

**CITY AND COUNTY OF SAN FRANCISCO  
BOARD OF SUPERVISORS  
BUDGET AND LEGISLATIVE ANALYST**

1390 Market Street, Suite 1150, San Francisco, CA 94102  
(415) 552-9292 FAX (415) 252-0461

**Policy Analysis Report**

To: Supervisor Haney  
From: Budget and Legislative Analyst's Office  
Re: Policing and Criminal Justice Costs Related to Open Air Drug Dealing  
in the Tenderloin, South of Market, and Mid-Market neighborhoods  
Date: April 25, 2019



**SUMMARY OF REQUESTED ACTION**

Your office requested that the Budget and Legislative Analyst assess and report on the policing and related criminal justice costs of the City's approach to minimize the existence of open air drug dealing in the Tenderloin, Mid-Market, and South of Market (SoMa) neighborhoods as well as collect and report on available summary statistics regarding related arrests, prosecutions, and diversion programs.

*For further information about this report, contact Dan Goncher, Principal at the Budget and Legislative Analyst's Office.*

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**Executive Summary**

- Open air drug dealing on the streets of San Francisco has contributed to City residents' concerns about public safety, which was the fifth most commonly mentioned issue by respondents to the Controller's 2017 survey of San Francisco residents. Public safety concerns were particularly high in District Six, which encompasses the neighborhoods with the highest levels of open air drug dealing arrests, including the Tenderloin, South of Market (SoMa), and Mid-Market. The City's efforts to address open-air drug dealing in these areas is dispersed across various City departments and there is no coordinated strategic plan or tracking and reporting of associated costs (though some efforts, such as the recent increase in Police foot patrols in U.N. Plaza and the Mid-Market corridor, are coordinated by the Mayor's Office).
- In FY 2017-18, 883 individuals were booked or cited by the San Francisco Police Department (SFPD) for incidents associated with drug sales. 56 percent of this group were booked or cited by officers from the Tenderloin Police District, by far the highest of any police district in the City. The Southern Police District, encompassing most of SoMa and Mission Bay, had the second highest number of bookings and citations from this group. The majority (51 percent) of individuals booked or cited for drug sales in FY 2017-18 were Hispanic or Latino even though Latinos only make up 15 percent of the City's population. Black arrestees were also overrepresented in drug sale arrests compared to the share of the City population (27 percent of arrestees vs. five percent of the population). The SFPD notes that not all of the

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*Budget and Legislative Analyst*

arrestees are City residents so a direct comparison to City demographics may be misleading. The drugs most commonly associated with bookings or arrests of individuals in FY 2017-18 were cocaine base/rock (i.e. “crack”), heroin, and methamphetamine.

- There were 747 drug sales arrests presented to the District Attorney in FY 2017-18. Of these arrests, 601, or 80.5 percent, resulted in charges filed. Of the 601 filings, 276 (45.9 percent) are still pending. Of the remainder, 173 resulted in convictions, 68 were dismissed, 55 resulted in “another action” (most involving a plea bargain that involved pleading guilty on other charges), 28 resulted in successful diversion, and one defendant is deceased. Of the 173 convictions, 139 (80.3 percent) resulted in probation with some time served in County jail and 32 (18.5 percent) resulted in sentencing to County jail (five of these 32 outcomes are realignment related sentences in which the individual would have otherwise served time in State prison).
- Federal, State, and local policies have shifted away from criminal prosecution and mandatory sentencing of low-level drug offenders in recent years. The City has established diversion and collaborative justice programs to help address addiction and other social service needs related to illegal drug sales. These include Law Enforcement Assisted Diversion (LEAD SF), Young Adult Court, Behavioral Health Court, and Drug Court. The City spent \$274,589 on matching funds for the LEAD SF program and \$649,587 citywide on Young Adult Court in FY 2017-18. In addition, the City spent an estimated \$735,121 in FY 2017-18 on the Community Ambassador’s Program in the Mid-Market and Tenderloin neighborhoods.
- The SFPD’s open air drug dealing suppression efforts include a Narcotics Unit, “buy-bust” operations out of district stations, and reactive policing (responses to calls for service, officer patrols, and arrest activities). The Narcotics Unit is responsible for investigating all narcotics complaints with proactive investigation and arresting of individuals involved with narcotics trafficking and narcotics trafficking organizations. In addition to the work of the Narcotics Unit, the SFPD conducts “buy-bust” operations in which police go under-cover and attempt to purchase illegal drugs as well as spotting operations in which there are officers dedicated to the task of observing drug deals and making arrests. The total estimated cost for SFPD open air drug sale suppression efforts in the Tenderloin, SoMa, and Mid-Market areas, including materials and supplies, (but not including administrative overhead, training, or reactive policing costs) for FY 2017-18 is estimated to be \$7,731,926.
- Although the District Attorney’s Office does not have a narcotics unit or track time spent on specific cases, the Office has reported that drug charges are between 20 and 25 percent of their total caseloads. Assuming that 22.5 percent of all cases

involve drug charges, we estimate that \$2,007,133 was spent by the District Attorney's Office citywide last year to prosecute felony and misdemeanor drug cases. We assume that 68 percent of these costs, or \$1,364,850, are attributable to cases from the Tenderloin, SoMa, and Mid-Market areas.

- The Public Defender's Office provided defense for approximately 841 drug cases in FY 2017-18. Public Defender's staffing dedicated to defense of drug selling charges, and LEAD SF eligible offenses which occurs primarily in Drug Court, Community Justice Court, and the LEAD SF diversion program, was 4.25 FTEs with a total citywide salary and benefit cost of \$642,496 in FY 2017-18. We assume that 68 percent of these costs, or \$436,897, is attributable to cases from the Tenderloin, SoMa, and Mid-Market areas.
- The Sheriff's Office performs three main functions when responding to the arrest of individuals for drug sales charges: (1) booking arrestees into jail; (2) managing jails while arrestees await trial or await release on their own recognizance; and, (3) managing court security during legal proceedings. The estimated Sheriff costs for these services in FY 2017-18 was \$1,692,811 based on the assumption, provided by the Sheriff's Office that approximately 4.1 percent of individuals booked into County jails in FY 2017-18 had a drug sale charge from SoMa, Mid-Market, or the Tenderloin as their top level charge.
- The Office of Economic and Workforce Development (OEWD) operates several programs aimed at improving the built environment in order to deter crime and promote community engagement, these efforts are sometimes referred to as "crime prevention through environmental design." OEWD estimates that \$272,000 was expended on these activities in FY 2017-18 in the Tenderloin and Mid-Market areas.
- As shown in Exhibit A below, we estimate that \$12,519,713 was spent by the City for suppression and related criminal justice costs of open air drug dealing in the Tenderloin, SoMa, and Mid-Market areas in FY 2017-18. When only citywide costs were available we assumed that 68 percent were attributable to the Tenderloin, SoMa, and Mid-Market based on arrest data shown in Exhibit 2. Note that this estimate does not include all administrative overhead costs and does not include long-term incarceration costs for individuals convicted of illegal drug sales or for costs associated with Drug Court or Behavioral Health Court. Further, these estimates also do not include the costs of reactive policing efforts (e.g. responding to calls for service, officer patrols) or training costs, as described in more detail below under "Counter Narcotics Operations."

**Exhibit A**  
**Summary of Estimated FY 2017-18 Costs for Suppression and Related Criminal Justice**  
**Costs of Open Air Drug Dealing in the Tenderloin, SoMa, and Mid-Market**

<b>Program or Activity</b>	<b>Department</b>	<b>Estimated FY 2017-18 Cost</b>	<b>68% Share if Citywide*</b>	<b>Geography</b>	<b>Exhibit #</b>
Narcotics Unit Staffing Costs	Police	\$3,744,036	\$2,545,944	Citywide	9
Proactive Counter Narcotics Operations	Police	\$5,033,193	\$5,033,193	Tenderloin, Southern, and Mission Police Districts	10
Additional SFPD Costs	Police	\$224,689	\$152,789	Citywide	11
Prosecution of Drug Cases	District Attorney	\$2,007,133	\$1,364,850	Citywide	13
Defense of Drug Cases	Public Defender	\$642,496	\$436,897	Citywide	14
Detaining Individuals Associated with Drug Sales	Sheriff	\$1,692,811	\$1,692,811	SoMa, Mid-Market, and Tenderloin	15
LEAD SF	Multiple (DPH is Managing Agency)	\$274,589	\$186,721	Citywide	16 & 17
Young Adult Court	District Attorney, Public Defender, & Adult Probation	\$146,157	\$99,387	Citywide	20
Community Ambassadors	City Administrator (Office of Civic Engagement and Immigrant Affairs)	\$735,121	\$735,121	Mid-Market and Tenderloin	21
Crime Prevention through Environmental Design	Office of Economic and Workforce Development	\$272,000	\$272,000	Mid-Market and Tenderloin	22
<b>Total Estimated Cost Attributable to the Tenderloin, SoMa, and Mid-Market areas*</b>			<b>\$12,519,713</b>		

\* For costs that were provided to us as citywide figures, we assumed that 68 percent of the costs are attributable to the Tenderloin, SoMa, and Mid-Market areas based on the distribution of drug sales bookings and citations by SFPD as shown in Exhibit 2 on page 7 of this report (the sum of bookings and citations in the Tenderloin and Southern Police Districts).

## Policy Options

1. The Board of Supervisors should consider creating a task force to address ways to suppress open air drug sales in the Tenderloin, SoMa, and Mid-Market areas. This task force should contain community members, experts, and department agencies tasked to evaluate current efforts to curb drug sales and should also suggest new programs and efforts. If such a task force is created, the Board should request that it report periodically on the costs of various efforts across City agencies and on performance measures to track programs' effectiveness.
2. The Board of Supervisors could request the Director of Public Health to report on how DPH plans to continue SF LEAD after expiration of the State grant including an estimate of necessary funding and how the City can maintain or increase the rate of social contact and pre-booking referrals.
3. The Board of Supervisors could request the Director of the Department of Children, Youth, and their Families to report on plans to maintain or expand referrals to Young Adult Court after expiration of State grant funding.

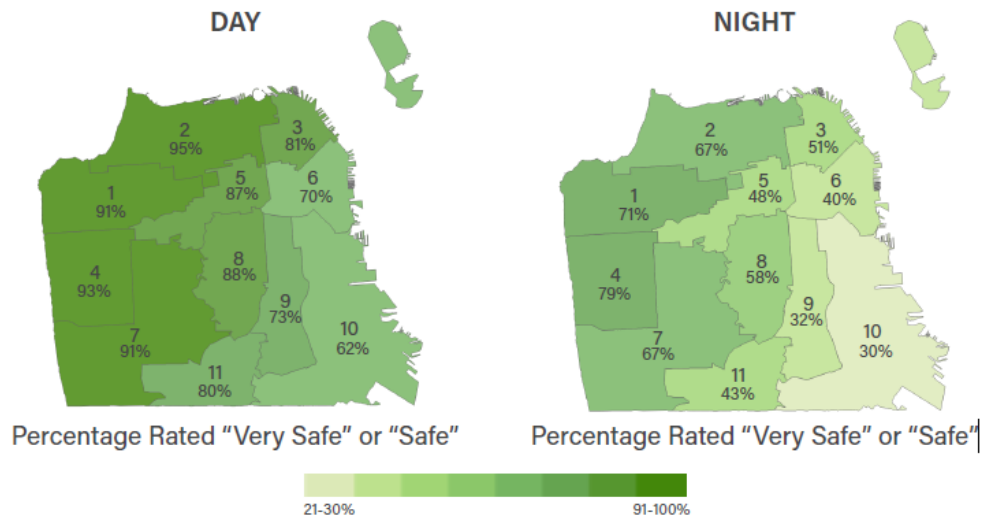
*Project staff: Monica Balanoff, Hampton Smith, Dan Goncher*

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## Background

Open air drug dealing on the streets of San Francisco has contributed to City residents' concerns about public safety, which was the fifth most commonly mentioned issue by respondents to the Controller's 2017 survey of San Francisco residents. Public safety concerns are particularly high in supervisorial districts 6, 9, 10, and 11. According to the survey, 70 percent of residents in District 6 felt safe during the day while only 40 percent felt safe at night, the second and third lowest levels of safety perception across the City respectively. These survey results are shown in Exhibit 1 below. District 6 encompasses some of the areas with highest levels of open air drug dealing arrests, including the Tenderloin, South of Market (SoMa), and Mid-Market neighborhoods.

**Exhibit 1**  
**2017 Controller Survey: Residents' Perception of Public Safety**



Source: 2017 San Francisco City Survey, A biennial survey of San Francisco residents, May 9, 2017, Office of the Controller

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## Overview of Drug Dealing Arrests, Prosecutions, and Incarceration

### Arrests of Drug Dealers

In FY 2017-18, 883 individuals were booked or cited<sup>1</sup> by the San Francisco Police Department (SFPD or Department) for incidents associated with drug sales. Of this group, 496, or 56 percent, of the individuals were booked or cited for narcotics sales by officers from the Tenderloin District. The Southern Police District, which covers most of SoMa and Mission Bay, at 103, or 12 percent of the citywide total, had the second highest number of incidents associated with drug sales. Exhibit 2, below, shows the number of bookings and citations for

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<sup>1</sup> According to SFPD: Generally, a booking occurs when an individual under arrest is entered into criminal justice data systems in order to be processed for custody. Booking in a vast majority of circumstances occurs at County Jail 1, in partnership with the SF Sheriff's Department, although there are exceptions. Citations are another form of legal arrest which requires individuals to either pay a fine or to appear in court. An example of a citation is a speeding ticket. The general difference between a booking arrest and a citation arrest is whether the person is taken into custody or not, although there are exceptions.

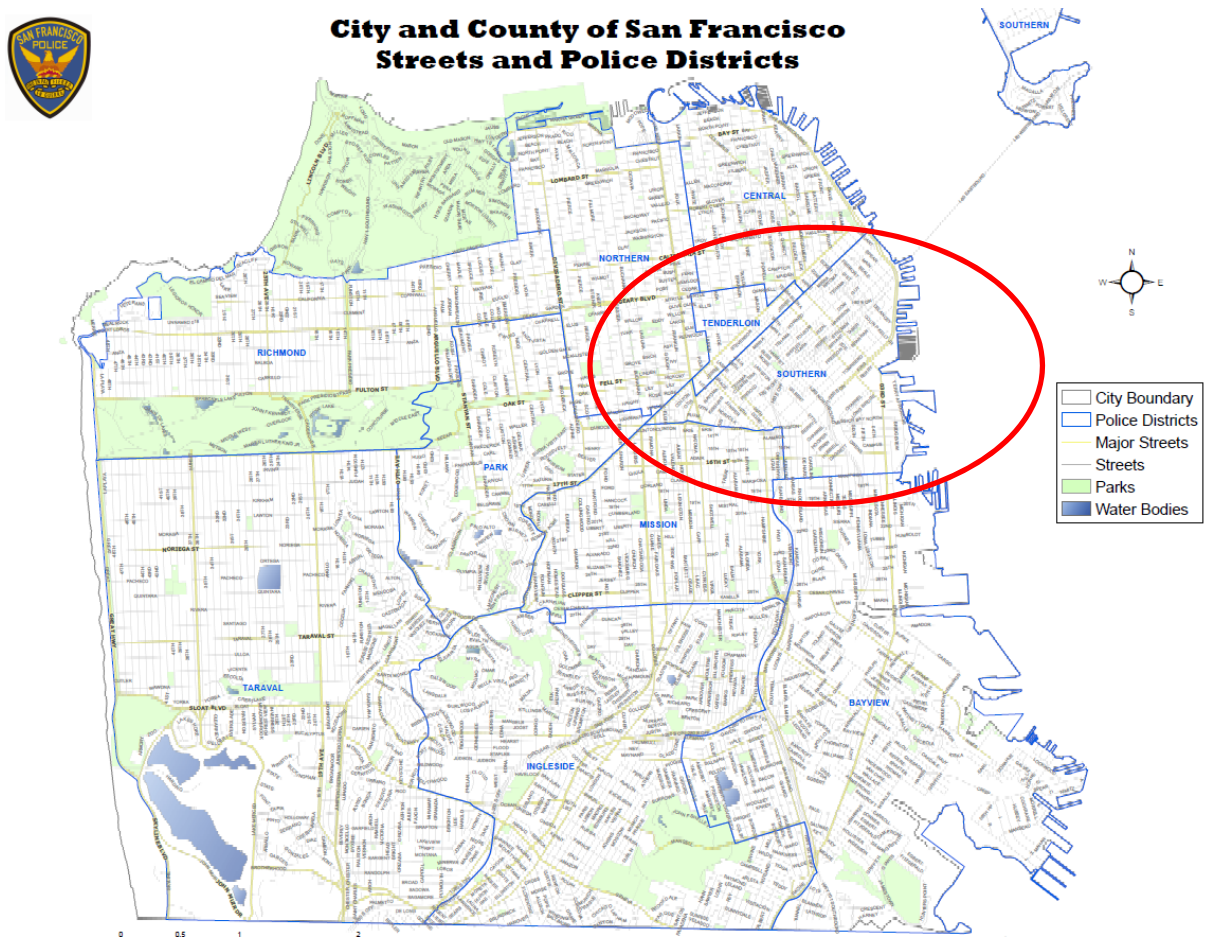
drug sales by police district. Exhibit 3, further below, shows the boundaries of police districts in San Francisco with the Tenderloin and Southern districts highlighted.

**Exhibit 2**  
**Bookings and Citations for Narcotics-sales Incidents in FY 2017-18 by Police District**

<b>Police District of Incident Occurrence</b>	<b>Number of Incidents</b>	<b>Percent of Total</b>
Tenderloin	496	56%
Southern	103	12%
Mission	67	8%
Northern	59	7%
Bayview	39	4%
Ingleside	32	4%
Park	28	3%
Central	22	2%
Unknown/Outside of SF	21	2%
Taraval	11	1%
Richmond	5	1%
<b>Total</b>	<b>883</b>	<b>100%</b>

Source: Crime Data Warehouse information provided by the San Francisco Police Department

**Exhibit 3**  
**Map of San Francisco Police Districts**



Source: San Francisco Police Department

**Arrests by Drug Type**

The drugs most commonly associated with bookings or arrests of individuals in FY 2017-18 were cocaine base/rock (i.e. “crack”), heroin, and methamphetamine, with those three drugs accounting for 76 percent of all incidents. A booking or arrest often had more than one drug type associated, thus in total there were 1,980 drug incidents associated with the 883 bookings and citations, or an average of 2.2 drug types per incident. A breakdown of incidents by drug type is detailed in Exhibit 4 below, which do not necessarily correspond with the quantity or value of drugs apprehended.



**Exhibit 4**  
**Incidents by Drug Type Associated with Citywide Bookings and Citations**

<b>Drug Type</b>	<b>Number of Incidents</b>	<b>Percent of Total</b>
Cocaine base/rock (i.e. "crack")	612	31%
Heroin	472	24%
Methamphetamine	429	22%
Controlled Substance	144	7%
Cocaine	142	7%
Marijuana	122	6%
Other*	59	3%
<b>Total</b>	<b>1,980</b>	<b>100%</b>

\*Other includes amphetamine, barbiturates, methadone, opiate derivatives, hallucinogenic drugs, and opium derivatives

Source: Crime Data Warehouse information provided by the San Francisco Police Department

**Arrests by Race/Ethnicity**

Of the 883 citywide bookings and citations associated with drug sales in FY 2017-18, the majority of individuals booked or cited were Hispanic or Latino, representing 51 percent of all bookings and citations. Based on the Census Bureau's American Community Survey Demographics estimates for the City and County of San Francisco, Latinos make up approximately 15 percent of the City's population. The SFPD notes that not all arrestees are City residents so a direct comparison to City demographics may be misleading. The demographic break down of bookings and citations by race is included in Exhibit 5 below.

**Exhibit 5**  
**Number of People Booked or Cited for Drug Sales Citywide by Race, FY 2017-18**

<b>Race/Ethnicity</b>	<b>Number of Arrests</b>	<b>Percent of Total</b>	<b>San Francisco Demographic Estimates<sup>2</sup></b>
Hispanic or Latino	448	51%	15%
Black	242	27%	5%
White	143	16%	41%
Asian or Pacific Islander	30	3%	34%
Unknown	18	2%	-
Other	2	<1%	5%
<b>Total</b>	<b>883</b>	<b>99%</b>	<b>100%</b>

Source: Crime Data Warehouse information provided by the San Francisco Police Department; Demographic estimates are based on the American Community Survey 2017 results.

**Citywide Prosecution and Criminal Sentencing of Drug Dealers**

According to District Attorney management and staff, San Francisco's Tenderloin neighborhood is known to users and dealers throughout the Bay Area as a place to buy illegal drugs and sell stolen property. San Francisco District Attorney management also reports that current sentencing practices do not deter sellers from returning to continue selling drugs in the same locations in the Tenderloin and elsewhere.

According to Ms. Sharon Woo, Chief Assistant District Attorney, and Mr. Thomas Ostly, Assistant District Attorney, a high percentage of illegal drug sales in the Tenderloin, Mid-Market and SoMa neighborhoods involve organized criminal operations with the following key components:

- Dealers pre-purchase the drugs they intend to sell in San Francisco from people higher in the criminal enterprise;
- Sellers typically live outside of San Francisco in group living situations;
- Individuals at higher levels in the trade assign dealers to work at specific locations;

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<sup>2</sup> Note that not all arrestees are residents of San Francisco.

- Sellers are organized into shifts so that certain areas are covered 24 hours a day and each shift is covered by the same crew with substitutes when necessary; and,
- Sellers often give drugs to homeless people who are addicted in exchange for that person holding the bulk of the seller's drugs during a shift thus limiting the amount with which the seller can be potentially arrested and charged.

The District Attorney has embedded "neighborhood prosecutors" at SFPD district stations in the Tenderloin and the Mission stations. These trial attorneys work with the SFPD and neighborhood residents to develop strategies to identify and prevent crime including drug crimes.

Drug Sales Arrests and Filings in FY 2017-18

According to Ms. Maria McKee, Principal Analyst with the District Attorney's Office, there were 747 drug sales arrests in FY 2017-18. As shown in Exhibit 6 below, of the 747 drug sales arrests in FY 2017-18, 601 (80.5 percent) resulted in charges filed, 107 (14.3 percent) were discharged, and 39 (5.2 percent) resulted in other actions.<sup>3</sup>

**Exhibit 6**  
**Drug Sales Arrests Presented, FY 2017-18**

<b>Outcome</b>	<b>Number of Arrests</b>	<b>Percent of Total</b>
Filed	601	80.5%
Discharged	107	14.3%
Other Action <sup>4</sup>	39	5.2%
<b>Total</b>	<b>747</b>	<b>100%</b>

Source: District Attorney's Office

Drug Sales Prosecutions and Sentencing in FY 2017-18

Of the 601 drug sales arrests presented in FY 2017-18 that were filed by the District Attorney's Office, 276 (45.9 percent) are still pending, 173 (28.8 percent) resulted in convictions, 68 (11.3 percent) were dismissed by the District

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<sup>3</sup> According to the District Attorney's Office, Other Action refers to prosecutorial actions other than filing, including discharging to proceed on a motion to revoke probation, parole, or mandatory supervision.

<sup>4</sup> *ibid*

Attorney, 55 (9.2 percent) resulted in another action,<sup>5</sup> 28 (4.7 percent) were successfully diverted from the traditional criminal justice system,<sup>6</sup> and one defendant passed away as shown in Exhibit 7 below.

**Exhibit 7**  
**Drug Sales Filing Outcomes, FY 2017-18**

<b>Drug Sales Filings</b>	<b>Number</b>	<b>Percent</b>
Pending	276	45.9%
Convictions	173	28.8%
Dismissal	68	11.3%
Other Action*	55	9.2%
Successful Diversion	28	4.7%
Defendant Deceased	1	0.1%
<b>Total</b>	<b>601</b>	<b>100%</b>

\*Other Action includes 47 cases dismissed in lieu of a conviction on another case, 3 replaced by grand jury indictment (prosecuted at State or Federal level), 3 certified to juvenile court, and 2 released to another agency.

Source: District Attorney's Office

Further, as shown in Exhibit 8 below, of the 173 convictions, 139 (50.4 percent) resulted in probation with County jail time (a combination of credit for time pre-trial time served or jail with some credit given, then probation), 27 (15.6 percent) were sentenced to time in County jail, five (2.9 percent) were given a "straight sentence,"<sup>7</sup> one (0.6 percent) was provided a "split sentence,"<sup>8</sup> and one (0.6 percent) was sentenced to (unsupervised) court probation.

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<sup>5</sup> Other Action includes 47 cases dismissed in lieu of a conviction on another case, three replaced by State or Federal grand jury indictment, three were certified to Juvenile Court, and two were released to another agency.

<sup>6</sup> These diversions were through programs such as Drug Court, Young Adult Court, Behavioral Health Court, and the Community Justice Center.

<sup>7</sup> Straight Sentence refers to a sentence under realignment, in which the convicted individual would have served time in State prison if not for realignment reforms.

<sup>8</sup> A split sentence is a form of mandatory supervision under realignment.

**Exhibit 8**  
**Drug Sales Conviction Outcomes, FY 2017-18**

<b>Drug Sales Conviction Outcomes</b>	<b>Number</b>	<b>Percent</b>
Probation w/ County Jail <sup>a</sup>	139	80.3%
County Jail	27	15.6%
Straight Sentence <sup>b</sup>	5	2.9%
Split Sentence <sup>c</sup>	1	0.6%
Court Probation <sup>d</sup>	1	0.6%
<b>Total</b>	<b>173</b>	<b>100%</b>

Source: District Attorney's Office

<sup>a</sup> These include cases where arrestee was given probation with credit for time served during pre-trial phase and cases where the arrestee was given jail time with some credit for time served and then probation.

<sup>b</sup> These include cases where a non-violent, non-sexual felon would have been sentenced to time in State prison before realignment reforms, but instead serves time in County jail.

<sup>c</sup> These include cases where a non-violent, non-sexual felon would have been sentenced to mandatory supervision before realignment reforms.

<sup>d</sup> This is sometimes referred to as unsupervised probation.

**Jailing vs. Diversion Programs**

Federal, State, and local policies have shifted away from criminal prosecution and mandatory sentencing of low-level drug offenders in recent years. In August 2013, then Attorney General Eric Holder instructed U.S. Attorneys to refrain from using "draconian mandatory minimum sentences" in response to certain low-level, nonviolent drug offenses. Further, at least 29 states have rolled back mandatory sentences since 2000.<sup>9</sup>

In 2013, the San Francisco Sentencing Commission recommended Penal Code reform legislation to change the penalty for drug possession for personal use from a felony to a misdemeanor. The goal of this recommendation was to reduce spending on prisons and jails, invest in drug treatment, mental health, and other community-based services, facilitate reentry, and reduce recidivism by removing consequences that result from a felony conviction, including barriers to employment, housing, financial aid, and public benefits. In 2014,

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<sup>9</sup> *Playbook for Change? States Reconsider Mandatory Sentences*; The Vera Institute; Ram Subramanian and Ruth Delaney; Center on Sentencing and Corrections

California voters passed Proposition 47, the Safe Neighborhoods and Schools Act, requiring misdemeanor sentences instead of felony sentences for certain drug and property offenses. Savings from the reform were to be invested in school truancy and dropout prevention, victims' services, mental health and drug treatment, and other programs designed to reduce recidivism and improve public safety.<sup>10</sup>

#### LEAD SF

In 2017, the California Board of State and Community Corrections awarded San Francisco a \$5,900,000 26-month grant to create the Law Enforcement Assisted Diversion (LEAD) SF program. LEAD SF is a pre-booking diversion program that refers individuals at high risk of recidivism for drug related offenses from the Tenderloin and Mission districts, at the earliest contact with law enforcement to community-based health and social services as an alternative to prosecution and jail. The LEAD SF program was launched in October 2017 in order to improve the health status and reduce the recidivism rate of participants, and to strengthen collaboration with City and community based partners.

#### Young Adult Court

San Francisco's Young Adult Court (YAC) is a collaborative, "problem-solving" court for young adults ages 18-25 arrested in San Francisco, "who have legal and social service needs, and are given the opportunity to participate in YAC instead of the regular criminal court process." 285 clients have been referred to YAC since its inception in 2015.

#### Behavioral Health Court (BHC)

In 2002, the San Francisco Behavioral Health Court (BHC) was established to address the increasing number of mentally ill defendants cycling through the criminal justice system. BHC is a collaboration of the following agencies:

- Superior Court of California, San Francisco
- Public Defender
- District Attorney
- Jail Reentry Services
- Citywide Case Management Forensics (UCSF)

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<sup>10</sup> San Francisco Sentencing Commission 2016 Annual Report

- Adult Probation Department
- Department of Public Health's Community Behavioral Health Services
- Sheriff's Department
- SFPD

Defendants have been charged with, convicted of, or are on probation for a misdemeanor or felony offense where the behavior that led to the offense was connected to mental illness. Clients charged with homicide or sex offenses are not eligible. Between 2008 and 2018, BHC had a 58 percent graduation rate. Between January 1, 2016 and December 31, 2018 there were 204 new clients.

#### Drug Court

Drug Court is a felony court that provides intensive judicial supervision and case management to offenders with substance use disorders, primarily in nonviolent cases. It is a collaboration involving the District Attorney, Public Defender, Adult Probation Department, Department of Public Health, and community treatment providers. Defendants must have a serious substance abuse issue to be admitted into the program. Abstinence from one's primary drug of choice is required for 90 days prior to graduation.<sup>11</sup>

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## **Policing Approach and Costs to Suppress Open Air Drug Dealing**

### **Department General Orders**

According to Mr. Jason Cunningham, Program Manager for the San Francisco Police Department Professional Standards and Principled Policing Unit, no single Department general order directly defines the Department's the narcotics enforcement approach, although several general orders guide policing efforts related to narcotics. In cases in which narcotics are referenced, general order policies focus on addressing individuals under the influence of narcotics or how to safely process narcotics once they are in police custody, but these policies do not reference how to address drug sales. General orders that reference narcotics enforcement include investigative detentions policies, policies for obtaining search warrants, policies for arresting parolees, policies for processing property/evidence, and policies for juvenile detention, arrest, and custody. In

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<sup>11</sup> San Francisco Collaborative Court Best Practice Standards

addition, the Department complies with federal and state mandates related to narcotics enforcement.

### **Department Bulletins**

In addition to general order policies, the Chief of Police issues Department bulletins throughout the year, which contain directives, general information, special orders, event orders, or deployment information. In recent years SFPD issued two Department bulletins pertaining to narcotics enforcement, and several other bulletins pertaining to drug testing, opiate prevention/treatment, and packaging procedures for narcotics treatment. The orders related to drug sales are summarized below:

#### Department Bulletin 18-212: Narcotic division notifications

This bulletin sets parameters for when narcotics officers must be notified of arrests or investigations. It states that officers in charge of narcotics shall be notified when there are narcotics arrests or investigations in which: (1) more than \$5,000 of narcotics are seized; (2) Over 16 ounces of narcotics are seized; or, (3) over 10 pounds of marijuana buds are seized.

#### Department Bulletins 18-240: Guidelines concerning narcotics related loitering offenses

This bulletin offers background on *California Health and Safety code 11532(a)* concerning loitering activity and that suggests an intent to engage in drug related crimes. This code states that it is illegal “for a person to loiter in any public place in a manner and under circumstances manifesting the purpose with the intent to commit an offence specified in Chapter 6. Violations should be committed a misdemeanor.” The legislative intent of the State code is to prohibit loitering for the purpose of buying, selling, or using drugs. San Francisco’s bulletin specifies that if a person is found to be violating Health and Safety code 11532(a) they should be given a warning if they have no other criminal charges, but that officers should book individuals for whom this was a second violation.



### **Narcotics Unit**

The SFPD Narcotics Unit is charged with investigating all narcotics complaints that the Department receives. They do this through pro-active investigation and arresting of individuals involved with narcotics trafficking and narcotics trafficking organizations. SFPD does not have minimum staffing associated with its Narcotics Unit, and the team varied in size from 21.0 FTEs to 17.0 FTEs between November of 2017 and March of 2019. The team operates at the citywide level and includes Q004 Police Officer IIIs, Q052 Sergeant IIIs, and one Q062 Lieutenant III. A cost estimate for Narcotics Unit Staffing in FY 2017-18 is provided below in Exhibit 9.

**Exhibit 9**  
**Estimated Police Department Staffing Costs for Narcotics Unit, FY 2017-18**

<b>Cost Description</b>	<b>Total Cost</b>	<b>68% Share of Citywide Costs</b>
Q004 Police Officer III Salaries, Benefits, Uniforms	\$2,027,391	\$1,378,625
Q052 Sergeant III Salaries, Benefits, Uniforms	1,478,079	1,005,094
Q062 Lieutenant III Salary, Benefits, Uniforms	238,566	162,225
<b>Total Cost</b>	<b>\$3,744,036</b>	<b>\$2,545,944</b>

Source: San Francisco Police Department

### **Counter Narcotics Operations**

The SFPD conducts both proactive and reactive policing in response to drug sales in San Francisco. Reactive police activities include responding to calls for service, officer patrols, and any arrest activities- in essence reactive policing refers to daily activities that are determined by the events of the day. Determining the exact cost of reactive policing that addresses drug sales is difficult because of the variability of activities. Calls for service can range in time needed for resolution from a few minutes to many hours. As such, the Department is not able to provide an estimate related to general costs associated with reactive policing of open-air drug sales.

Proactive policing activities refer to pre-planned operations to address a specific criminal activity. Counter-narcotics activities, such as “buy-bust” operations in which police go under-cover and attempt to purchase illegal drugs, and spotting operations in which there are officers dedicated to the task of observing drug deals and making arrests, are examples of proactive policing. The bullets below

describe proactive policing efforts at the Southern, Mission, and Tenderloin Stations.

- Since October of 2017<sup>12</sup> there have been 18 buy-bust operations out of the SFPD Tenderloin Station. The Tenderloin Police District Captain estimates that their buy-bust operations take ten hours on average, and require 18 police officers ranging in rank from Q004 Police Officer to Q062 Lieutenant. Based on these approximations of resources, we estimate that buy-bust operations in the Tenderloin would cost the City an average of \$13,681<sup>13</sup> per operation or approximately \$246,258 across all 18 buy-bust operations not including administrative overhead costs. According to Mr. Jason Cunningham of SFPD, the Tenderloin Police District Station stated that they “don’t have good data available [regarding spotting operations in the Tenderloin], but note they don’t frequently engage in them.”
- During FY 2017-18 there were 30 counter narcotics operations (10 buy bust, 20 spotting) out of the Mission Police District Station. The Mission Station estimates that buy bust operations take ten hours and approximately eight officers, while spotting operations take seven staff and ten hours. This amounts to approximately \$7,479<sup>14</sup> per buy bust operation, and \$6,332<sup>15</sup> per spotting operation, or approximately \$201,430 across all 30 operations during FY 2017-18.
- The Southern Police District Station Captain estimates that the Station completed 10 buy bust operations in FY 2017-18, requiring approximately 15 officers and 10 hours each. SFPD estimates that buy bust operations

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<sup>12</sup> Because of staffing changes, data was only available starting in October, rather than from the beginning of FY 2017-18

<sup>13</sup> The Department was unable to provide us with specific staffing costs for any of the specific buy-bust operations conducted since October 2017. This estimate is an approximation based on our assumption that each operation would consist of ten hours of staff time for 13 Police Officer IIIs, one Sergeant III, and one Lieutenant III and is not necessarily reflective of actual costs. All positions are estimated at the top step and assume the use of straight time rather than overtime.

<sup>14</sup> The Department was unable to provide us with specific staffing costs for any of the specific buy-bust operations conducted during FY 17-18. Estimate assumes 10 hours of staff time for 6 Officers IIIs, one Sergeant III, and one Lieutenant III and includes salaries, benefits, and uniform costs. The estimate is not necessarily reflective of actual costs. All positions are estimated at the top step and assume the use of straight time rather than overtime.

<sup>15</sup> The Department was unable to provide us with specific staffing costs for any of the specific spotting operations conducted during FY 17-18. Estimate assumes 10 hours of staff time for 6 Officers IIIs and one Sergeant III and includes salaries, benefits, and uniform cost and is not necessarily reflective of actual costs; All positions are estimated at the top step and assume the use of straight time rather than overtime.

cost approximately \$13,681<sup>16</sup> each, or \$136,810 across all operations during FY 17-18. The Southern Station also has a “35 car,” which is a team that can be assigned to react to the needs of the community as direct by the Station Captain. Duties vary, but the Southern Station Captain estimates that their 35 car spends 40 percent of their time on counter narcotics work. The Captain of the Southern Station also notes that the Southern Station has foot beats that occasionally conduct spotting operations, however, according to the Captain, the frequency and duration [of spotting operations] weren’t available.

A cost estimate associated with proactive policing efforts during FY 2017-18 by station is included below in Exhibit 10.

**Exhibit 10**  
**Cost of Proactive Counter Narcotics Operations, FY 2017-18**

<b>Operation Description</b>	<b>Number of Operations</b>	<b>Approximate cost per operation</b>	<b>Total Cost of All Counter Narcotics Operations</b>
Tenderloin Buy Bust Operations <sup>17</sup>	12	13,681	\$164,172
Mission Buy Bust Operations	10	7,479	74,790
Mission Spotting Operations	20	6,332	126,640
Southern Buy Bust Operations	10	13,681	136,810
Southern Station Car 35	-	-	4,530,781
<b>Total Cost</b>			<b>\$5,033,193</b>

Source: San Francisco Police Department

**Material & Supplies, Training, and Overtime**

In addition to police staffing, other police costs associated with policing open air drug sales include overtime budgeted to combating methamphetamine distribution, K9 training costs, program expenses associated with buy-bust

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<sup>16</sup> The Department was unable to provide us with specific staffing costs for any of the specific buy-bust operations conducted during FY 17-18. This estimate is an approximation based on our assumption that each operation would consist of ten hours of staff time for 13 Police Officer IIIs, one Sergeant III, and one Lieutenant III and is not necessarily reflective of actual costs. All positions are estimated at the top step and assume the use of straight time rather than overtime.

<sup>17</sup> From October 2018-March 2019 there were 18 buy bust operations; This estimate uses the average monthly number of buy bust operations (1 per month).

operations, and drug testing supplies. Information on these costs, which were provided by SFPD staff, is detailed below in Exhibit 11.

**Exhibit 11**  
**Additional SFPD Costs Associated with Policing Open Air Drug Use, FY 2017-18**

<b>Cost Description</b>	<b>Cost budgeted for narcotics enforcement</b>	<b>68% Share of Citywide Costs</b>
Police Overtime Costs	\$100,845	\$68,574
K9 Training Costs	10,250	6,970
Expenses associated with Buy-Bust Operations	110,000	74,800
Drug testing supplies	3,594	2,424
<b>Total Cost</b>	<b>\$224,689</b>	<b>\$152,788</b>

Source: San Francisco Police Department

**Total Costs Associated with SFPD**

Exhibit 12, below, combines all SFPD cost estimates previously detailed above. This includes citywide Narcotics Unit costs, counter narcotics operations out of the Tenderloin, Southern, and Mission Stations, and miscellaneous materials, supplies, and training costs. The estimate is conservative, as costs do not include officer training, any reactive police efforts performed by SFPD, other overtime costs associated with policing open air drug-sales, or administrative overhead costs.

**Exhibit 12**  
**Combined Police Department Cost Estimate Associated with Policing Open Air Drug Sales in the Tenderloin, Mid-Market, and SOMA**

<b>Cost Description</b>	<b>Cost Attributed to Drug Sales</b>	<b>68% Share (if Citywide)</b>
City Wide Narcotics Unit Staff Costs	\$3,744,036	\$2,545,944
Counter Narcotics Operations, Southern, Mission, and Tenderloin Stations	5,033,193	5,033,193
Other Materials, Supplies, and Training Costs (Citywide)	224,689	152,789
<b>Total Cost</b>	<b>\$9,001,918</b>	<b>\$7,731,926</b>

Source: San Francisco Police Department

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## Prosecution and Defense Costs of Drug Dealing Offenses

### Prosecution of Suspected Dealers of Illegal Drugs

According to Ms. Woo, drug sales cases are prosecuted based on the necessary standard of proof. Although the District Attorney does not have formal, written policies or guidelines pertaining to prosecution of suspected drug dealers, it has adopted policies and practices that guide the Department's approach to drug sale prosecutions, as specified below:

- *Neighborhood Prosecutors* have been assigned to Police district stations including the Tenderloin and Mission stations to strategize with SFPD staff and local residents on crime issues, including how to address open air drug sales and possession.
- The Department charges enhancements against suspects such as school zone enhancements, whenever possible.
- The District Attorney works with the SFPD to obtain and execute search warrants in order to target higher level dealers most of whom reside outside of the City.
- The District Attorney prioritizes prosecution of individuals at the mid and upper levels of sales networks who are responsible for criminal operations as opposed to people who are addicted to drugs and sell to supply their own drug addiction. District Attorney management believes this approach is effective because street level dealers, including addicts, rarely receive sentences long enough to deter them from returning to drug selling and can easily be replaced. Moreover, people living with addiction are more effectively served by other City programs and legal institutions, such as residential or outpatient drug treatment, Behavioral Health Court, Mental Health Court and other diversionary programs, while upper level drug dealers are more appropriate for criminal prosecution.

The District Attorney does not have a narcotics unit or track time spent on specific cases. Therefore, the Budget and Legislative Analyst cannot determine the exact amount of time or the exact cost of prosecuting drug sales charges. However, the District Attorney has reported that drug charges are between 20 percent and 25 percent of their total caseloads. Therefore, to estimate costs to prosecute and defend drug selling charges, we assume 22.5 percent of overall cases handled by the District Attorney's Misdemeanor and General Felonies

Units are drug cases and have applied that percentage to the overall cost of each unit to estimate the costs of prosecuting and defending suspected drug dealers.

As seen in Exhibit 13 below, we estimate that District Attorney's citywide staffing costs associated with felony drug cases was approximately \$2 million in FY 2017-18 with about \$1.8 million for felony prosecutions and approximately \$200,000 for misdemeanor prosecutions. Based on the distribution of drug sales arrests as shown in Exhibit 2 above, we estimate that 68 percent of these costs, \$1,364,850, are attributable to cases originating from the Tenderloin, SoMa, and Mid-Market neighborhoods.

**Exhibit 13  
 District Attorney Salary and Benefit Cost of  
 Prosecuting Felony and Misdemeanor Drug Cases, FY 2017-18**

<b>Felony Prosecutions</b>		
<b>Position / Classification</b>	<b># of Positions</b>	<b>Total Salary and Fringe</b>
8177 Trial Attorney	23	\$4,545,804
8182 Managing Attorney	3	884,623
8132 Investigative Assistant	3	323,722
8550 District Attorney Investigator	1	186,059
<b>Total Salaries &amp; Benefits</b>		<b>\$5,940,208</b>
Indirect Costs @ 35%		2,079,073
<b>Total Estimated Costs</b>		<b>\$8,019,281</b>
Percent of cases that were drug related		22.5%
<b>Estimated Cost of Prosecuting Felony Drug Cases</b>		<b>\$1,804,338</b>
<b>Misdemeanor Prosecutions</b>		
<b>Classification / Position</b>	<b># of Positions</b>	<b>Salaries and Benefits</b>
8177 Trial Attorney	14	\$2,325,451
8182 Managing Attorney	1	300,888
8132 Investigative Assistant	2	199,745
8550 DA Investigator	1	178,283
<b>Total Salaries and Benefits</b>		<b>\$3,004,367</b>
Indirect Costs @35%		1,051,528
<b>Total Estimated Costs</b>		<b>\$4,055,895</b>
Percent of cases that were drug related		5%
<b>Estimated Cost of Prosecuting Misdemeanor Drug Cases</b>		<b>\$202,795</b>
<b>Grand Total Cost of Prosecuting Felony and Misdemeanor Drug Charges</b>		<b>\$2,007,133</b>
<b>68% Share of Citywide Cost</b>		<b>\$1,364,850</b>

Source: San Francisco District Attorney

**Public Defense of Suspected Dealers of Illegal Drugs**

Ms. Angela Auyong, Office Manager in the San Francisco Public Defender's Office reports that the Public Defender's Office provided defense for approximately 841 drug cases in FY 2017-18.

The Public Defender conducts trainings, but has no specific bulletins that guide defense of drug charges. The Public Defender does participate in LEAD SF, as

well as the collaborative Drug Court, Community Justice Court, and Young Adult Court.

Public Defender staffing dedicated to LEAD SF eligible offenses and defense of drug selling charges occurs primarily in Drug Court, Community Justice Court, and the LEAD SF diversion program as shown in Exhibit 14 below.

**Exhibit 14**  
**Public Defender Staff Assigned to**  
**Drug Selling Defense and LEAD SF Eligible Charges**

<b>Court / Program<sup>18</sup></b>	<b>FTE</b>	<b>Position / Classification</b>	<b>Salaries and Benefits</b>
Drug Court and Community Justice Court	1	8177 Attorney	\$159,040
Community Justice Court	1	8177 Attorney	\$184,113
	0.25	8446 Court Alternative Specialist	\$28,168
LEAD SF	1	8177 Attorney	\$159,040
	1	8173 Legal Assistant	\$112,135
<b>Total</b>	<b>4.25</b>		<b>\$642,496</b>
<b>68% of Citywide Costs</b>			<b>\$436,897</b>

Source: San Francisco Public Defender

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## Booking, Jailing, and Court Security Costs

The Sheriff's Office performs three main functions when responding to the arrest of individuals for drug sales charges: (1) booking arrestees into jail; (2) managing jails while arrestees await trial or await release on their own recognizance; and, (3) managing court security during legal proceedings. The Sheriff's Office costs associated with these functions include staff time for managing arrestee records, staff costs for court security and perimeter security at the Hall of Justice, emergency service court security costs, costs for managing County Jail #1 (booking jail), and costs for jailing individuals.

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<sup>18</sup> Not all cases in collaborative courts are drug cases according to Ms. Simin Shamji, Deputy Public Defender



Accounting for the exact cost of these services attributable to drug sale arrests is challenging for several reasons. First, many of these costs should be considered fixed in the immediate term. For example, if the number of drug sale arrests dropped to zero, staffing levels within the different units would remain the same in the immediate term until the Sheriff's Office determined with a reasonable level of certainty that their relative workload would permanently remain lower. Second, when an individual is arrested, often they face multiple charges, which makes it unclear how to account for costs across the different charges. Therefore, the numbers presented represent a conservative and simplified estimate. The estimate provided in this report uses only the first charge, which is the highest level offense, among all of the charges that an arrestee received.

In FY 2017-18, the Sheriff's Office managed 17,215 bookings into County jails. The total number of charges associated with these bookings was 65,820. Of these bookings, 699, or approximately 4.1 percent, included a drug sale charge sales in the Tenderloin, Mid-Market, and SoMa neighborhoods as their top level charge. In total, the Sheriff's Office estimates that the cost associated with drug sales amount to \$1,692,811 as detailed below in Exhibit 15.

**Exhibit 15**  
**Estimated Sheriff's Office Costs of Detaining Individuals Associated with**  
**Drug Sales in SOMA, Mid-Market, and the Tenderloin, FY 2017-18**

<b>Cost Description</b>	<b>Total Cost</b>	<b>Cost attributed to Drug Charges*</b>
Sheriff Records Administration	\$ 4,747,718	\$192,776
Court Security-Emergency Services Unit	161,822	6,571
Hall of Justice Court Security	7,774,560	315,687
Hall of Justice Perimeter Security	2,200,812	89,362
Cost of County Jail #1- Booking Facility	14,152,769	574,659
Cost of three days of detention at other jail facilities	-	513,765
<b>Total Cost</b>	<b>\$29,037,681</b>	<b>\$1,692,811</b>

\*Approximately 4.1 percent of individuals booked into County jails in FY 2017-18 had a drug sale charge from SoMa, Mid-Market, or the Tenderloin as their top level charge.

Source: San Francisco Sheriff's Department

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## Diversion and Other Programs

### **Diversion Programs**

As noted above, Federal, State and City of San Francisco policy has shifted to an understanding that prosecution and jail are typically not appropriate for low-level drug offenders who are living with substance use disorders. Diversion programs, including collaborative courts and treatment, are considered more appropriate alternatives for this population.

### **Law Enforcement Assisted Diversion (LEAD)**

Law Enforcement Assisted Diversion San Francisco (LEAD SF) is a pre-booking diversion program that refers individuals at high risk of recidivism for drug related offenses to community-based health and social services as an alternative to jail and prosecution. The grant goal is to reach at least 250 individuals and engage at least 100 clients in hard reduction based case management in the Tenderloin and Mission neighborhoods over the grant period. Due to a ramp-up period, the program has been granted a no cost extension and will likely continue until January 2020 with grant funds. As of April 2, 2019, there have been a total of 338 referrals with 171 active LEAD clients.<sup>19</sup> LEAD SF accepts referrals from SFPD (accounting for 256 referrals, San Francisco Sheriff's Department (10 referrals), and BART Police (72 referrals)

Ms. Robin Candler, LEAD SF Program Manager, reports that LEAD has a team that specifically works in the Mission District where there is a high concentration of Latino Americans and that this team has Spanish language capabilities.

### Social Contact Referrals

Law Enforcement officers may refer an individual with prior documented possession or sales of drugs to LEAD SF if the officer has reason to believe that the individual is at high risk for being arrested in the future and the individual is amenable to participation.

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<sup>19</sup> According to Ms. Angela Auyong, Office Manager at the San Francisco Public Defender's Office, only 10 of these referrals have been for sales. The rest have been for other LEAD SF eligible charges.

Pre-booking Referrals

If the arresting officer determines, at the time of initial contact, that an individual meets the LEAD SF eligibility criteria, and the individual agrees to participate, the officer can refer the individual to LEAD and make the connection to a DPH intake clinician for an initial screening and assessment of needs.

Charges while in LEAD SF

Charges are held in abeyance pending completion of an assessment within 30 days of referral to the program. If the individual does not want to participate in LEAD SF, he or she is booked into County Jail or cited and released.

LEAD SF Eligibility Criteria

LEAD-eligible offenses include:

1. Possession for sale/transfer of a controlled substance/other prohibited substance where circumstances indicate that the sale or transfer is intended to provide a subsistence living or to allow the person to obtain or afford drugs for his or her own consumption;
2. Sale/transfer of a controlled substance or prohibited substance where circumstances indicate that the sale/transfer is intended to provide a subsistence living or allow the person to obtain drugs for his/her own consumption;
3. Possession of a controlled substance/other prohibited substance;
4. Being under the influence of a controlled substance/other prohibited substance;
5. Being under the influence of alcohol and a controlled substance/other prohibited substance. Priority for LEAD SF participation is given to individuals facing felony drug charges.
6. Prostitution
7. Felony Vandalism Charges
8. Felony Theft Charges

The City of San Francisco budgeted approximately 17.55 percent of the total grant award in the form of a match as seen in Exhibit 16 below. Through

December of calendar year 2018, the City had expended nearly \$475,000 of a budgeted match of \$1,035,336.

**Exhibit 16  
 LEAD Grant Award and Funding**

LEAD grant award:	\$5,900,00
Budgeted City Match (Approximately 17.55% of Grant Award)	\$1,035,336
Total Match Expenditure Through 12/18	\$474,685
Match Balance as of January 2019	\$560,650
Total Match Expenditure in Calendar Year 2018	\$386,284
<b>Total Match Expenditure in Fiscal Year 2017-18</b>	<b>\$274,589</b>
<b>68% of Citywide Costs</b>	<b>\$186,721</b>

Source: San Francisco Department of Public Health

As seen in Exhibit 17 below, the largest City match expenditures for the LEAD SF program come from the Adult Probation Department followed by the Department of Public Health.

**Exhibit 17  
 City Expenditures on LEAD (Matching Funds)**

		FISCAL YEAR 2017-18							
Department	Quarter Ending 6/30/17	Quarter Ending 9/30/17	Quarter Ending 12/31/17	Quarter Ending 3/30/18	Quarter Ending 6/30/18	Total FY 2017-18	Quarter Ending 9/30/18	Quarter Ending 12/31/18	Total Through Dec 2018
Probation	\$2,376	\$464	\$5,937	\$44,560	\$86,796	\$137,757	\$58,438	\$59,609	\$258,180
DPH	\$11,939	\$11,844	\$12,958	\$30,704	\$8,843	\$64,349	\$19,456	\$15,471	\$111,214
PD	\$5,802	\$9,024	\$7,326	\$9,186	\$9,153	\$34,689	\$5,848	\$6,009	\$52,347
DA	\$4,883	\$4,723	\$8,573	\$9,805	\$11,229	\$34,329	\$6,424	\$3,844	\$49,479
Sheriff		\$883	\$1,671		\$911	\$3,465			\$3,465
<b>Total Match Expenditure</b>	<b>\$24,999</b>	<b>\$26,938</b>	<b>\$36,464</b>	<b>94,255</b>	<b>\$116,933</b>	<b>\$274,589</b>	<b>\$90,165</b>	<b>\$84,931</b>	<b>\$474,685</b>

Source: Francisco Department of Public Health

## Young Adult Court

San Francisco's Young Adult Court (YAC) is a collaborative court supported by a grant from the California Board of State and Community Corrections, the City's General Fund, and the Children's Fund to implement programs designed to reduce recidivism of young adults. YAC provides access to wraparound services, job referrals, case management services and other supports for adults 18 to 25 arrested in San Francisco, who have legal and social service needs and are given the opportunity to participate in YAC instead of the regular criminal court process. City agencies partner to connect participants to mental health services, housing, and employment. Approximately 80 transitional age youth participate annually according to Lisa Lightman, Director of Collaborative Programs at San Francisco Superior Court. These numbers are increasing with the addition of a second weekly court calendar. There have been 285 participants referred to YAC since its inception in August 2015.

YAC team partners include the Superior Court, the District Attorney's Office, the Public Defender's Office, Adult Probation Department, the Department of Children, Youth, and their Families (DCYF), the San Francisco Sheriff's Office, Felton Institute, Goodwill Industries, Sunset Youth Services and other treatment providers.

Young adults are referred to YAC by the Public Defender's Office, District Attorney's Office, or the Adult Probation Department. The District Attorney's Office reviews all cases referred to YAC. Priority is given to young adults with felony offenses.

The process of Young Adult Court is as follows:

1. **Engagement and Assessment:** Participants go through intake, assessment, and orientation, and appear in court weekly to report on their progress. They are assigned a clinical case manager to address needs – such as housing – and create their own Wellness Care Plan.
2. **Stability and Accountability:** Participants implement their Wellness Care Plan and continue to appear in court.
3. **Wellness and Community Connection:** Participants are expected to make progress in their plan, demonstrate connections to community-based resources and achieve goals that they have set around workforce, relationships, and housing.
4. **Program Transition and graduation:** Participants prepare to transition out of the program and develop an Aftercare Plan that includes both short-term resources and long-term goals.

According to the San Francisco District Attorney's Office, a total of 19 young adults with drug charges participated in Young Adult Court in FY 2017-18 as seen in Exhibit 18 below.

**Exhibit 18**  
**Young Adult Court Drug Felony Sales FY 2017-18<sup>20</sup>**

<b>Neighborhood Location</b>	<b>Closest Station</b>	<b>Number of Sales</b>
Tenderloin	Tenderloin	15
Southern Sector	850 Bryant / Southern	1
Bernal and Carver	Bayview	1
8 <sup>th</sup> and Mission	Southern	1
Howard	Southern	1
<b>Total</b>		<b>19</b>

Source: San Francisco District Attorney

Total expenditures on YAC totaled approximately \$650,000 in FY 2017-18. Of this all but \$100,000 was for salaries and benefits for department staff from the District Attorney's Office, the Public Defender's Office, and Adult Probation Department as seen in Exhibit 19 below.

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<sup>20</sup> This total reflects expenditures for the District Attorney, Public Defender, and Adult Probation Department. It does not include San Francisco Superior Court expenditures or DCYF funding.

**Exhibit 19  
 District Attorney, Public Defender, and Adult Probation Expenditures on  
 Young Adult Court (YAC) Fiscal Year 2017-18**

	<b>Percent to YAC</b>	<b>Expenditures</b>
<b>Adult Probation</b>		
Supervising Adult Probation Officer	15%	\$52,489
Deputy Probation Officer	100%	137,416
Public Service Aide	100%	28,638
Bus Tokens for Participants		262
<b>Sub Total Adult Probation Expenditures</b>		<b>\$218,805</b>
<b>District Attorney</b>		
Chief of Alternative Courts	10%	\$32,200
YAC Attorney	30%	84,810
YAC Coordinator	100%	146,893
Case management - Felton Institute/Family Service Agency Case management provided to DCYF to supplement \$800k Grant. (Work Ordered to DCYF)		100,000
<b>Sub Total District Attorney Expenditures</b>		<b>\$363,904</b>
<b>Public Defender</b>		
Attorney	22%	\$61,284
Court Alternative Specialist	5%	5,634
<b>Sub Total Public Defender Expenditures</b>		<b>\$66,918</b>
<b>Total Expenditures</b>		<b>\$649,587</b>

Source: Adult Probation, District Attorney and Public Defender

According to Ms. Auyong, approximately 20 percent to 25 percent of YAC cases are related to drug possession or drug sales charges. As seen in Exhibit 20 below, assuming that 22.5 percent of City expenditures on YAC are related to sales and possession of illegal drugs, we estimate that the citywide cost of YAC attributable to drug sales and possession charges is \$146,157. After applying a

68 percent share to these citywide costs, we estimated that \$99,387 was spent on YAC for cases originating from the Tenderloin, SoMa, and Mid-Market areas.

**Exhibit 20**  
**YAC costs attributable to Drug Sales and Possession Charges**

<b>Total City YAC Expenditures</b>	<b>22.5 % of All Drug Sales Cases</b>	<b>68% Share of Citywide Cost</b>
\$649,587	\$146,157	\$99,387

Source: San Francisco Public Defender

### **Community Justice Center**

The Community Justice Center (CJC) is a collaborative court program in partnership with city agencies and community groups. The CJC represents progressive reform to the current criminal justice system by addressing the primary issues facing the individual and not just their crime. The CJC includes both a courtroom and social-service center. Social services include drug treatment, mental health programs, support groups, counseling, career development and job training. The CJC refers clients and community members to appropriate services located at the CJC and at other city-partner agencies. The CJC values the immediacy of intervention with the goal of preventing on-going cycles of recidivism while improving the lives of participants and residents in the community.”

### **Community Ambassadors Program**

The Community Ambassadors Program (CAP) in the Office of Civic Engagement and Immigrant Affairs is a neighborhood engagement and jobs training program. The program hires workers, many of whom do not have extensive work histories, to engage with neighborhood residents. Ambassadors are uniformed and can provide the public with general assistance, offer linkages to services and provide wellness checks to individuals, report hazards and maintenance needs to local authorities, contact medical and emergency services, or provide a walking escort to individuals who feel unsafe. Ambassadors do not intervene if they do not deem it safe to do so.

The program operates in six neighborhoods, including Mid-Market/Tenderloin. In total, the program had three full-time professional staff and an operating budget of \$992,002 in FY 2017-18. The budget is supplemented by the Human Services Agency (HSA) which provides wages for Community Ambassadors through the JobsNOW program. The Office of the City Administrator reports



that usually the Mid-Market/Tenderloin CAP program employs between 10 and 12 full time ambassadors, with a total of 25 to 36 ambassadors. The Office of Civic Engagement and Immigrant Affairs stated that their ideal staffing model would employ 36 ambassadors, 13 of whom would be stationed in Mid-Market/Tenderloin. Ambassadors are paid \$15.75 in FY 2018-19 through the JobsNOW program, out of HSA, or paid through the Office of Civic Engagement and Immigrant Affairs directly. Ambassadors receive benefits which average roughly \$21,000 per ambassador annually. Each team has a leader who is paid a slightly higher wage (\$22.34 hourly).

If the program were to operate fully staffed, the Mid-Market/Tenderloin ambassadors' positions would cost approximately \$343,226 in wages annually and \$273,000 in benefits annually, using wages from FY 2017-18.<sup>21</sup> The 13 ambassadors would account for 36 percent of all ambassadors within the City. Attributing 36 percent of overhead to the Mid-Market team, which includes supplies, telephone costs, and City Administrator's Office staff time, would increase program cost by \$118,895. This means that in total, the program costs approximately \$737,121 for the Tenderloin/Mid-Market. More detail regarding program costs is provided below in Exhibit 21.

#### Exhibit 21

#### Estimated FY 2017-18 Costs for Mid-Market/Tenderloin Community Ambassador's Program

Cost Description	Cost
Wages for 12.0 FTE 9910 Public Service Aides	\$301,016
Wages for 1.0 FTE 9922: Public Service Aide-Associate to Professionals	41,210
Benefits associated with all ambassadors	273,000
Program staff wages and benefits	110,795
Other program costs	8,100
<b>Total Estimated FY 2017-18 Cost</b>	<b>\$735,121</b>

*Source: San Francisco City Administrator's Office*

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## Built Environment Suppression Efforts

### Public Works Barriers

According to the Department of Public Works (DPW) it is not possible to isolate the cost of barriers put up to counter drug sales, as DPW does not track the

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<sup>21</sup> 9910s received 15.125 per hour in FY 2017-18; 9922s received 19.8125 per hour in FY 2017-18

reason barriers are erected. DPW estimates that it takes a general laborer a total of two hours to erect a barrier, amounting to \$177 in staff costs.

### **Crime Prevention through Environmental Design and SF Shines**

The Office of Economic and Workforce Development (OEWD) operates several programs aimed at improving the built environment in order to deter crime and promote community engagement. Their approach can be referred to as “crime prevention through environmental design” (CPTED), a multi-disciplinary approach to deterring criminal behavior through environmental design in the inception of all capital projects. When projects are started, OEWD might conduct an assessment in order to identify safety issues at specific locations. Examples of safety concerns might be low lighting, lack of visibility, confusing or unclear signage, or unclean space.

SF Shines is an OEWD program which funds projects that support businesses and/or property owners in their efforts to improve the condition - aesthetics and/or function - of their storefronts and ground floor spaces. OEWD also creates grants for organizations in the Tenderloin neighborhood that are working towards enhancing the overall health and vitality of the neighborhood. They awarded a Block Safety Grant to address blight, enhancing lighting, adding signage, increasing “eyes on the street” and instilling an overall pride of place.

According to Lisa Pagan, Director of Policy and Planning at OEWD, investments in CPTED activities in FY 2017-18 included a block safety grant for the Tenderloin Housing Clinic and the Tenderloin Community Benefit District and funds dedicated to SF Shines within the Central Market/Tenderloin neighborhood. Exhibit 22, below, includes OEWD costs related to CPTED activities.

**Exhibit 22**  
**OEWD CPTED Activities in FY 2017-18**

<b>Cost Description</b>	<b>Cost</b>
Tenderloin Block Safety Group Formation	\$25,000
Tenderloin Housing Clinic Block Safety Group	50,000
SF Shines Grants for Central Market/Tenderloin	197,000
<b>Total Estimated FY 2017-18 Cost</b>	<b>\$272,000</b>

## Conclusion

Open air drug dealing on the streets of San Francisco has contributed to City residents' concerns about public safety, which was the fifth most commonly mentioned issue by respondents to the Controller's 2017 survey of San Francisco residents. Public safety concerns were particularly high in District Six, which encompasses the neighborhoods with the highest levels of open air drug dealing arrests, including the Tenderloin, South of Market (SoMa), and Mid-Market.

City efforts and programs to police and otherwise minimize the existence of open air drug dealing include proactive and reactive policing, prosecution and defense of drug cases in court, detaining individuals associated with drug sales, diversion programs as an alternative to incarceration, community ambassadors to provide the public with general assistance, and crime prevention through environmental design.

We estimate that the City spent at least \$12,519,713 in FY 2017-18 on its efforts and programs to police and otherwise minimize the existence of open air drug dealing in the Tenderloin, SoMa, and Mid-Market neighborhoods. This amount does not include long-term incarceration costs for individuals convicted of illegal drug sales, all associated administrative overhead costs, Drug Court or Behavioral Health Court costs, officer training costs, or the costs of reactive policing efforts such as responding to calls for service and officer patrols that result in an arrest relating to the sale of illegal drugs.

The City's efforts to address open-air drug dealing in the Tenderloin, SoMa, and Mid-Market areas is dispersed across various City departments and there is no coordinated strategic plan or tracking and reporting of associated costs across these departments (though some efforts, such as the recent increase in Police foot patrols in U.N. Plaza and the Mid-Market corridor, are coordinated by the Mayor's Office).

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## Policy Options

1. The Board of Supervisors should consider creating a task force to address ways to suppress open air drug sales in the Tenderloin, SoMa, and Mid-Market areas. This task force should contain community members, experts, and department agencies tasked to evaluate current efforts to curb drug sales and should also

suggest new programs and efforts. If such a task force is created, the Board should request that it report periodically on the costs of various efforts across City agencies and on performance measures to track programs' effectiveness.

2. The Board of Supervisors could request the Director of Public Health to report on how DPH plans to continue SF LEAD after expiration of the State grant including an estimate of necessary funding and how the City can maintain or increase the rate of social contact and pre-booking referrals.
3. The Board of Supervisors could request the Director of the Department of Children, Youth, and their Families to report on plans to maintain or expand referrals to Young Adult Court after expiration of State grant funding.