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August 28, 2025

**To: Commission Streamlining Task Force**

*Via email: [CommissionStreamlining@sfgov.org](mailto:CommissionStreamlining@sfgov.org)*

**Re: Juvenile Probation Commission & Gov. Code § 27770**

Dear Members of the Commission Streamlining Task Force,

I'm writing on behalf of the Youth Law Center to follow up on the Task Force's discussion of the Juvenile Probation Commission during the hearing on September 3, 2025. We were happy to hear that the Task Force supports keeping the Juvenile Probation Commission as a governing body. As discussed in our prior letter, we believe that the Juvenile Probation Commission's governing role is essential to ensuring a fair and just juvenile system in San Francisco.

**We were concerned, however, to hear that the Task Force is considering a proposal to move the Juvenile Probation Commission out of the City Charter. Doing so would run afoul of state law on probation governance and unintentionally revert control of the appointment of the Juvenile Probation Chief to the Superior Court.**

If it hasn't already, the Task Force should take note of Government Code section 27770. Subsection (a) requires a county's probation chief to be appointed by the presiding judge of the superior court. Subsection (b) allows charter counties to provide for a different process of appointment and tenure for the chief probation officer **through their charters**. Subsection (b) states:

**"In counties with charters that provide for appointment and tenure of office for the chief probation officer, the provisions of the charter shall control as to those matters and, in counties that have established or hereafter establish**

merit or civil service systems governing the methods of appointment and the tenure for the chief probation officer, the provisions of the merit or civil service systems shall control as to those matters. **In all other counties, appointment and tenure of the chief probation officer shall be controlled exclusively by the provisions of this code.**” Gov. Code § 27770(b).

As Government Code section 27770 makes clear, unless a county’s charter provides otherwise, state law regarding the selection of the probation chief will apply. Thus, removing the Juvenile Probation Commission from the City Charter would return San Francisco to the system of Superior Court appointment of the chief, a system that was intentionally ended over thirty years ago.

During the Task Force’s hearing on September 3, it was clear that both the Task Force and the community support maintaining the Juvenile Probation Commission in its governing function under the executive branch, not the judiciary. To achieve this goal, the Juvenile Probation Commission must remain in the City Charter.

If you have questions or need any additional information, we would be happy to discuss this issue further with you.

Sincerely,



Meredith Desautels, Directing Attorney

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