to the Court process.

During Court:

1. Explain, instruct and sign-up probationers for Domestic Violence Orientation using the DV Orientation Referral Form (AP-DV 17).



WENDY S. STILL
Chief Adult Probation Officer

2. Give the defendants a reminder slip of their next Court appearance, and type of report (POE, PR) to bring to Court.
3. Approach the Bench, when attorneys are asked by the Judge to do so.
4. Note on the Court Calendar the disposition of each case. This information will be transferred later to the defendant's probation file and into the Cttag case management system by Records and reception staff.

After Court:

1. Write in the probation file of the defendant a summary of the Court proceedings, including the disposition, and any further report, instructions, and investigation ordered by Court for future court dates. The Court Officer gives to the Supervisor reports ordered by Court.
2. Return the files to the DV Unit Supervisor who reviews the entries in the case files and returns the files to the assigned Probation Officers.

It is the responsibility of the assigned DPO to read the narratives and to comply with the orders and requests of the Court. It is also the responsibility of the assigned Probation Officer to ask for clarity of any information in the narratives from the Court Officer.

It is the responsibility of the assigned DPO to arrange their files in the order stated in the department Policy and Procedure #106.02 on arranging files before the files are given to the Court Officer for the Court Hearing.



WENDY S. STILL
Chief Adult Probation Officer

The Court Officer will also be responsible for making a Court Order, Court Slip from the Clerk in Domestic Violence Court for DV Unit members or for any other members of the Department.

Domestic Violence Unit Field Work Protocols

Probation Officers assigned to the Domestic Violence Unit are a key piece of the public safety component for Domestic Violence offenders supervised by that unit. Their basic responsibilities include the monitoring of offenders assigned on their respective caseloads; responding to probation matters brought before the Domestic Violence Court; conducting consistent reviews of offenders as to their compliance with Court ordered terms and conditions of probation; assisting victims of offenders in obtaining restitution and other services focused on victims (This process is accomplished through Court orders to obtain restitution facilitated by Probation Officers and through referral to community based service providers who can address victims of Domestic Violence needs); and assisting probationers to become responsible citizens and facilitating the processes involved in the rehabilitation of offenders.

To conduct these processes and responsibilities, Probation Officers must perform a wide range of duties and tasks in various locations throughout the community and under a wide array of circumstances. Officers may be required to perform tasks at the probationer's place of residence, place of employment, residence of other family members, or at programs that facilitate the re-integration of probationers in the community.



WENDY S. STILL
Chief Adult Probation Officer

Conducting these tasks should never be at the expense of personal safety and as outlined in the Department Mission Statement, officer safety is a recognized priority. Staff safety is achieved through training, policy and procedures.

The primary function of conducting field work with probationers is to facilitate the process of changing inappropriate behaviors manifested by probationers. Although some aspects of field work can be focused on "law enforcement" activities, a majority of activities should be focused on necessary case work functions such as verifying probationer's addresses; ensuring that probationers are abiding by the Court ordered stay away orders; verifying employment status; and conducting program compliance checks. The offender population profile and the dangerous environments where these field work activities are conducted shall dictate how these tasks are conducted; officers shall not engage in unsafe activities. Officers are encouraged to conduct these activities using a team approach to enhance officer safety.

To minimize these risks, Probation Officers shall have an orientation on departmental philosophy of field supervision. They will have proper training in the appropriate use of safety and communications equipment. They will have prior approval from their unit supervisor prior to conducting field work in the community. Unit supervisors shall consider individual officers' conditioning as well as use of caution, common sense, and discretion when determining training avenues for officers who would be conducting field work. Probation Officers in the field shall always maintain a high level of professionalism when conducting field work in the community. They should always be professional and conscientious about the service they provide to their clients and the community.

Probation Officers will be trained according to certified training processes under the supervision of the Unit supervisor prior to performing field work. The Unit supervisor will



WENDY S. STILL
Chief Adult Probation Officer

be responsible for conducting advanced field training processes with the Domestic Violence Unit members to ensure compliance with department approved field supervision processes. Under no circumstances should Probation Officers conduct field work without prior training from staff experienced in field supervision.

FIELD WORK PROCEDURES

The department considers field work an essential part of case supervision and is a required protocol for domestic violence cases unless special circumstances dictate otherwise. Field visits are conducted at the offender's residence or other locations in the community. Probation officers typically perform field work independently however when circumstances warrant – as determined by consultation with the unit supervisor – the officer may be accompanied by another officer. If a DPO is making a field contact with a probationer of the opposite sex, the DPO may enlist the assistance of another DPO to make the contact. It is not mandatory however, to have a same sex DPO for these contacts. Field work is to be conducted in a manner that assures staff safety and is consistent with Department policy. The following are categories of field work:

- A. Home/Residence
- B. Place of Employment (when mutually agreed upon or as circumstances warrant)
- C. Service providers and BIP sites (to ensure participation in required programming)

Each probationer on a DV caseload will have an approved Probationer Field Sheet that outlines all identifying data about that individual. The field sheet will have a probationer's Residential History, Employment History, Supervision Plan, and provide a space to document contacts in the field. The caseload field books will be taken by each



WENDY S. STILL
Chief Adult Probation Officer

officer to conduct their field work. All information gathered during the field check shall be documented in the field book when in a safe area. This information should then be transferred into the Ctag system the next business day when the DPO has access to an agency computer. Field books will be made available to the Unit Supervisor and/or Division Director when requested.

HOME/RESIDENCE

Prior to making a field contact with an offender, the DPO should conduct an office interview with the offender. The interview shall include a process where the Probation Officer obtains information about the probationer's background, the defendant's address of record and any other addresses which the probationer may use during the course of his/her probationary period, the area in which the probationer lives, information and criminal histories about other individuals who may be at the probationer's place of residence, and probation and/or parole status of other residents living at the probationer's address of record. Conditions of probation should be explained to the probationer with emphasis placed on announced and unannounced field visits as well as conditions involving searches and seizures.

The following guidelines shall be observed when conducting field work in a probationer's residence or home:

1. A review of all available information shall be conducted to determine announced or unannounced field contacts and whether additional staff is needed to facilitate the field contact.
2. A criminal history check shall be conducted for local and state level records prior to the field contact to determine if other individuals at the residence are currently



WENDY S. STILL
Chief Adult Probation Officer

on probation and/or parole; have had a recent history of involvement with the probation or parole system; convicted of a recent criminal offense or have outstanding warrants, etc.

3. Ensure a field safety kit is in the Department vehicle before leaving for a field visit.
4. Prior to conducting the field contact, officers shall locate the residence on a map or through computer search processes such as Mapquest to plot the safest and shortest route to the residence. They shall also determine the SFPD District Station which has jurisdiction over the area where the residence is located and if outside San Francisco, the officer shall determine the law enforcement agency having jurisdiction over the area. Officers should also consult other officers who are familiar with the area or contact the law enforcement agency having jurisdiction over the area to get an idea of the residence location and status.
5. Officers shall always advise their Unit Supervisor of their location and field work status. This process includes the filing of a field itinerary in the Unit Field log and with the Unit Supervisor. The filed itinerary should also be given to the Unit Officer of the Day to apprise the O.D. of the officer's field status. Before conducting field visits, officers must always check out with the Unit supervisor or the designated supervisor, and will check in with the supervisor when the field visit(s) is(are) completed.
6. The use of departmental vehicles is required for conducting field work. Public transportation, department-owned bicycles and walking are other authorized modes of transport for field work. Officers will arrange for a departmental vehicle through department procedures. Officers are responsible for ensuring the vehicles used in field work are sufficiently fueled and are in good working order. Officers shall follow all state laws and departmental policies when operating an agency vehicle. Officers are responsible for any fees when their operation of a



WENDY S. STILL
Chief Adult Probation Officer

Department vehicle results in a parking tickets, moving violations or vehicle towing costs.

7. DPO's shall always have some form of communication equipment when conducting field work. Prior to leaving the office, officers shall ensure that the communications equipment is in good working order. Communications equipment is defined as a cellular phone and a radio. Radio checks with dispatch shall be conducted prior to leaving the office.
8. DPO's shall always conduct a driving pass through the area where the residence is located to take note of the surrounding area and to have some idea of individuals who are loitering in the area where the field work is being conducted, any occupied vehicles, loose dogs, etc. If an officer feels uncomfortable about the area or the situations observed, the Field contact should be aborted until law enforcement back up can be obtained to conduct the field contact in a safer environment.
9. DPO's should park their vehicle in a safe and legal area. Officers should avoid parking directly in front of a probationer's residence or in the driveway of the residence. Officers should also call in their locations to the radio dispatch and advise them that they are 10-7 I (Law Enforcement Investigation) prior to exiting their vehicle.
10. DPO's should be aware of their surroundings when exiting the vehicle. Potential hazards should be noted such as dogs, chemical smells, loose steps, etc. Officers should also take note of the sounds emanating from the residence they plan to visit. These sounds may be an indication of activities, which may jeopardize officer safety. If the situation does not seem safe, officers should leave the area and/or call for backup.
11. Officers should be aware of who is currently in the residence they are visiting.

This information can be obtained by asking the person they contact "who is



WENDY S. STILL
Chief Adult Probation Officer

currently home". Officers should also scan the area for any objects, which can be used as weapons and try to control this through seating arrangements or removal of the object from the area where the interview will be conducted.

12. When necessary officers may request that the interview be conducted without all family members present. As appropriate interaction with offenders should include family members as a means of engaging an offender's natural supports in the case management process.
13. Officers should be conscientious of confronting probationers in their home. The home where the field visit is being conducted is not a controlled setting and engaging in certain interactions in this location may jeopardize officer safety.
14. If conducting a chemical test/ follow specific agency guidelines in conducting such a test.
15. When appropriate, conduct a walk through of the residence as well as a walk through of the area where the probationer maintains their personal belongings. Take note of the residence floor plan and make notes of the observations after the field contact, away from the residence.
16. Prior to leaving the residence, officers should check the area in front of the house and the area where their vehicle is parked. If the situation warrants, officers can request law enforcement backup through the radio or if appropriate, the officer can request the probationer to accompany him/her to the vehicle.
17. Once in the vehicle, make sure all doors are locked and advise radio dispatch that the 10-7 I is completed and clear. Always follow your preplanned departure route away from the area.
18. Prior to returning to the office, officers shall put fuel in their vehicles and remove any personal belongs from the vehicle. A vehicle check should be conducted for any damage which may have been sustained during the field work process, and a written report of the damage shall always be made to the Unit supervisor.



WENDY S. STILL
Chief Adult Probation Officer

19. Once in the office, officers should advise the Unit Supervisor and the O.D. of his/her safe return. All field notes and residence sketches should be completed at this time.

PLACE OF EMPLOYMENT

1. Field work to a probationer's place of employment is generally discouraged unless the probationer's offense has some connection which may also cause loss or harm to the probationer's employer. An example of this may be a person on probation for a domestic violence offense who worked with his victim, a case involving embezzlement, a sex offender, etc. These types of visits should be discussed with the Unit supervisor.
2. Field work to a probationer's place of employment upon mutual agreement with the probationer is appropriate. These types of visits should be conducted during a lunch or coffee break to avoid any issues that may arise during this visit.
3. The place of employment should be located on a map or through Mapquest prior to the visit. The routes to the place of employment should be plotted and the addresses to the site where the field visit will be conducted should be noted in the unit field log.
4. Officers should bring communications equipment to this field visit. This equipment consists of a cell phone and radio. When conducting the field visit at a place of employment, the radio should be turned down to avoid any misconceptions. The probation officer shall inform SFPD dispatch of his/her location using the 10-7 I code.
5. The vehicle used for this field visit should be legally parked. If the situation appears to be unsafe i.e. construction site, etc. the field visit should be re-



WENDY S. STILL
Chief Adult Probation Officer

scheduled to a safer site or the probationer should be called to have him/her meet the probation officer in a safer area.

6. Drug testing is usually inappropriate at a probationer's worksite.
7. When entering a place of employment, discretion should be used in identifying oneself as a probation officer. This misconception can be avoided if the probationer advises his/her supervisor that an employment check may be conducted during the time the probationer is on probation supervision.
8. The field contact should be documented in the probationer's file upon return to the office.

PROGRAM SITES

Part of the offender supervision process is conducting field work at a program, which delivers services to probationers in the community. Probation Officers are required to maintain contact with these programs to ascertain an offender's compliance with program requirements; it is encouraged that these contacts be conducted in the field. Occasionally service delivery programs are located in communities with high crime rates and the risks of conducting field visits to these areas mirror the risks of making home visits. Officer safety should always be a primary consideration in conducting these types of field visits.

1. Probation Officers shall comply with all departmental policies when conducting field visits of this nature.
2. The program being visited should be located on a map or on "Mapquest" prior to conducting a field visit. The address location where the field visit is being conducted should also be noted in the unit field log. If a DPO is unfamiliar with



WENDY S. STILL
Chief Adult Probation Officer

- the area, discuss the route with a Probation Officer familiar with the area or contact the program directly for route information.
3. Communication equipment (radio and cell phone) should also be taken to these field visits.
 4. The departmental vehicle should be legally parked at the program site and secured when going into the program for the field visit.
 5. Upon arrival at the program, the Probation Officer should check in with program staff. If a course of action needs to be taken with a probationer at the program i.e. removal of a probationer from the program, the program administrator should be informed about the process.
 6. When leaving a program, Probation Officers should be aware of their surroundings and exercise any precautions needed to enhance their personal safety while conducting field work.
 7. Officers' should check back into the office through the Unit Supervisor or O.D. upon return to the office.
 8. The field contact should be documented in the probationer's file upon return to the office.

SAFETY TRAINING AND EQUIPMENT

Officers should only use department approved safety equipment when engaged in field work.

This equipment includes the following:

- Body Armor (mandatory when conducting home visits)
- Handcuffs
- Cell phone



WENDY S. STILL
Chief Adult Probation Officer

- Handheld radios
- Gloves
- Pepper Spray
- Hand gun (if authorized to be armed)

The most important tool in maintaining safety while conducting field work is using common sense when approaching situations in the community. At no time should an officer conduct a field visit where his/her personal safety is compromised based on first-hand observations at the scene. The rule of thumb any officer in the field should always follow is that no field contact is worth jeopardizing one's personal safety.

The Training Manager will facilitate standardized training for officers conducting field work. Training areas should include basic officer safety awareness, issues and procedures, correct use of safety equipment, first aid/CPR, as well as any CORE or STC training available to enhance officer safety in the field.



WENDY S. STILL
Chief Adult Probation Officer

Correctional Program Checklist Self-Assessment

This checklist is not designed to replace a CPC assessment, but rather to serve as a rough estimate of where a program stands with regard to CPC standards.

Name of Program: _____

Location of Program: _____

Date: _____

Name of Reviewer _____

Type of Program ____ Adult ____ Juvenile

PROGRAM LEADERSHIP AND DESIGN:

The current program director refers to the person responsible for the treatment/service delivery.

____ Does the program director have at least a baccalaureate degree in a helping profession?

____ Does the program director have at least three years experience working with offenders?



WENDY S. STILL
Chief Adult Probation Officer

- ___ Is the program director directly involved in hiring staff?
- ___ Is the program director directly involved in training staff?
- ___ Is the program director directly involved in supervising staff?
- ___ Is the program director directly involved in providing some direct services to offenders?
- ___ Was an extensive literature search of treatment/criminological research used in designing the current program?
- ___ Were the interventions/program piloted for at least one month prior to full implementation?
- ___ Are the values & goals of the program consistent with the values in the criminal justice community?
- ___ Are the values & goals of the program consistent with the values in the community at-large?
- ___ Is current program funding adequate to sustain the program as designed?
- ___ Has funding been stable over the past two years?



WENDY S. STILL
Chief Adult Probation Officer

___ Has the program been in existence for three years or longer?

___ If the program is coed, are groups kept separate?

STAFF:

___ Do a minimum of 70% of the staff possess at least an associate degree in a helping profession?

___ Does at least 75 percent of the staff have at least two years experience working with offenders?

___ Are staff selected based on skills and values (e.g. empathy, flexibility, firmness, life experiences)?

___ Are staff meetings held at least bi-monthly?

___ Are staff regularly assessed & evaluated on their service delivery skills?

___ Do the program staff receive regular clinical supervision?

___ Do the program staff receive training on the program's interventions?

___ Do the program staff receive at least 40 hours of on-going training relevant to the program per year?



WENDY S. STILL
Chief Adult Probation Officer

- ____ Are program staff able to modify the program structure?
- ____ Does the program staff support the goals & objectives of the program?
- ____ Does the program have ethical guidelines for staff?

OFFENDER ASSESSMENT:

- ____ Are the vast majority of referrals appropriate for the program?
- ____ Are legal/clinical/community criteria for the exclusion of certain types of offenders from the program written and consistently followed?
- ____ Is there a reasonable survey of risk factors at intake?

- ____ Does the program use a standardized & objective risk assessment instrument?
- ____ If yes, does the risk instrument provide a summary score & distinguish levels?
- ____ Is there a reasonable survey of need factors at intake?
- ____ Does the program use a standardized & objective need assessment instrument?
- ____ If yes, does the need instrument provide a summary score & distinguish levels?



WENDY S. STILL
Chief Adult Probation Officer

____ Are there a reasonable survey of personal factors and characteristics (responsivity) of the offender?

____ Does the program use standardized & objective responsivity assessment instruments?

____ If yes, do the responsivity instruments provide summary scores?

____ Are 70% of or more of the offenders served by the program higher risk as determined by an objective and standardized assessment instrument?

____ Has the risk/need instrument been validated within the last five years on a local population?

PROGRAM CHARACTERISTICS:

____ Are at least 80 percent of the program's services & interventions designed to target criminogenic needs & behaviors?

____ Does the program consistently utilize an effective treatment model (i.e. cognitive behavioral)?

____ Does the program last between 3 and 12 months in duration (not including aftercare)?



WENDY S. STILL
Chief Adult Probation Officer

- ☐ Are the whereabouts & associates of the offenders monitored closely or if in an institution are the offenders in treatment kept separate from the general population?
- ☐ Does the program have detailed treatment manuals?
- ☐ Are the manuals consistently used?
- ☐ Do offenders spend between 40-70% of their time in structured activities?
- ☐ Are lower risk offenders separated from higher risk offenders in groups?
- ☐ Does the intensity of treatment vary by the risk of offender (if risk is not determined by an objective instrument do not check)?
- ☐ Does the program use responsivity factors to match offenders & programs (if responsivity factors are not assessed do not check)?
- ☐ Does the program assign staff to treatment/groups based on skills/interests?
- ☐ Does the program use responsivity factors to match offenders & staff (if responsivity factors are not assessed do not check)?
- ☐ Do the offenders have input in the structure of the program?
- ☐ Has the program developed appropriate rewards?



WENDY S. STILL
Chief Adult Probation Officer

- ___ Has the program developed appropriate sanctions?
- ___ Do rewards outnumber sanctions in their application by at least 4:1?
- ___ Are rewards consistently applied?
- ___ Are appropriate sanctions used to extinguish inappropriate behavior?
- ___ Are sanctions administered in the following manner: escape impossible, applied immediately, maximum intensity, after each occurrence, sanctions vary, pro-social alternative taught after punisher administered?
- ___ Are staff trained to look for negative responses to sanctions?
- ___ Does the program have objective completion criteria based on offender progress in meeting target behaviors?
- ___ Is the completion rate between 65 and 85%?
- ___ Are offenders consistently taught to monitor & anticipate problem behaviors through modeling and demonstration by the staff?
- ___ Does the program systematically train offenders to plan & rehearse alternatives to problem behaviors?



WENDY S. STILL
Chief Adult Probation Officer

- ☐ Does the program have offenders practice alternatives to problem behaviors in increasingly difficult situations?
- ☐ Are the groups monitored from beginning to end by the program staff?
- ☐ Is the size of the groups between 8 and 10?
- ☐ Does the program train family members to assist offenders when they are released from the program?
- ☐ Are discharge plans developed upon termination from the program?
- ☐ Is aftercare provided?
- ☐ Does the aftercare include groups and services designed to assist the offender?

QUALITY ASSURANCE:

- ☐ Are quality assurance mechanisms in place to monitor service delivery by the program?
- ☐ Are quality assurance mechanisms in place to monitor service delivery by outside providers?
- ☐ Are offenders surveyed as to their satisfaction with the services that are being provided?



WENDY S. STILL
Chief Adult Probation Officer

___ Is offender progress measured with periodic, objective & standardized assessments on target behaviors?

___ Is offender recidivism tracked at least 6 months after leaving the program?

___ Have there been any formal outcome evaluations conducted on the program that include a comparison group?

___ Have the results from the evaluation been written into a report or article?

___ Have the results from the evaluation shown the program to be effective in reducing recidivism?

___ Has the program retained an evaluator to assist with research and evaluation?

___ **TOTAL NUMBER OF ITEMS CHECKED**



WENDY S. STILL
Chief Adult Probation Officer

EVIDENCED BASED CORRECTIONAL PROGRAM CHECKLIST (CPC) SCORING SHEET

Name of Program: _____ Program serves: ☐ Males ☐ Females ☐ Both
 Location (include state): _____ Check program type: ☐ Adult ☐ Juvenile
 Type of Program: _____ (e.g. institutional, halfway house, day reporting, etc.)
 Primary Treatment: _____ (e.g. substance abuse, sex offenders, general, etc.)
☐ 1st Assessment ☐ 2nd Assessment ☐ 3rd Assessment ☐ 4th Assessment ☐ 5th
 Assessment

Date of Assessment: _____

Name of Assessor(s): _____

1. Program Leadership and Development more sources

Check if verified by two or

1.1 PD Qualified	___ 0 or 1	___
1.2 PD Experienced	___ 0 or 1	___
1.3 PD Selects Staff	___ 0 or 1	___
1.4 PD Trains Staff	___ 0 or 1	___
1.5 PD Supervises Staff	___ 0 or 1	___
1.6 PD Conducts Program	___ 0 or 1	___
1.7 Literature Review Conducted	___ 0 or 1	___
1.8 Pilot Interventions	___ 0 or 1	___
1.9 Valued by CJ Community	___ 0 or 1	___
1.10 Value by At-large Community	___ 0 or 1	___
1.11 Funding adequate	___ 0 or 1	___
1.12 Funding stable past 2 years	___ 0 or 1	___
1.13 Program 3 years or older	___ 0 or 1	___
1.14 Gender of groups	___ 0, 1 or N/A	___

SCORE ___/___



WENDY S. STILL
Chief Adult Probation Officer

2. Staff Characteristics

2.1 Staff Education	___ 0 or 1	___
2.2 Relevant Experience	___ 0 or 1	___
2.3 Staff selected for skills & values	___ 0 or 1	___
2.4 Regular Staff meetings held	___ 0 or 1	___
2.5 Assessed on Service Delivery	___ 0 or 1	___
2.6 Clinical Supervision	___ 0 or 1	___
2.7 Staff Trained on program	___ 0 or 1	___
2.8 On-going Training	___ 0 or 1	___
2.9 Staff input	___ 0 or 1	___
2.10 Staff support treatment goals	___ 0 or 1	___
2.11 Ethical Guidelines for staff	___ 0 or 1	___

SCORE ___/___

3. Offender Assessment

3.1 Appropriate Clients	___ 0 or 1	___
3.2. Exclusionary criteria followed	___ 0 or 1	___
3.3 Risk Factors Assessed	___ 0 or 1	___
3.4. Risk Methods	___ 0 or 1	___
3.5 Risk Level Defined	___ 0 or 1	___
3.6 Need Factors Assessed	___ 0 or 1	___
3.7 Need Methods	___ 0 or 1	___
3.8 Need Level Defined	___ 0 or 1	___
3.9 Responsivity Assessed	___ 0 or 1	___
3.10 Responsivity Methods	___ 0 or 1	___
3.11 Responsivity Defined	___ 0 or 1	___
3.12 Program Targets higher risk	___ 0 or 3	___
3.13 Validation Risk/Needs	___ 0 or 1	___

SCORE ___/___



WENDY S. STILL
Chief Adult Probation Officer

4. Treatment Characteristics

4.1 Criminogenic targets	_____	0 or 1	_____
4.2 Criminogenic target density	_____	0 or 1	_____
4.3 Type Treatment	_____	0,1or 3	_____
4.4 Length Treatment	_____	0 or 1	_____
4.5 Location monitored	_____	0 or 1	_____
4.6 Manual developed	_____	0 or 1	_____
4.7 Manual followed	_____	0 or 1	_____
4.8 Involvement 40-70%	_____	0 or 1	_____
4.9 Groups separated by risk	_____	0 or 1	_____
4.10 Intensity varies by Risk	_____	0 or 1	_____
4.11 Match Treatment and offender	_____	0 or 1	_____
4.12 Match Staff and offender	_____	0 or 1	_____
4.13 Match Staff and program	_____	0 or 1	_____
4.14 Offender Input	_____	0 or 1	_____
4.15 Use Appropriate Rewards	_____	0 or 1	_____
4.16 Ratio Favors Rewards	_____	0 or 1	_____
4.17 Procedures for rewards	_____	0 or 1	_____
4.18 Appropriate punisher	_____	0 or 1	_____
4.19 Procedure for Punishment	_____	0 or 1	_____
4.20 Negative Effects	_____	0 or 1	_____
4.21 Completion Criteria	_____	0 or 2	_____
4.22 Completion rate	_____	0 or 1	_____
4.23 Skills Modeled	_____	0 or 1	_____
4.24 Skill training	_____	0 or 1	_____
4.25 Graduated practice	_____	0 or 1	_____
4.26 Groups monitored by staff	_____	0 or 1	_____
4.27 Group size	_____	0 or 1	_____

City and County of San Francisco

Adult Probation Department Hall of Justice



WENDY S. STILL
Chief Adult Probation Officer

4.28 Significant Others trained	_____	0 or 1	_____
4.29 Discharge planning	_____	0 or 1	_____
4.30 Aftercare provided	_____	0 or 1	_____
4.31 Quality aftercare	_____	0 or 1	_____

SCORE _____/_____

5.0 Quality Assurance

5.1 Internal Quality Assurance	_____	0 or 1	_____
5.2 External Quality Assurance	_____	0 or 1	_____

5.3 Client Satisfaction	_____	0 or 1	_____
-------------------------	-------	---------------	-------

5.4 Offenders reassessed	_____	0 or 2	_____
5.5 Recidivism tracked	_____	0 or 1	_____
5.6 Program evaluated	_____	0 or 1	_____
5.7 Program effective	_____	0 or 1	_____
5.8 Evaluator working with program	_____	0 or 1	_____

SCORE _____/_____

TOTAL SCORE _____/_____

CAPACITY AREAS: Leadership & Development _____%

Staff _____%

Quality Assurance _____%

CONTENT AREAS: Assessment _____%

50%)

Treatment _____%

OVERALL CONTENT _____%

OVERALL CAPACITY _____%

OVERALL _____%

OVERALL RATING: _____

1= Highly Effective (61%+)

2= Effective (51-60%)

3= Needs Improvement (40-50%)

4=Ineffective (less than 40%)



WENDY S. STILL
Chief Adult Probation Officer

~~EXHIBIT~~ 33

City and County of San Francisco

Adult Probation Department
Hall of Justice



DOMESTIC VIOLENCE PROGRAM ORIENTATION

Name : _____

Date: _____

Court No. : _____

YOU HAVE BEEN ORDERED BY COURT TO ENROLL IN A BATTERER'S INTERVENTION PROGRAM / DOMESTIC VIOLENCE PROGRAM.

YOU MUST REPORT FOR ORIENTATION, PROBATION OFFICER ASSIGNMENT AND DOMESTIC VIOLENCE PROGRAM REFERRAL

**TO: ADULT PROBATION DEPARTMENT
850 BRYANT STREET, ROOM 200
SAN FRANCISCO, CA 94103**

**ON: THURSDAY, _____
AT 1:00 PM.**

FAILURE TO REPORT AS DIRECTED MAY RESULT IN YOUR CASE BEING RETURNED TO COURT FOR PROBATION VIOLATION.

YOUR NEXT COURT DATE IS ON _____ IN DEPARTMENT 15

=====

I WILL APPEAR AS STATED ABOVE.

Defendant's Signature

Copies: White Probation
Pink Probationer
Gold Court

(415) 553-1706

880 Bryant Street, Room 200 San Francisco, CA 94103-4673

~~EXHIBIT~~ 34

City and County of San Francisco

Adult Probation Department
Hall of Justice



WENDY S. STILL
Chief Adult Probation Officer

*Protecting the Community, Serving Justice and
Changing Lives*

PROBATIONER GUIDE

880 Bryant Street, Room 200
Phone (415) 553-1706

San Francisco

California 94103
Fax (415) 553-1771

SENTENCING:

PROBATION IS NOT "GET OUT OF JAIL FREE CARD"

- IT IS A CONTRACT BETWEEN THE PROBATIONER AND THE CRIMINAL JUSTICE SYSTEM
 - COMPLYING WITH CONTRACT WILL KEEP YOU OUT OF JAIL/PRISON.
 - UPON SUCCESSFUL COMPLETION YOUR RECORD OF CONVICTION MAY BE SET ASIDE AND CHARGES MAY BE DISMISSED.
 - BREAKING CONTRACT CAN MODIFY (ADD TIME OR NEW REQUIREMENTS) OR REVOKE PROBATION SENTENCE (JAIL/PRISON TIME).
- IT IS AN ALTERNATIVE TO JAIL (OR PRISON).
- AT ANYTIME THE PROBATIONER MAY REJECT HIS/HER PROBATION SENTENCE AND BE GIVEN JAIL/PRISON TIME.
- IF SPECIFIC REQUIREMENTS ARE NOT COMPLIED WITH, PROBATIONER MAY SERVE JAIL (PRISON) TIME
- NEW ACTS OF VIOLENCE WILL LAND A PROBATIONER IN JAIL (OR PRISON).
- PROBATION CAN BE MODIFIED OR REVOKED BY COURT WITHOUT JURY.

PROBATIONER HAS AGREED TO:

- COMPLETE 52 WEEKS OF DOMESTIC VIOLENCE CLASSES.
- COMMUNITY SERVICE.
- SUBSTANCE ABUSE COUNSELING (IF NEEDED).
- JOB SEARCH (IF NEEDED).
- DEAL WITH ANY OTHER ADDICTIONS (IF NEEDED).
- ATTEND ALL COURT DATES.
- NO POSSESSION OF FIREARMS OF ANYKIND.
- PARENTING CLASSES (IF NEEDED)

FIVE IMPORTANT RULES:

- DO NOT COMMIT ANY NEW ACTS OF VIOLENCE OR MAKE ANY THREATS OF VIOLENCE.
- FOLLOW ALL THE TERMS OF PROBATION INCLUDING ANY STAY AWAY ORDERS.
- ATTEND AND TAKE YOUR CLASSES SERIOUSLY
- MAKE ALL COURT APPEARANCES, AND KEEP IN REGULAR CONTACT WITH PROBATION OFFICER.

PROBATIONER GOALS:

- IF CHARGED WITH A FELONY- AFTER 52 WEEKS CHARGE MAY BE DROPPED TO A MISDEMEANOR. (ONLY IF SPECIFIED BY TERMS OF THE CASE)
- PROBATION MAY BE TERMINATED EARLY. (ONLY IF SPECIFIED BY TERMS OF THE CASE)

CIVIL RIGHTS:

- CAN BE SEARCHED AT ANYTIME IF COURT APPROVES "WARRANTLESS SEARCH."
- STILL HAVE THE RIGHT TO VOTE. (UNLESS THEY ARE CONVICTED FELONS)
- STILL HAVE RIGHT OF "DUE PROCESS."

PREPARING FOR COURT

1. **Dress-** It is helpful to make a good first impression by dressing neatly to show respect for the court. (Similarly, wearing hats or even chewing gum is generally not acceptable in court.) You may also want to bring a sweater or dress warmly as many courts are cool.
2. **Parking.** Parking can be difficult. Most street parking is limited, may require you to pay parking meters, and includes the risk of having your vehicle towed during certain hours. When driving to the hall of Justice at 850 Bryant Street, many people choose to park in the pain parking lots located across the street, which can be expensive and is not paid for by the District Attorney's Office.
3. **Sequestering.** Witnesses or potential witness will more than likely be sequestered from the courtroom, which means that they will not be allowed in the courtroom during any other witness testimony. This can be very frustrating for victims/survivors and witnesses, but it is a common practice and done to insure that witnesses' testimonies do not influence each other.
4. **Waiting.** The court process can be long. Even if you were asked to be here for court first thing in the morning, it is possible that you may need to wait for large part of the day for your turn to be in court. Bring a book, work or anything else that will occupy you while you wait. Snacks are a good idea (even though eating is not allowed in the court room) as well as toys for your young children. (Limited childcare available on the 1st Floor)
5. **Electronics.** Turn all pagers or cell phones on vibrate or off completely while in the courtroom. This is very important as many judges do not tolerate pagers and cell phones in the courtroom and *will* kick you out of the courtroom.
6. **Who will be in the courtroom?**

In the Courtroom will be the following:

- a. Judge
- b. Bailiff
- c. Court Reporter
- d. Court Clerk
- e. Prosecuting attorney (Assistant District Attorney)
- f. Defending attorney (Public Defender or private attorney)
- g. Defendant

In the Courtroom may or may not be the following:

- a. Interpreters if their services are needed
- b. Police Officers & Police Investigators involved in the case
- c. Your Probation Officer Supervising Probation Officer
- d. Any other witnesses
- e. Family/friends
- f. *Know that the courtroom is a public place unless specified otherwise by the judge, which means that almost anyone can observe the proceedings.*

PROBATION SUPERVISION

REQUIREMENTS OF PROBATION:

- **COMPLY WITH ALL LAWS**
 - BEING ARRESTED OR CITED FOR CRIME (NOT JUST DOMESTIC VIOLENCE CRIME) WHILE ON PROBATION CAN RESULT IN PROBATION SENTENCE TO BE REVOKED OR MODIFIED
 - IF YOU ARE ACCUSED OF COMMITTING A NEW CRIME, THAT NEW CRIME CAN BE USED TO REVOKE OR MODIFY YOUR PROBATION SENTENCE
 - IF NEW CRIME IS COMMITTED YOU CAN FACE "DOUBLE PUNISHMENT" IN JAIL OR PRISON
- **YOU MUST NOT VIOLATE STAY ORDERS**
 - YOU MUST STRICTLY COMPLY WITH TERMS OF ANY STAY AWAY ORDER.
 - ORDER MAY BE LIFTED
 - BY A JUDGE ONLY
 - IF PROVEN THAT 6-8 CLASSES HAVE BEEN SUCCESSFULLY COMPLETED (CASE BY CASE BASIS)
 - BOTH PARTIES MUST BE PRESENT AND HAVE MUTUAL AGREEMENT
 - STAY AWAY ORDER IS TURNED INTO NO HARRASSMENT ORDER
- **BENCH WARRANT**
 - WILL BE GIVEN IF THERE IS A FAILURE TO APPEAR FOR A COURT DATE
 - IF ISSUED
 - ONE MUST TURN THEMSELVES IN
 - CALL ATTORNEY FOR NEW COURT DATE

~~EXHIBIT~~ 35

**SAN FRANCISCO ADULT PROBATION DEPARTMENT--
DOMESTIC VIOLENCE UNIT (PROGRAM PROVIDERS)**

ANTOLINO FAMILY WELLNESS CENTER, INC.	ANTOLINO FAMILY WELLNESS CENTER, INC.
(SITE)	(MAIN OFFICE)
50 Raymond Avenue	ATTN: CARMEN GUERRERO
San Francisco, Ca. 94134	ATTN: JULIA CARMEN
Main: 650-898-8134 (voicemail)	80 Eureka Street #218
	Pacifica, Ca 94044
	Main: 650-898-8134
	Julia Carmen: 808-936-4514 (cell)
	Fax: 650-898-8136
	Email: AFWC@LIVE.COM
	Hours: Mon-Thurs 9-5 & Fri 9-1
S.W.A.P./P.R.E.P.	POCOVI Spanish Speaking
(SHERIFF'S DEPT.)	
ATTN: SCOTT SCHELL	ATTN: ANTONIO RAMIREZ
70 Oak Grove Street	474 Valencia Street, Suite 150
San Francisco, Ca. 94107	San Francisco, Ca. 94103
Main: 415-575-6450	Main: 415-552-1361
Fax: 415-575-6452	Antonio Ramirez: 415-810-2348
Email: DVSFSD70@GMAIL.COM	Luis Ortega: 510-230-5196
Intake Hours: Mon-Fri 8:30am- 4:30pm	Fax: 415-552-2204
Scott Schell 415-575-6407	Email: POCOVI@CECEVIM.ORG
Treatment On Demand	Hours: Thurs 5-730pm
Parenting	
MEN IN PROGRESS	STARTRAC
(GLIDE)	
ATTN: RAY OR DARIUS	ATTN: GEORGE JURAND
330 Ellis Street	2610 Bayshore Blvd
San Francisco, Ca. 94102	San Francisco, Ca. 94134
Main: 415-674-6151	Main: 415-516-1635
Hours: Mon 3pm- 6pm	Hours: Tues. & Wedn 6pm-8pm
	Packet Mailing Address:
	1321 Evans Street, Suite C
	San Francisco, Ca. 94124
APDBIP.reports@sfgov.org	

**SAN FRANCISCO ADULT PROBATION DEPARTMENT
DOMESTIC VIOLENCE UNIT (PROGRAM PROVIDERS)**

V.I.P.	moMENTum
(MALE/FEMALE MENTAL HEALTH PROBLEMS)	LEE PSYCHOLOGICAL SERVICES
ATTN: GLORIA NAMKUNG	ATTN: DR. LEE
555 Polk Street	582 Market Street, Suite 708
San Francisco, Ca. 94102	San Francisco, Ca. 94102
Gloria: 415-292-2565	Main Line: 415-771-1967
Jim: 415-292-2564	www.wvernonlee.com
Fax: 415-346-0483	vernstin@pacbell.net
Email: GLORIA.NAMKUNG@SFGOV.ORG	
INTAKE HOURS: JIM LEEMASTER- Mon 1:30pm Gloria Namkung- Thurs. 1pm	COMPLETE ADDRESS: 760 Market Street, Suite 518-22 San Francisco, Ca. 94102
JOHN HAMEL & ASSOCIATES	JOHN HAMEL & ASSOCIATES
(MAIN OFFICE)	(FEMALE SITE)
ATTN: JOHN HAMEL (Send all referrals here)	DO NOT SEND REFERRALS HERE
70 Mitchell Blvd #103	725 Greenwich Street #120
San Rafael, Ca. 94903	San Francisco, Ca. 94133
Main: 415-472-3275	Main: 415-472-3275
Fax: 415-472-3285	Fax: 415-472-3285
Email: JohnMHamel@comcast.net	Email: JohnMHamel@comcast.net
JOHN HAMEL & ASSOCIATES	WOMANALIVE
(MALE SITE)	
DO NOT SEND REFERRALS HERE	Attn: JOCELYN
1637 Irving Street	930 Bryant Street
San Francisco, Ca. 94122	San Francisco, Ca. 94103
Main: 415-472-3275	Main: 415-861-8614
Fax: 415-472-3285	Fax: 415-861-8621
Email: JohnMHamel@comcast.net	Intakes: Friday 8:45am
	Jocelyn: 415-378-9801
	jocelyn@womanaliveinternational.org
A.V.A.C.A.	S.F. BAY COUNSELING
(Abuse, Violence, & Anger Cessation Alliance)	
ATTN: JEANNE LAKE	ATTN: TIM KARO
342A- 9th Street, Suite 217	1700 Irving Street
San Francisco, Ca. 94103	San Francisco, Ca. 94122
Main: 415-431-4800	Main: 415-759-9500
SFAPD DIRECT LINE: 415-553-7825	415-252-4787 ext 329 (work)
Fax: 415-431-4805	Fax: 415-871-2211
Email: INFO@AVACA.NET	Email: SFBAYCSNLED2002@YAHOO.COM
Intake Hours: Mon & Fri (only) 10am- 12pm	Hours: Mon-Fri 9am-5pm
Substance Abuse	

EXHIBIT 36

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 BEFORE THE HONORABLE JAMES P. COLLINS, JUDGE PRESIDING
4 DEPARTMENT NUMBER 23

5 ---oOo---
6 PEOPLE OF THE STATE OF CALIFORNIA,)
7 Plaintiff,)
8 vs.) Court No. 12001311
9 ROSS MIRKARIMI,) MISDEMEANOR PLEA
10 Defendant.) Pages 1 - 8
11 _____)

12 Reporter's Transcript of Proceedings

13 Monday, March 12th, 2012

14
15 APPEARANCES OF COUNSEL:

16 For Plaintiff:

17 George Gascon, District Attorney
18 850 Bryant Street - Suite 300
19 San Francisco, California 94103
By: Elizabeth Aguilar-Tarchi,
Assistant District Attorney

20 For Defendant:

21 Law Offices of Lidia S. Stiglich
22 By: Lidia S. Stiglich
Attorney at Law

23

24

25 Reported By: Nichole M. Rodich, CSR #11604, RPR

26

27

28

1 MARCH 12TH, 2012

8:43 A.M.

2 P R O C E E D I N G S

3

4 THE COURT: This is the Mirkarimi matter line 501.

5 MS. AGUILAR-TARCHI: Elizabeth Aguilar-Tarchi for the
6 People, and certified post bar intern Christina Chin.

7 MS. STIGLICH: Lydia Stiglich and Michael Hinckley on behalf
8 of Mr. Mirkarimi.

9 THE COURT: My understanding we may have a disposition.
10 Also, my understanding you are going to file a first amended
11 misdemeanor complaint.

12 MS. AGUILAR-TARCHI: Yes, your Honor, based on proposed
13 disposition which Ms. Stiglich will outline momentarily. The
14 People did file, it was accepted this morning, a first amended
15 misdemeanor complaint adding count four allegation of violation
16 of section 236 of the Penal Code, a misdemeanor, of the crime of
17 false imprisonment.

18 THE COURT: Waive instruction and arraignment and
19 irregularities based on the amendment?

20 MS. STIGLICH: We do, your Honor.

21 THE COURT: It's my understanding that although this case
22 has been sent to trial, there have been, based on what I have
23 been told in chambers, a change of circumstance since the case
24 went out. And it's my understanding that you are both
25 stipulating to that.

26 MS. STIGLICH: That's correct, your Honor.

27 MS. AGUILAR-TARCHI: Yes, your Honor.

28 THE COURT: It's also my understanding that at some point

1 the District Attorney's office of San Francisco as well as the
2 defense here have reached a disposition in this matter. Is that
3 also correct?

4 MS. STIGLICH: That's correct, your Honor.

5 MS. AGUILAR-TARCHI: That is correct, your Honor.

6 THE COURT: And you have told me what the disposition is
7 when we were in chambers, because -- I believe the District
8 Attorney's Office has agreed to this as well as the defense,
9 because of that, I will in fact accept this and I will accept,
10 from what I know about this case, there has been a change of
11 circumstance, therefore, there may be a disposition in the
12 matter.

13 Would you outline that please, Ms. Stiglich?

14 MS. STIGLICH: Yes, your Honor.

15 Mr. Mirkarimi will enter a plea of guilty to Count four
16 violation of Penal Code §236, a misdemeanor. The proposed --
17 agreed upon disposition is as follows: Imposition of sentence
18 suspended. He will be placed on three years probation to the
19 Adult Probation Department on the following terms and
20 conditions: Receive credit for time served pursuant to
21 Penal Code §1203097, perform 100 hours community service, 52
22 weeks of counseling, \$400 fine. Additionally, there would be
23 parenting classes if deemed appropriate by Adult Probation
24 Department. There are standard fines and fees that flow from
25 all misdemeanors which the Court is aware.

26 This would resolve the matter and waive appellate rights
27 going forward. It is understood that the stay away orders which
28 are in effect now and subject to the family court would remain

1 in effect until lifted by the Court.

2 That is the proposed disposition.

3 Mr. Mirkarimi has a brief statement to make to the Court.

4 MS. AGUILAR-TARCHI: Prior to the brief statement --

5 THE COURT: Can I interrupt one second? So the record is
6 clear, the fines and fees would be \$120 to the restitution fund,
7 \$40 court operations assessment fine, and a \$30 immediate
8 critical needs assessment fine.

9 MS. STIGLICH: Yes, your Honor.

10 THE COURT: Please.

11 MS. AGUILAR-TARCHI: Just to clarify, Ms. Stiglich said 52
12 weeks of counseling. It is mandated by statute that -- and the
13 agreed upon disposition is 52 weeks of domestic violence
14 counseling. That's pursuant to the batterers intervention
15 program outlined in the code.

16 MS. STIGLICH: In 1203.097.

17 THE COURT: Please, Mr. Mirkarimi.

18 THE DEFENDANT: Thank you, your Honor.

19 I want to be back with my family, and I want this to end. I
20 would like to offer my sincere apology to Ms. Madison, her
21 family, my neighbors, my department, the Sheriffs' Department,
22 and the people of San Francisco.

23 I realize that what was reported to the police was out of
24 desire to help my family. I truly regret that these proceedings
25 may have caused the Madison family or anyone any suffering,
26 grief, embarrassment, or harassment, or damage to their
27 reputations. I want to thank the District Attorney and my
28 counsel for their professionalism.

1 Thank you.

2 THE COURT: Thank you.

3 Mr. Mirkarimi, you have been charged with Penal Code §236 in
4 Count four a misdemeanor. It's my understanding you wish to
5 enter a plea to that. To do that, you have to give up certain
6 constitutional rights that you have for this matter. You have a
7 right to have a trial. At that trial you have a right to see,
8 hear, and question the witnesses against you. You have a right
9 to produce evidence on your own behalf at that trial. And you
10 have a right against self-incrimination. And by pleading
11 guilty, you will in fact be incriminating yourself. Do you
12 understand you have those rights, sir?

13 THE DEFENDANT: I do, your Honor.

14 THE COURT: Do you give up those rights?

15 THE DEFENDANT: I do, your Honor.

16 THE COURT: If you are granted probation, and it appears you
17 will be, and violate any terms of that probation, you could be
18 sentenced to county jail without a trial. Do you understand
19 that?

20 THE DEFENDANT: I do, your Honor.

21 THE COURT: If you're not a citizen, not a citizen, your
22 plea of guilty could result in your deportation, exclusion from
23 admission, or denial of naturalization as a United States
24 citizen. Do you understand that?

25 THE DEFENDANT: I do.

26 THE COURT: Has anyone threatened you or put pressure on you
27 to get you to enter your plea?

28 THE DEFENDANT: No.

1 THE COURT: Before coming to court today, did you consume
2 any drugs, alcohol, medication, or anything that would affect
3 your ability to think clearly?

4 THE DEFENDANT: No.

5 THE COURT: Then in court number -- line 501, 12001311, what
6 is your plea to now Count four that you violated section 236 of
7 the California Penal Code, a misdemeanor?

8 THE DEFENDANT: Yes.

9 THE COURT: What is your plea?

10 THE DEFENDANT: Guilty, your Honor.

11 THE COURT: Factual basis?

12 MS. STIGLICH: So stipulated.

13 MS. AGUILAR-TARCHI: So stipulated, your Honor.

14 THE COURT: Counsel, do you concur in your client's plea and
15 waiver of rights?

16 MS. STIGLICH: I do, your Honor.

17 THE COURT: Court finds a factual basis for the plea entered
18 by the defendant and further finds that the defendant has been
19 advised of his constitutional rights, that he has knowingly and
20 intelligently and voluntarily waived those rights and entered
21 his plea well-knowing the consequences; therefore, the plea will
22 be accepted.

23 Is time waived for sentencing?

24 MS. STIGLICH: Yes, your Honor.

25 THE COURT: It's my understanding that both sides have
26 agreed that sentencing would be done next Monday. Is that
27 correct?

28 MS. STIGLICH: That's correct, your Honor.

1 MS. AGUILAR-TARCHI: Yes, your Honor.

2 THE COURT: Because as you noticed we have something that
3 goes on in the morning. I think the easiest way if this works
4 for everybody would be to make it at 10:30 Monday morning.

5 MS. STIGLICH: That's fine, your Honor.

6 MS. AGUILAR-TARCHI: Yes, your Honor.

7 THE COURT: Then I'm going to order this matter continued
8 for sentencing.

9 Mr. Mirkarimi, do you personally give up your right to a
10 speedy sentencing so we can do it next Monday?

11 THE DEFENDANT: Yes.

12 THE COURT: Record should so reflect.

13 We'll see everybody back here Monday at 10:30. Thank you.

14

15 (Proceedings adjourned at 8:51 a.m.)

16

17

18

19

20

21

22

23

24

25

26

27

28

4

5 I, Nichole M. Rodich, Official Court Reporter for the
6 Superior Court of California, County of San Francisco, do hereby
7 certify:

8 That I was present at the time of the above proceedings;

9 That I took down in machine shorthand notes all proceedings
10 had and testimony given;

11 That I thereafter transcribed said shorthand notes with the
12 aid of a computer;

13 That the above and foregoing is a full, true, and correct
14 transcription of said shorthand notes, and a full, true and
15 correct transcript of all proceedings had and testimony taken;

16 That I am not a party to the action or related to a party
17 or counsel;

18 That I have no financial or other interest in the outcome
19 of the action.

21

22 Dated: April 26th, 2012

24

26

Nichole M. Rodich, CSR No. 11604

28

1 State of California)
2 County of San Francisco)
3
4

5 I, Nichole M. Rodich, Official Court Reporter for the
6 Superior Court of California, County of San Francisco, do hereby
7 certify:

8 That I was present at the time of the above proceedings;

9 That I took down in machine shorthand notes all proceedings
10 had and testimony given;

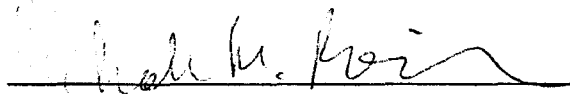
11 That I thereafter transcribed said shorthand notes with the
12 aid of a computer;

13 That the above and foregoing is a full, true, and correct
14 transcription of said shorthand notes, and a full, true and
15 correct transcript of all proceedings had and testimony taken;

16 That I am not a party to the action or related to a party
17 or counsel;

18 That I have no financial or other interest in the outcome
19 of the action.
20
21

22 Dated: April 26th, 2012
23
24
25

26 
27

28 Nichole M. Rodich, CSR No. 11604

EXHIBIT 37

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs ROSS MIRKARIMI

☒ Present

SC #
000000

Assistant DA of Record
ELIZABETH AGUILARTARCHI

☒ Present

Attorney of Record
LIDIA STIGLICH

☒ Present

☐ Interpreter Language

Clerk

GINA M GUIDI

Judge
JAMES P COLLINS

Reporter
NICI L RODICH #11604

Cause on Calendar for Hearing

Defendant Status: SURE

Defendant has retained LIDIA STIGLICH, Esq.

Count	Code	Section	Degree	MC #	Plea	Finding
001	PC	273,5(A)/M		12001311	NG	
002	PC	273A(B)/M		12001311	NG	
003	PC	136,1B1/M		12001311	NG	
004	PC	236/M		12001311	G	



PEOPLE'S FIRST AMENDED MISDEMEANOR COMPLAINT ADDING COUNT 4 FILED IN COURT

Defendant waives formal reading of the complaint and advisement of rights.

Not guilty plea(s) as to each count and denial of any and all allegation(s) entered.

THE COURT HEARS A STATEMENT FROM MR. MIRKARIMI

Defendant's motion to withdraw not guilty plea is granted. Defendant is advised of and personally waives his/her constitutional rights, including the consequences of conviction if he or she is not a citizen. Defendant pleads guilty to count(s) 4.

Negotiated disposition.

The case is continued for: SENTENCE.

Defendant ordered to appear.

PROPOSED DISPOSITION is as follows:

ISS; 3 Y APD; CTS; 100 HOURS OF COMMUNITY SERVICE; 52 WEEK DV COUNSELING PROGRAM; PARENTING CLASSES IF DEEMED APPROPRIATE BY A.P.D.

\$400 DV FEE; \$120 VIF; \$40 COA FEE; \$30 ICNA FEE

Cause is ordered continued to 03/19/2012 at 10:30 In Department S23 for Sentence.

EXHIBIT 38

¹
COPY

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

HONORABLE JAMES P. COLLINS, JUDGE PRESIDING

DEPARTMENT NO. 23

---oOo---

PEOPLE OF THE STATE OF CALIFORNIA,)

Plaintiff,)

vs.)

ROSS MIRKARIMI,)

Defendant.)

Court No. 12001311

SENTENCING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, March 19, 2012

APPEARANCES OF COUNSEL:

For the People:

GEORGE GASCÓN, DISTRICT ATTORNEY
San Francisco District Attorney's Office
850 Bryant Street, Room 322
San Francisco, CA 94103

BY: **ELIZABETH AGUILAR-TARCHI**, Assistant District Attorney
CHRISTINA CHEN, Post-Bar Intern

For the Defendant:

STIGLICH & HINCKLEY, LLP
BY: **LIDIA S. STIGLICH**, Attorney at Law
MICHAEL HINCKLEY, Attorney at Law
803 Hearst Avenue
Berkeley, CA 94710

Also Present: Andrea Wright, Probation Officer

Reported by: Janet S. Pond, CSR #5292, CRR
Official Reporter

P R O C E E D I N G S

Monday, March 19, 2012

---o0o---

THE COURT: Let me start with Line 33, the Mirkarimi matter.

I notice some people coming in with cameras. There will be no photographs, no tape recordings. If anybody is seen with a photograph or tape recording, it will be taken and confiscated.

Okay. This is Line 33, the Mirkarimi matter.

Counsel's appearance, please.

MS. AGUILAR-TARCHI: Good morning, Your Honor. Elizabeth Aguilar-Tarchi for the People and with certified post-bar intern Christina Chen.

THE COURT: Good morning.

MS. STIGLICH: Your Honor, Lidia Stiglich and Michael Hinckley on behalf of Mr. Mirkarimi. He is present.

Good morning. Good morning, Mr. Mirkarimi.

THE DEFENDANT: Good morning.

THE COURT: A couple of housekeeping matters. The first is the Appellate Court of San Francisco had a matter before it, I guess, during the trial. They sent an order on remittitur. What I'm going to do as a housekeeping matter is I'm going to spread that remittitur on the record and the remittitur is to be filed.

Secondly, I noticed that in the negotiated disposition in this matter, one of the conditions was that Mr. Mirkarimi was going to waive his right to appeal and any appellate rights. We did not take that admission even though it was stated on the record by you, Ms. Stiglich.

1 Mr. Mirkarimi, it's my understanding, based on what was said
2 last time, that you, as a condition of this negotiated
3 disposition with the district attorney, are going to waive your
4 appellate rights in this matter. Is that correct?

5 **THE DEFENDANT:** Yes, Your Honor.

6 **THE COURT:** And so at this point, do you waive your
7 appellate rights in this matter?

8 **THE DEFENDANT:** Yes, Your Honor.

9 **THE COURT:** Thank you.

10 This matter comes on for sentencing. Waive formal
11 arraignment for judgment and sentence?

12 **MS. STIGLICH:** I do, Your Honor. No legal cause for delay.

13 **THE COURT:** Does either side wish to say anything?

14 **MS. TARCHI:** No, Your Honor. People are satisfied with the
15 disposition and the plea.

16 **MS. STIGLICH:** No, Your Honor, we're prepared.

17 **THE COURT:** Then it is the judgment and sentence of this
18 Court, Mr. Mirkarimi, on your plea of guilty to the charge of
19 236 as follows:

20 Imposition of sentence will be suspended. You will be
21 placed on three years probation to the Adult Probation
22 Department on the following terms and conditions:

23 You are to serve one day in the County Jail. I'll give you
24 credit for having served that one day.

25 You're to perform 100 hours of community service pursuant to
26 the domestic violence 1203 section.

27 You are to enter, participate, and successfully complete 52
28 weeks of domestic violence counseling pursuant to 1203.097.

1 You're to pay a \$400 domestic violence fine.

2 You're to enter and complete parenting classes if that's
3 deemed appropriate by the Adult Probation Department.

4 You have waived your appellate rights.

5 The stay-away orders in this matter will remain in full
6 force and effect until lifted by the Court that will be
7 monitoring your probation, and you are subject to any family
8 court order.

9 There are certain fines and fees that have to be imposed.
10 You are to pay \$120 to the restitution fund, a \$40 court
11 operations assessment fee, and a \$30 criminal conviction
12 assessment fine.

13 Do you understand, sir, and accept the terms and conditions
14 of your probation?

15 **THE DEFENDANT:** Yes, Your Honor.

16 **THE COURT:** That will be the order.

17 Now, a couple of other housekeeping matters.

18 Is there -- wasn't there to be a -- was there a probation
19 officer here?

20 **MS. WRIGHT:** Yes, Your Honor. Ms. Wright.

21 **THE COURT:** How are you?

22 **MS. WRIGHT:** I'm good. How are you?

23 **THE COURT:** Fine, thank you. Nice to see you.

24 **MS. WRIGHT:** Nice to see you, Judge.

25 So he will attend the probation orientation this Thursday,
26 March 22nd in the Probation Department, and return back to
27 Department 15 on April 6th for proof of enrollment. I'll give
28 him a referral this morning, Judge.

1 **THE COURT:** Very well.

2 Mr. Mirkarimi, I'm going to order that you participate in
3 the --

4 **MS. WRIGHT:** Probation orientation this Thursday.

5 **THE COURT:** -- the probation orientation this Thursday,
6 March 22nd as a condition of probation, and to be in
7 Department 15, is that at 9:00 a.m.?

8 **MS. WRIGHT:** On April 6, at 9:00 a.m.

9 **THE COURT:** On April 6th at 9:00 a.m. Will you accept those
10 also?

11 **THE DEFENDANT:** Yes.

12 **THE COURT:** That will be the order.

13 Lastly, I have here, and I want to give back to the
14 respective parties all of the exhibits and the matters,
15 evidentiary matters that were either entered into evidence,
16 entered for identification, or were lodged with the Court.

17 I have here, if you would approach, please, both sides.

18 Ms. Stiglich, this is the information or the exhibits for
19 the Defense.

20 Ms. Aguilar-Tarchi, these are the People's exhibits.

21 The Court now has none of them.

22 Is there anything else?

23 **MS. AGUILAR-TARCHI:** No, Your Honor.

24 **THE COURT:** Ms. Stiglich?

25 **MS. STIGLICH:** Thank you, Your Honor.

26 **THE COURT:** Thank you. Good luck, Mr. Mirkarimi.

27 **THE DEFENDANT:** Thank you.

28 **THE COURT:** Ms. Aguilar-Tarchi, I believe we have waited to

1 today to dismiss the remaining charges.

2 MS. AGUILAR-TARCHI: Yes, Your Honor. In light of the plea
3 of guilty and disposition and sentencing that occurred this
4 morning, the People will dismiss the balance of the Complaint
5 pursuant to Section 1385.

6 THE COURT: That motion will be granted and the bail will be
7 exonerated. Thank you.

8 MS. AGUILAR-TARCHI: Thank you, Your Honor.

9 (Whereupon, proceedings were concluded.)

10 ---ooo---

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 State of California)
2 County of San Francisco)

3
4 REPORTER'S CERTIFICATE

5
6 I, Janet S. Pond, CSR No. 5292, Official Court Reporter for
7 the Superior Court of California, County of San Francisco, do
8 hereby certify:

9 That I was present at the time of the above proceedings;

10 That I took down in machine shorthand notes all proceedings
11 had and testimony given;

12 That I thereafter transcribed said shorthand notes with the
13 aid of a computer;

14 That the above and foregoing is a full, true, and correct
15 transcription of said shorthand notes, and a full, true and
16 correct transcript of all proceedings had and testimony taken;

17 That I am not a party to the action or related to a party
18 or counsel;

19 That I have no financial or other interest in the outcome
20 of the action.

21
22 Dated: March 21, 2012


23
24
25
26 
27 Janet S. Pond, CSR No. 5292
28

EXHIBIT 39

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs ROSS MIRKARIMI

☒ Present

SC #
000000

Assistant DA of Record
ELIZABETH AGUILARTARCHI ☒ Present

Attorney of Record
LIDIA STIGLICH ☒ Present

☐ Interpreter Language

Clerk
GINA M GUIDI

Judge
JAMES P COLLINS

Reporter

JANET POND#5292-850 Bryant Street, Room 201-San Francisco-94103-4603

Cause on Calendar for Sentence

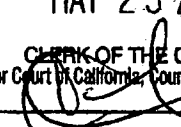
Defendant Status: XXXX

Defendant has retained LIDIA STIGLICH, Esq.

Count	Code	Section	Degree	MC #	Plea	Finding
001	PC	273, 5 (A) /M		12001311	NG	DISMISS
002	PC	273A (B) /M		12001311	NG	DISMISS
003	PC	136, 1B1/M		12001311	NG	DISMISS
004	PC	236/M		12001311	G	

THE ANNEXED INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN MY OFFICE.
ATTEST: CERTIFIED

MAY 25 2012

CLERK OF THE COURT,
Superior Court of California, County of San Francisco
BY:  DEPUTY CLERK

THE COURT SPREADS REMITTITUR FROM THE APPELLATE DIVISION ONTO THE RECORD

THE DEFENDANT PERSONALLY WAIVED ALL APPELLATE RIGHTS

THE COURT RETURNS ALL SUBMITTED EXHIBITS TO THE MOVING PARTIES

Time is waived for sentencing.

The Court orders imposition of sentence suspended.

Probation is ordered granted for a period of 3 year(s), subject to the following terms and conditions:

As a condition of probation, the defendant shall serve a term in County Jail of 1 day(s).

Defendant is to receive credit for time served of 1 day(s) .

Defendant shall pay a domestic violence fund fee in the amount of \$400 pursuant to PC 1203.097.

The defendant shall participate in a 52 weeks domestic violence, drug, alcohol, psychological and psychiatric counseling program.

The defendant is ordered to perform 100 hours of community service.

ENTER AND COMPLETE PARENTING CLASSES IF DEEMED APPROPRIATE BY THE ADULT PROBATION DEPARTMENT

THE COURT ORDERS: ALL PREVIOUS PROTECTIVE ORDERS REMAIN IN FULL FORCE AND EFFECT.

Defendant shall pay a restitution fine in the amount of \$120 per convicted misdemeanor count pursuant to PC 1202.4(b)(1).

Defendant shall pay a probation revocation restitution fine in the same amount as that imposed pursuant to PC 1202.4(b). This additional restitution fine shall be stayed unless the defendant's probation is revoked.

Defendant shall pay a Court Operations Assessment in the amount of \$40 per convicted count pursuant to Penal Code 1465.8.

Defendant shall pay an Immediate Critical Needs Assessment in the amount of \$30 per each convicted felony or misdemeanor count and \$35 per each convicted infraction count pursuant to GC 70373(a).

Defendant shall pay probation costs up to an amount of \$50 per month.

The defendant is ordered to report to the Collections Unit in Room 101, Hall of Justice, forthwith or within 48 hours of release from custody to make arrangements to pay the fine and other monetary obligations. Failure to do so may subject the defendant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs ROSS MIRKARIMI

☒ Present

SC #
000000

Assistant DA of Record
ELIZABETH AGUILARTARCHI ☒ Present

Attorney of Record
LIDIA STIGLICH ☒ Present

☐ Interpreter Language

Clerk
GINA M GUIDI

Judge
JAMES P COLLINS

Reporter

JANET POND#5292-850 Bryant Street, Room 201-San Francisco-94103-4603

Cause on Calendar for Sentence

Defendant Status: XXXX

from custody to make arrangements to pay the fine and other monetary obligations. Failure to do so may subject the defendant to a \$300 Civil Assessment.

Defendant shall obey all laws.

Defendant accepts conditions of probation.

Court grants District Attorney's motion to dismiss the remaining count(s) pursuant to PC 1385.

Bail is ordered exonerated.

The case is continued for: DV PROGRAM ENROLLMENT IN DEPT 15.

Cause is ordered continued to 04/06/2012 at 09:00 in Department M15 for Hearing.



EXHIBIT 40

REDACTED

SUPERIOR COURT - CALIFORNIA, COUNTY OF SAN FRANCISCO				PROBATION ORDER	
Defendant's Name ROSS MIRKARIMI		SC# 000000	MC# 12001311	Court Date 03/19/2012	Dept. No. S23
AKA		APD No.	File No.	SFPD No.	Defendant Status XXXX
Address		Offense 236PC;			
		Convicted of misdemeanor by plea on 03/12/2012			
<input type="checkbox"/> Interpreter Needed/ Specify Language		Received Date	Judge JAMES P COLLINS		
D.O.B. 01/??/1900	P.O.B.	Sex M	Phone No.	Caseload No.	C/S Probation Officer W. P. 1907
Investigation PO, Extension		DA ELIZABETH AGUILARTARCH	Defense Attorney LIDIA SWIGLICH		

COURT ACTION

The above name defendant, being present in court and having been convicted of violation(s) of section(s)
MC#:12001311 - 236PC;

IT IS HEREBY ORDERED THAT: imposition of sentence suspended. *MC#120009457*
Terms and Conditions

1. Time is waived for sentencing.
2. Count 004 on MC# 12001311, Principal Term.
3. The Court orders imposition of sentence suspended.
4. Probation is ordered granted for a period of 3 year(s), subject to the following terms and conditions:
5. As a condition of probation, the defendant shall serve a term in County Jail of 1 day(s).
6. Defendant is to receive credit for time served of 1 day(s).
7. Defendant shall pay a domestic violence fund fee in the amount of \$400 pursuant to PC 1203.097.
8. The defendant shall participate in a 52 weeks domestic violence, drug, alcohol, psychological and psychiatric counseling program.
9. The defendant is ordered to perform 100 hours of community service.
10. ENTER AND COMPLETE PARENTING CLASSES IF DEEMED APPROPRIATE BY THE ADULT PROBATION DEPARTMENT
11. THE COURT ORDERS: ALL PREVIOUS PROTECTIVE ORDERS REMAIN IN FULL FORCE AND EFFECT.
12. Defendant shall pay a restitution fine in the amount of \$120 per convicted misdemeanor count pursuant to PC 1202.4(b)(1).
13. Defendant shall pay a probation revocation restitution fine in the same amount as that imposed pursuant to PC 1202.4(b). This additional restitution fine shall be stayed unless the defendant's probation is revoked.
14. Defendant shall pay a Court Operations Assessment in the amount of \$40 per convicted count pursuant to Penal Code 1465.8.
15. Defendant shall pay an Immediate Critical Needs Assessment in the amount of \$30 per each convicted felony or misdemeanor count and \$35 per each convicted infraction count pursuant to GC 70373(a).
16. Defendant shall pay probation costs up to an amount of \$50 per month.
17. The defendant is ordered to report to the Collections Unit in Room 101, Hall of Justice, forthwith or within 48 hours of release from custody to make arrangements to pay the fine and other monetary obligations. Failure to do so may subject the defendant to a \$300 Civil Assessment.
18. Defendant shall obey all laws.
19. Court grants District Attorney's motion to dismiss the remaining count(s) pursuant to PC 1385.
20. The case is continued for: DV PROGRAM ENROLLMENT IN DEPT 15.
21. ***Per 1203.4(a)PC upon completion or early termination of sentence, you may petition the Court to be released of all penalties and disabilities resulting from offense(s). See your attorney or public defender.
22. Notify the probation officer immediately when you change your residence or employment.
23. Obey all laws. Federal law prohibits any convicted felon from possessing a firearm.
24. Report to the probation officer monthly, or as directed. Failure to report is a violation of the terms of your probation.
25. Notify the probation officer of any arrests no more than 24 hours after they occur. (Excluding weekends and holidays.)
26. Defendant accepts conditions of probation.
27. Cause is ordered continued to 04/06/2012 at 09:00 in Department M15 for Hearing.

RECEIVED
SAN FRANCISCO ADULT
PROBATION DEPT.
2012 MAR 20 AM 8:42
RECORDS & RECEPTION UNIT

I ACKNOWLEDGE THAT PROBATION OFFICER HAS EXPLAINED ABOVE CONDITIONS Defendant Initials Date

X

Signature of Defendant

Date

Signature of Court Clerk/Court Officer

Date

Signature of Probation Officer

Date

EXHIBIT 41



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
STREET ADDRESS: 850 Bryant Street
MAILING ADDRESS: San Francisco 94103
CITY AND ZIP CODE: Hall of Justice - Criminal Division
BRANCH NAME:

FOR COURT USE ONLY
FILED
Superior Court of California
County of San Francisco

JAN 27 2012

PEOPLE OF THE STATE OF CALIFORNIA

vs.

DEFENDANT: ROSS B. MIRKARIMI

CLERK OF THE COURT
BY: JANNETTE GOMEZ-WONG
Deputy Clerk

CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE
(CLETS - CPO) (Pen. Code, §§ 136.2, 1203.097(a)(2), 273.5(i), and 646.9(k))

CASE NUMBER:

12001311

☒ ORDER UNDER PENAL CODE, § 136.2 ☐ MODIFICATION

☐ PROBATION CONDITION ORDER (Pen. Code, § 1203.097)

CLETS ENTRY BY:

ORDER UNDER: ☐ PENAL CODE, § 273.5(i) ☐ PENAL CODE, § 646.9(k)

This Order May Take Precedence Over Other Conflicting Orders, See Item 1 on Page 2.

PERSON TO BE RESTRAINED (complete name): ROSS BLAIR MIRKARIMI

Sex: ☒ M ☐ F Ht: 6'1 Wt: 205 Hair color: BK Eye color: BR Race: W Age: 50 Date of Birth: 8/4/61

☒ The defendant is a peace officer with SAN FRANCISCO Department: SHERIFF'S DEPT.

1. This proceeding was heard on (date): at (time): In Dept.: 50 Room:
by judicial officer (name): Hon. Judge Susan M. Breall

2. This order expires on (date): If no date is listed, this order expires three years from the date of issuance.

3. ☒ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.

4. COMPLETE NAME OF EACH PROTECTED PERSON: Eliana L. & Theo M. (age 2)

5. ☐ For good cause shown, the court grants the protected persons named above the exclusive care, possession, and control of the following animals:

GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT

6. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above.

7. must surrender to local law enforcement or sell to licensed gun dealer any firearm owned or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.

8. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.

9. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. ☐ The court finds good cause not to make the order in item 9.

10. ☒ must have no personal, electronic, telephonic, or written contact with the protected persons named above.

11. ☒ must have no contact with the protected persons named below through a third party, except an attorney of record.

12. ☒ must not come within 100 yards of the protected persons and animals named below.

13. ☐ may have peaceful contact with the protected persons named above only for the safe exchange of children for court-ordered visitation as stated in the attached Family, Juvenile, or Probate court order in Case No. , issued on (date): , as an exception to the "no contact" or "stay-away" provision in paragraph 10, 11, or 12 of this order.

14. ☒ may have peaceful contact with the protected persons named above only for the safe exchange of children for visitation as stated in a Family, Juvenile, or Probate court order issued after the date this order is signed, as an exception to the "no contact" or "stay away" provisions in paragraph 10, 11 or 12 of this order.

15. ☐ must not take, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals described in paragraph 5.

16. ☐ The protected persons may record any prohibited communications made by the restrained person.

17. Other orders including stay-away orders from specific locations: 100 yds. from: 721 Webster St. San Francisco

Date: 1-27-12

JUDICIAL OFFICER

Department/Division

Form Adopted for Mandatory Use
Judicial Council of California
CR-160 (Rev. Jan. 1, 2009)
Approved by Department of Justice

CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE (CLETS - CPO)
(Penal Code, §§ 136.2, 1203.097(a)(2), 273.5(i), and 646.9(k).)

Page 1 of 2
Penal Code, §§ 136.2, 166,
1203.097(a)(2), 273.5(i), and 646.9(k)
www.courtinfo.ca.gov

(Distribution: original to file; 1 copy to each protected person; 1 copy to defendant; 1 copy to prosecutor; 1 copy to law enforcement)

American LegalNet, Inc.
www.FormsWorkflow.com

1 LIDIA STIGLICH, State Bar No. 182100

2 STIGLICH & HINCKLEY, LLP

3 803 Hearst Avenue

4 Berkeley, California 94710

5 Telephone: (510) 486-0800

6 Facsimile: (510) 486-0801

7 Attorneys for Defendant

8 ROSS MIRKARIMI

FILED
San Francisco County Superior Court

APR - 2 2012

CLERK OF THE COURT

By: *[Signature]*

Deputy Clerk



9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF SAN FRANCISCO

11 PEOPLE OF THE STATE OF
12 CALIFORNIA,

13 Plaintiff,

14 vs.

15 ROSS MIRKARIMI,

16 Defendant.

MCN 12001311

~~PROPOSED~~ ORDER RE
MODIFICATION OF PROTECTIVE
ORDER

17 GOOD CAUSE HAVING BEEN SHOWN and pursuant to the agreement of the parties, the
18 Criminal Protective Order issued on January 27, 2012 in the above-entitled action is hereby
19 modified as follows:

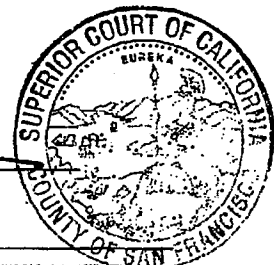
20 Defendant Mirkarimi shall be permitted to return to the home on Webster Street, San
21 Francisco, California upon execution of this Order until April 27, 2012. It is anticipated that Ms.
22 Lopez will not return to the Webster Street address until April 28, 2012. Should Ms. Lopez
23 notice her intent to return in advance of April 28, 2012, Defendant Mirkarimi shall vacate the
24 premises the day preceding her anticipated arrival.

25 ALL OTHER TERMS AND CONDITIONS OF THE CRIMINAL PROTECTIVE
26 ORDER REMAIN IN FULL FORCE AND EFFECT.

27 IT IS SO ORDERED.

28 Dated: *April 2, 2012*

[Signature]
Superior Court Judge



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs ROSS MIRKARIMI

☒ Present

SC #

000000

Assistant DA of Record

ELIZABETH AGUILARTARCHI

☒ Present

Attorney of Record

LIDIA STIGLICH

☒ Present☐ Interpreter Language

Clerk

SANDRA SCOTT

Judge

GARRETT L. WONG

Reporter

SUSAN LEE #4280-850 Bryant Street, Rm. 306-San Francisco-94103-

Cause on Calendar for Hearing

Defendant Status: XXXX

Defendant has retained LIDIA STIGLICH, Esq.

Count	Code	Section	Degree	MC #	Plea	Finding
004	PC	236/M		12001311	G	

Cause on calendar: DEFENSE MOTION TO MODIFY STAY AWAY.

MODIFICATION OF STAY AWAY ORDER, SIGNED AND FILED

THE COURT ORDERS: STAY AWAY ORDER IS MODIFIED IN THAT THE DEFENDANT SHALL BE PERMITTED TO RETURN TO THE HOME ON WEBSTER STREET IN SAN FRANCISCO UNTIL APRIL 27, 2012.

Cause is ordered continued to 04/06/2012 at 09:00 in Department M15 for Hearing.



FILED
San Francisco County Superior Court

MAY - 4 2012

CLERK OF THE COURT

By: [Signature]
Deputy Clerk

LIDIA STIGLICH, State Bar No. 182100
STIGLICH & HINCKLEY, LLP
803 Hearst Avenue
Berkeley, California 94710
Telephone: (510) 486-0800
Facsimile: (510) 486-0801

Attorneys for Defendant
ROSS MIRKARIMI

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

vs.

ROSS MIRKARIMI,

Defendant.

MCN 12001311

**STIPULATION AND [PROPOSED]
ORDER RE MODIFICATION OF
PROTECTIVE ORDER**

THE ANNEXED INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN MY OFFICE.
ATTEST: CERTIFIED

MAY 24 2012

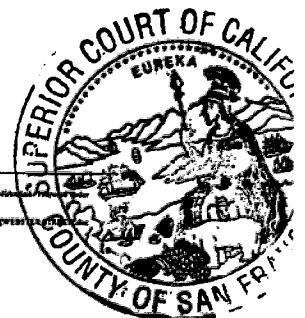
CLERK OF THE COURT
Superior Court of California, County of San Francisco
By: [Signature] DEPUTY CLERK

Defendant ROSS MIRKARIMI, by and through his counsel Lidia S. Stiglich, and the
People of the State of California, by and through Assistant District Attorney Elizabeth Aguilar
Tarchi, hereby stipulate and agree the Criminal Protective Order issued on January 27, 2012 in
the above-entitled action is hereby modified as follows:

Defendant Mirkarimi shall be permitted to return to the home on Webster Street, San
Francisco, California until the return of his wife, Ms. Eliana Lopez, to the United States.

Ms. Lopez is currently scheduled to return on June 16, 2012.

Should Ms. Lopez notice her intent to return in advance of June 16, 2012, Defendant
Mirkarimi shall vacate the premises the day preceding her anticipated arrival. Should Ms. Lopez
extend her stay beyond the anticipated June 16, 2012 date, Defendant Mirkarimi shall be



1 permitted to stay in the home but shall vacate the premises the day preceding her anticipated
2 arrival.

3 ALL OTHER TERMS AND CONDITIONS OF THE CRIMINAL PROTECTIVE
4 ORDER REMAIN IN FULL FORCE AND EFFECT.

5 IT IS SO STIPULATED.

6
7 Dated: May 4, 2012

Elizabeth Tarchi
ELIZABETH TARCHI
Assistant District Attorney

8
9
10 Dated: 5/4/2012

Lidia S. Stiglich
LIDIA S. STIGLICH
Attorneys for Defendant
ROSS MIRKARIMI



ORDER

GOOD CAUSE APPEARING, upon stipulation of the parties, the Criminal Protective Order issued on January 27, 2012 in the above-entitled action is hereby modified as follows:

Defendant Mirkarimi shall be permitted to return to the home on Webster Street, San Francisco, California until the return of his wife, Ms. Eliana Lopez, to the United States.

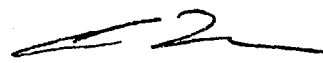
Ms. Lopez is currently scheduled to return on June 16, 2012.

Should Ms. Lopez notice her intent to return in advance of June 16, 2012, Defendant Mirkarimi shall vacate the premises the day preceding her anticipated arrival. Should Ms. Lopez extend her stay ^{in Venezuela GLW} beyond the anticipated June 16, 2012 date, Defendant Mirkarimi shall be permitted to stay in the home but shall vacate the premises the day preceding her anticipated arrival.

ALL OTHER TERMS AND CONDITIONS OF THE CRIMINAL PROTECTIVE ORDER REMAIN IN FULL FORCE AND EFFECT.

IT IS SO ORDERED.

Dated: May 4, 2012


Honorable Garrett L. Wong
Superior Court Judge

