



Northern
California

April 29, 2026

Sent via electronic mail only

Steve Betz
Assistant Chief of Public Safety
Office of the Mayor
1 Dr Carlton B Goodlett Pl #200
San Francisco, CA 95202

RE: Public Safety Recommendations from ACLU of Northern California

Dear Mr. Betz:

We write to follow up on our conversation in your offices earlier this year. When we spoke, you encouraged our organization to submit any policy proposals to advance public safety in San Francisco that might represent areas of common ground with Mayor Lurie. We appreciate the invitation and provide some initial suggestions here. This is by no means a comprehensive list—we intend to keep working on this project and would be grateful for the chance to continue the conversation. But given the time-sensitivity of the budget cycle, we thought it prudent to get these preliminary ideas to your office sooner than later. One further, initial note: to keep this letter informal, we are refraining from citing or appending supporting documents, studies, or other authorities. We assume that all facts noted in this letter are known to the Mayor. But if verification of any point would be helpful, please let us know and we would be happy to provide the source.

(1) Support Pretrial Services

Pretrial Services, as you are no doubt aware, is facing existential threat from the Probation Department of the Superior Court, which is seeking nearly \$13M to take over and render irrelevant the work of Pretrial as an independent entity. This effort should be decisively thwarted. Pretrial has long achieved great success by any metric. The clients in their care show up to court, get connected with vital programming and services, and are treated with dignity and respect by social workers who are often system-impacted themselves. Pretrial is also a dynamic fundraiser and has raised considerable sums from private philanthropy, most recently a multi-million dollar commitment from Crankstart. By contrast, Probation

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is a fundamentally punitive, post-conviction agency that is entirely reliant on public funding. We expect Probation would face significant obstacles in gaining the trust that is vital to working with clients to address their underlying issues. And to the extent the City believes that supervision of individuals pretrial should have input from law enforcement, Pretrial Services has a strong relationship with the Sheriff's Office through years of funding and collaboration. Moreover, Probation's requested budget is nearly double what Pretrial would cost the City, and for half the staffing—we expect Probation would request even greater sums in coming years to scale up and replace Pretrial entirely. Why would the City pay more for less, especially to replace an agency that works? The Mayor should come out against this proposal decisively and secure the long-term independence of Pretrial. Further, the underlying principles of Pretrial are ones to build on.

(2) Utilize the Collaborative Courts

The Superior Court operates numerous collaborative justice programs that provide opportunities for pretrial diversion based on the individualized circumstances of the person charged. These courts, many of which we support in full, offer alternatives to criminal conviction that allow committed individuals to address their issues and avoid future criminality without the attendant stigma and collateral consequences of a criminal record. Meanwhile, for individuals who do not complete the program, prosecution remains available. Despite this largely win-win scenario, the collaborative courts are sorely under-utilized at present.

In significant measure, this reflects the strategic direction of the District Attorney's Office. The District Attorney has systematically objected to diversion in nearly all cases (diversion referrals to Pretrial Services are also way down), with the result that the only program that may be ordered over the District Attorney's objection—Mental Health Diversion—is now the repository for a disproportionate share. The District Attorney objects to these, as well, requiring defense counsel to litigate diversion and the underlying criminal charge at once—exacerbating the Public Defender's unavailability crisis, discussed below. Meanwhile, individuals eligible for all forms of diversion increasingly sit in jail for ever-longer periods pre-trial, furthering the harm to these people and their families and wasting City resources. There is little reason to resist diversion other than “tough on crime” posturing. The Mayor should reject this and commit to meaningful, not merely superficial, advances in public safety. In the case of the collaborative courts, this means support for institutions that make residents safer, at less expense.

Though the District Attorney drives many of the charging decisions and use of the collaborative courts, the decisions of that office have significant consequences that spill over into other agencies and the City budget. It is imperative that the Mayor use every lever of influence and fiscal control to press the District Attorney to make early and full use of the collaborative courts.

(3) Support Public Defender Staffing

The Public Defender has been declaring systematically unavailable for a percentage of misdemeanor and felony assignments for nearly a year due to caseload concerns. We spoke about this in your office. Since that time, the superior court held the Public Defender in contempt, and the Public Defender has taken a writ to the Court of Appeal, which is now pending. The Mayor should fund the handful of additional staff attorney positions at the Public Defender's office that would increase capacity and end this crisis.

The Public Defender's declaration of unavailability reflects a determination that the office's caseload is too high given both the Public Defender's ethical obligations and the Sixth Amendment rights of the Public Defender's existing clients. The Mayor should support these standards, which are critical to ensuring that indigent people receive a fair and fulsome defense. But the Mayor should also support the Public Defender's office as a matter of fiscal responsibility. The San Francisco Bar Association, which oversees the conflicts panel, estimates that the Public Defender's declaration of unavailability is likely to cost the City \$1.4M over this fiscal year for felonies alone. In other words, the cases aren't going away, and the City will pay for them one way or another. The Mayor should put the money into the full-time, dedicated positions that will ensure adequate indigent defense going forward.

(4) Support Hazard Pay for ICM Workers

The City's Intensive Case Management program (ICM) serves a small percentage of residents facing multiple, acute crises—for example, substance use and mental health disorders coupled with homelessness and/or active criminal prosecution. Once designated, a person eligible for ICM is frequently put on a waiting list, after which they become eligible for an assigned social worker and wraparound services, including assistance with housing, drug treatment, mental health, and more.

It is difficult to overstate the value of these services for the people involved and the City more broadly. The individuals on ICM number in the low hundreds at any given time, yet this population is responsible for an extraordinarily disproportionate share of emergency services and poverty crime, with attendant costs. By helping to stabilize this population, the social workers assigned perform a vital function and achieve significant cost savings.

At present, the City has vacancies for ICM social workers. These positions are funded, but have gone unfilled—contributing to the waitlist for services which presently numbers around 100 and spells delays of several months to a year. We

recommend that the Mayor provide hazard pay to ICM social workers, both as an ongoing incentive to help fill vacancies and address the backlog, but also because it is warranted on its own merits. ICM social workers are in the field daily interacting with people in crisis, some of whom may be experiencing drug- or mental health-related psychosis. These social workers routinely suffer verbal abuse and have faced assaults—this past year, one was tragically killed. The City recognizes similar dangers confronting other municipal workers with hazard pay, and the same recognition is appropriate here. The money is well-deserved, and the cost will pay for itself in emergency services not required by the ICM clients assisted.

Our strategy for public safety needs to recognize the contributions of all professionals, both those who respond to incidents and those who work upstream to prevent them. Considerable investment and attention goes to the recruitment and compensation of police officers; we urge the Mayor to consider the role of ICM workers as a top priority in the City's public safety workforce strategy.

(5) RESET Center Aftercare

We have serious concerns about the RESET Center, but we aware that the Mayor is committed to trying this approach and evaluating the results on an ongoing basis. We recognize that the City is grappling with how to address public drug use without resorting to charging and incarceration in jail. At present, however, we want to stress one urgent concern: the risk of overdose following release.

While remaining on the street using drugs poses its own risks, studies have consistently shown that people who are substance dependent and detained even briefly are at significant risk of overdose upon release because tolerance levels—especially for drugs like fentanyl—can decline precipitously over a matter of hours. Those few hours are commensurate to the period of detention envisioned in the RESET Center. Consequently, people leaving the RESET Center who opt not to engage in voluntary services will be particularly at risk. And even those who accept treatment may be released without care—local treatment options, which are preferable, often have lengthy waitlists even for people referred from the jail (which, in contrast to RESET, has existing relationships and experience with treatment providers). Resulting delays in treatment for people released from RESET will in many cases likely result in continued substance use. In short, the City should be prepared for a spike in overdoses, and overdose deaths.

Overdose prevention centers (OPCs) are internationally recognized as the surest and most compassionate way to prevent overdose deaths, ensuring the presence of trained professionals to people in a state of heightened vulnerability. OPCs that offer connection to voluntary treatment are also empirically proven to result in greater recovery outcomes than coercive methods. Recovery from addiction is, for most, not a one-and-done event, but a process that

requires the assistance of healthcare professionals, trust, and buy-in over time. OPCs meet these criteria while upholding the dignity of people with substance dependence issues—also a critical factor in promoting recovery. We understand that there are presently no OPCs in the City and that the Mayor is not planning to open any. We respectfully urge the Mayor to reconsider this decision. OPCs will not only complement the purposes of the RESET Center by promoting treatment and removing drug use from the public domain; they will also help to mitigate the distinct harm of overdose deaths that the RESET Center may well create. To avoid tragic unintended consequences, please consider OPCs as a complementary policy.

We and our community partners will be tracking the quantitative and qualitative outcomes of the RESET Center, as well as contemporaneous City data on overdose deaths. We expect the Mayor will do the same and hope to have further discussion on this issue as the results become clear.

(6) Scrutinize the Police Department's Staffing Model and Overtime

We recognize that the Mayor has placed a strong emphasis on increasing the size of the police force. While we do not believe that law enforcement are the appropriate personnel for addressing many of the City's public safety issues, even granting the Mayor's preferred approach, there is presently considerable waste in Police Department spending. The biggest issue areas are the Police Department's staffing model and overtime. The Police Department's staffing model is based on assumptions that are in many cases unproven and in some, demonstrably incorrect. It also includes allocations that are difficult to defend, including the continued spending of millions of dollars annually on a mounted unit. Upon request, we would welcome the opportunity to provide further specifics on this issue.

Overtime, meanwhile, remains out of control despite the December 2024 audit showing massive waste and noncompliance. We are aware that in March of this year, the Police Department committed to stricter limits on overtime spending, but without enforcement, those too may prove ineffective. We strongly encourage the Mayor to closely scrutinize the assumptions that go into the City's police staffing and to reign in police overtime. Greater accountability in these areas will free up significant funds that can be used for other public safety and public health priorities.

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At the core, we propose these ideas as ways we can advance public safety without an overreliance on police and incarceration. We also seek to promote cost savings for the general welfare of the City and its taxpayers.

Thank you for your time and consideration in reading this letter. We appreciate the opportunity to exchange views and information in this manner, and

we would welcome any follow-up conversation or correspondence. We very much want the Mayor to succeed in improving public safety in San Francisco.

Sincerely,

/s/ Abdi Soltani

Abdi Soltani

Avi Frey

Kassie Dibble

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