



# OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE  
ROOM 456, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102



**PAUL MIYAMOTO**  
SHERIFF

## San Francisco Sheriff's Office Implementation of Pre-Arrest Release Timelines per the *Buffin* Injunction

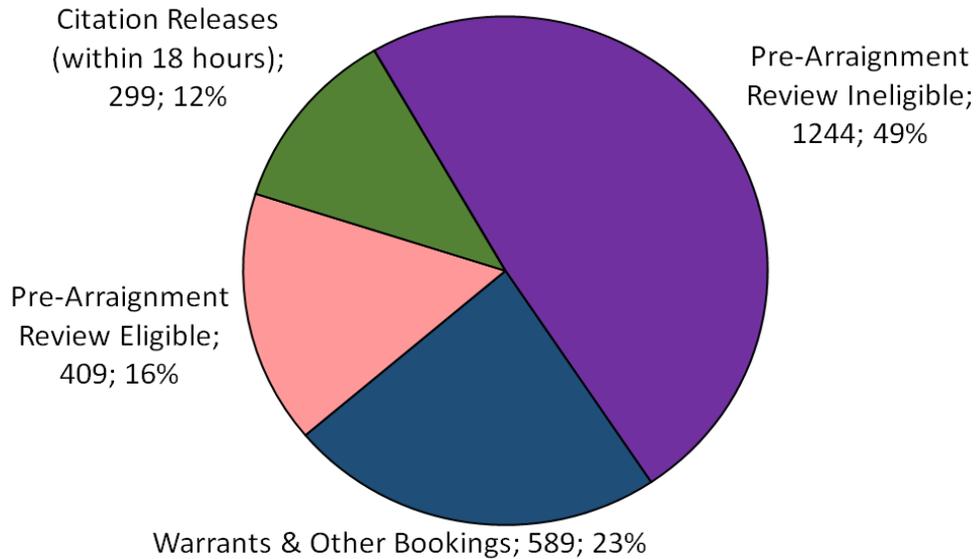
This report summarizes data produced to Plaintiffs' counsel in accordance with Section VII of the injunction and covers the period from March 1, 2021 through May 31, 2021.

### A. Bookings and Releases

	Total Bookings	Total Releases	Average Length of Stay in Days All Releases
March 1, 2021 through May 31, 2021	2541	2564	34.69

The information presented on average length of stay is calculated for *all* persons released during the time period, regardless of their original booking date.

## Bookings by Legal Proceedings



Of the 2541 bookings, Pretrial staff prepared PSA and OR-workups for 1,244 bookings for review by the arraignment court. These bookings were for individuals charged with an on-view offense; no warrant arrest; or Ramey or District Attorney (DA) warrant and ineligible for citation or pre-arraignment review. Of these 1,244 bookings, 650 were either discharged, dismissed with a motion to revoke either parole or probation, or reduced to misdemeanors during the District Attorney’s rebooking process and subsequently released on a citation. An additional 9 persons arrested on DA warrants posted bail. The remaining 585 were arraigned an average of 63.2 hours after ID Confirmation.

The category labeled as “Warrants and Other Bookings” includes a variety of bookings such as persons arrested for warrants from both local and other jurisdictions; state hospital returns; court remands; and persons held and released when sober.

### **B. Number eligible for pre-arraignment review**

Between March 1, 2021 and May 31, 2021, 409 bookings into the county jail were eligible for pre-arraignment review, or approximately 16% of all bookings. Four were dismissed before the OR packet was uploaded. In one case involving a defendant who made arrangements to surrender, the OR packet was completed and submitted prior to booking. Of the remaining 404, Pretrial staff uploaded 403 OR workups within the eight-hour deadline, a 99.8% compliance rate. There was one case when Pretrial staff uploaded the PSA and OR packet after the eight hours.

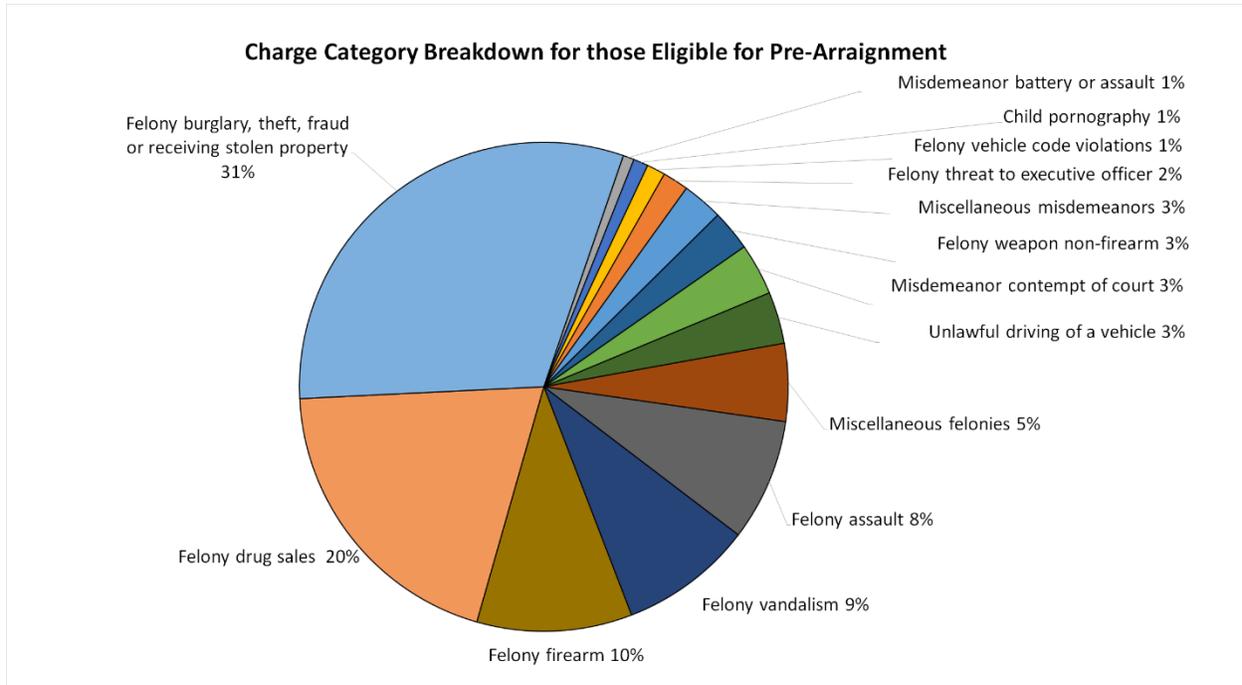
The defendant in question was ID confirmed on May 22<sup>nd</sup> at 9 pm and Pretrial staff initially delayed uploading the packet because they were waiting for the incident report from the California Highway Patrol. When it became apparent that they would need to upload the work up without the incident report, a scanner malfunction delayed the upload which occurred on May 23 at 5:07am, seven minutes past the deadline.

There was a second incident that initially appeared to be a late upload, but was instead connected to a delayed ID confirmation for a second case booked while in custody. The ID confirmation for the original case was received on April 22 at 5:09 pm and the workup was uploaded 10:56 pm. Meanwhile the defendant was involved in an incident in the booking facility and was booked on a second case at 4:55pm and was transported to the hospital. Any additional cases are required to have a new ID confirmation which happened when the defendant returned from the hospital on April 23 at 12:34 am. The second ID confirmation time was not recorded properly on the ID confirmation log, so that when Pretrial staff conducted a 5am audit they noted the second case but not the second ID confirmation time and uploaded it at 5:32am and alerted SFSO to a late upload.

Metrics	
count of workups on time	403
average time to upload (in hours)	3.7
late workups	1
time to upload late workup (in hours)	8.12

### C. Charge category breakdown for those eligible for pre-arraignment review

Charge category breakdown was determined by the most serious offense per booking.

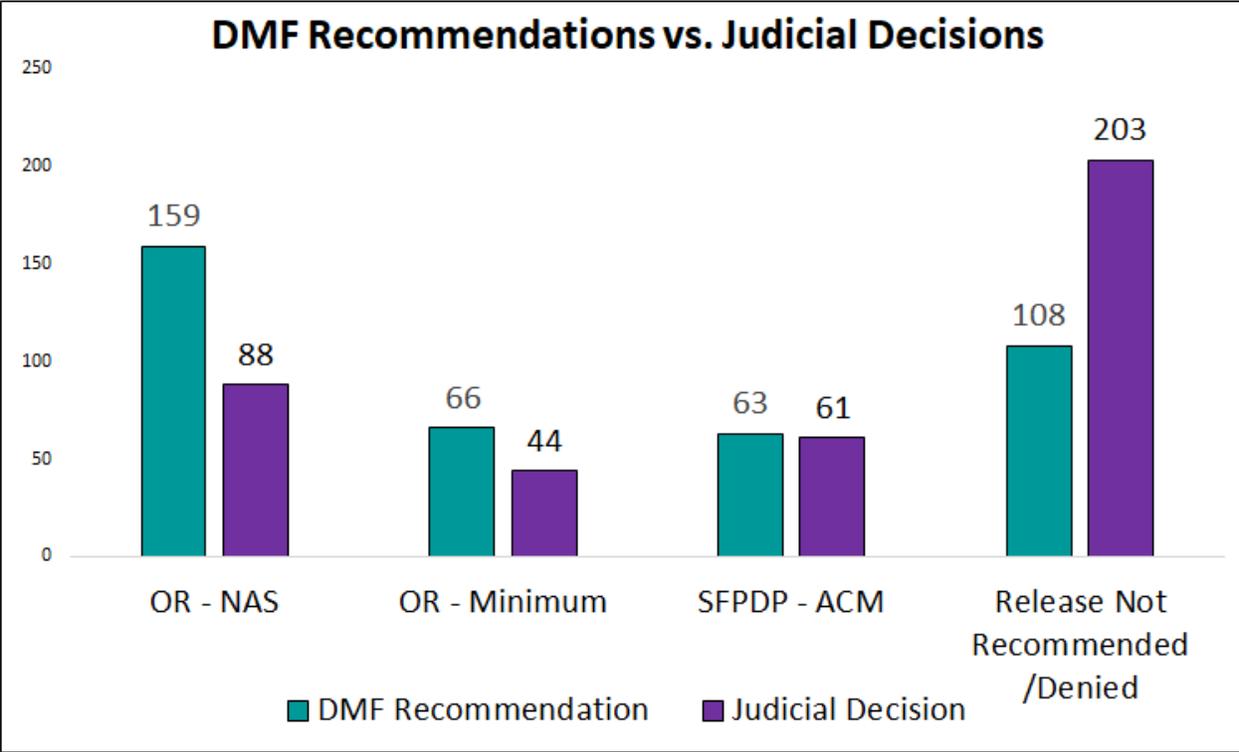


### D. Judicial Review

There were no law enforcement agency requests for an extension made during this reporting period. Of the 404 cases presented for judicial review, nine were discharged or reduced to misdemeanors and cited prior to a judicial decision. The remaining 395 cases were all rendered within the 18 hour timeline.

Metrics	
count of OR-workups reviewed by duty judge within 18 hours	395
average number of hours between ID confirmation and judicial decision	7
count of OR-workups with decisions rendered after 18 hours	0

The Public Safety Assessment (PSA) presented to the Judicial Officer includes a Decision Making Framework (DMF) with a recommendation for supervision: No Active Supervision (NAS); Minimum Supervision (MS); Assertive Case Management (ACM) or Release Not Recommended (RNR).



	DMF				Grand Total	Judicial Decisions				
	OR - NAS	OR - Minimum	SFPDP - ACM	Release Not Recommended		OR - NAS	OR - Min	OR - ACM	Denied	Total
March 1, 2021 through May 31, 2021	159	66	63	108	396*	88	44	61	203	396*

\*includes surrender case

	DMF Recommendation of RNR forwarded for Judicial Review	Number and Percent RNR Concurrence	DMF Recommendation of Release forwarded for Judicial Review	Number and Percent Release Concurrence
March 1, 2021 through May 31, 2021	108	96; 89%	288	181; 63%

Release concurrence describes when the PSA's DMF recommends any of the three supervision levels and the judicial decision includes any of the release categories. The Release Not Recommended (RNR) concurrence describes the percentage of RNR recommendations that were denied release by the court.

**E. Number and time in hours from ID confirmation to release**

Metrics	
count of judicial decisions for OR-NAS & MIN	132
average number of hours from ID-confirmation to release	10.6

Persons who are released with a supervision level of Assertive Case Management are met at release by Pretrial case management staff. Depending on the time of the judicial review, this could occur the following morning.

Metrics	
count of judicial decision for ACM	61
average number of hours from ID-confirmation to release	27.2

**F. 1270.1 Petitions**

Pretrial staff are aware of four petitions filed by defendants and one filed by an attorney during this reporting period. Four of the petitions were reviewed and denied by the Court and one case involving a misdemeanor charge was not submitted as it was already scheduled for arraignment at the same time that petition would have been reviewed. The Sheriff does not have records of petitions that were filed directly with the Court.

*Date Completed 2021/06/15*