

Leung, Dan (SDA)

From: Palmer II, William (SDA)
Sent: Friday, September 4, 2026 12:25 PM
To: Leung, Dan (SDA); Nataly Ortiz, Estela (SDA); Dignan, Scott (SDA)
Subject: Re: Grand Jury Report Responses

CITY AND COUNTY OF SAN FRANCISCO
SHERIFF'S DEPARTMENT OVERSIGHT BOARD

June 18, 2026

Hon. Rochelle C. East

Presiding Judge, Superior Court of California, County of San Francisco

400 McAllister Street, Room 008

San Francisco, CA 94102-4512

SFGandJury@sftc.org

Re: Response to 2025-2026 Civil Grand Jury Report, "When Making Do Doesn't Work: San Francisco Jails in Crisis"

Dear Presiding Judge East:

On behalf of the Office of the President of the San Francisco Sheriff's Department Oversight Board, I respectfully submit this response to the 2025-2026 Civil Grand Jury report, "When Making Do Doesn't Work: San Francisco Jails in Crisis," released June 9, 2026.

I respond with full respect for the Civil Grand Jury's independent function, the Superior Court's constitutional role, and the public's right to know what occurs inside locked and opaque custodial institutions. I also respond as a former juvenile youth offender who entered the criminal justice system as a child; survived Riverside Juvenile Hall, maximum-security lockup; the California Youth Authority, Youth Training School; and the California Department of Corrections and Rehabilitation across multiple prisons and security levels; and who now serves as President of the Sheriff's Department Oversight Board with a duty to help turn lived experience into lawful, transparent, fiscally responsible public policy.

I agree with the Civil Grand Jury's findings in full.

Required Finding Responses Under Penal Code §933.05

Finding F1

Finding: City and County leadership would benefit from first-hand knowledge obtained through inspection of jail facilities and operations to better understand how policy changes affecting budget and operations impact jail operations.

Response: Agree.

First-hand inspection is not symbolic. It is a constitutional, fiscal, and moral necessity. A jail budget cannot be responsibly evaluated only from reports, dashboards, overtime summaries, or executive presentations. Decision-makers must see the housing units, medical access points, intake areas, programming spaces, food service, movement restrictions, staffing posts, visitation

areas, tablets, phones, spiritual access, and grievance systems that define daily life inside custody.

The Sheriff's Department Oversight Board should establish a regular inspection protocol for Board members, including announced and unannounced visits where legally permitted, structured debriefs, and public reporting that protects confidential information while still identifying operational risks, budget consequences, staffing deficits, and harm to incarcerated people, staff, families, and the public.

The Board further recommends that every major jail budget proposal include a "Custody Impact Statement" explaining how the proposal will affect population capacity, out-of-cell time, programming, medical access, family contact, religious practice, grievance access, disability accommodation, and staff safety.

Finding F3

Finding: The Jails are dangerously close to capacity, and SFSO has not convened the Crowding Committee despite meeting the capacity triggers outlined in the SFSO Custody and Court Operations Manual, Policy 511.2.

Response: Agree.

Crowding is not merely an administrative inconvenience. Crowding is a constitutional warning sign. Incarcerated people retain human dignity, and overcrowding can become the engine that produces medical neglect, mental health deterioration, violence, staff exhaustion, excessive force, unnecessary isolation, suspended programming, and preventable death.

The Sheriff's Office should immediately convene the Crowding Committee required by policy. The City should require written minutes, attendance records, population data, classification data, medical and mental health impact data, program interruption data, and specific action steps. The committee's work should be reported to the Sheriff, the Board of Supervisors, the Sheriff's Department Oversight Board, and the public on a regular schedule.

The Board further recommends a population-reduction strategy that prioritizes lawful alternatives to incarceration for people who can be safely treated, supervised, restored, or stabilized in the community. Jail beds should not be used as a substitute for mental health care, substance use treatment, housing, education, or poverty policy.

Finding F13

Finding: Incidents of below-minimum staffing result in facility lockdowns or lesser mobility restrictions, cause suspended programming, reduce out-of-cell time, interrupt access to health services, impede visitation, and have other negative impacts on inmates, yet data on lockdowns is unavailable.

Response: Agree.

A jail cannot be safely governed where lockdowns, mobility restrictions, program cancellations, missed medical access, interrupted visitation, and reduced out-of-cell time are not tracked, analyzed, and publicly reported. The absence of data prevents accountability and creates a culture where constitutional harm may become invisible.

The Sheriff's Office should immediately create and publish a lockdown and mobility-restriction dashboard. At minimum, the data should include date, facility, housing unit, duration, cause, staffing level, number of people affected, programs cancelled, medical appointments missed or delayed, visits cancelled, meals delayed, religious services interrupted, and remedial steps taken.

The Board further recommends that below-minimum staffing events trigger automatic review by command staff, the Office of Inspector General once fully operational, the Sheriff's Department Oversight Board, and the appropriate Citybudget authorities. The solution cannot be overtime alone. The solution must include retention, training, culture change, wellness support, civilianization where appropriate, technology access, decarceration where legally justified, and strong independent oversight.

President Palmer's Operational and Budget Recommendations

The criminal justice system operates in three connected tiers: first, police substations and points of arrest; second, county jails and detention facilities; and third, state prisons and correctional systems. These agencies function together to identify, arrest, detain, classify, discipline, punish, treat, release, or continue to control people deemed public safety risks. Because the tiers are connected, reform must also be connected.

The rules already exist. The United States Constitution prohibits cruel and unusual punishment and protects due process. Pretrial detainees may not be punished before conviction. Prison officials may not act with deliberate indifference to serious medical needs or substantial risks of serious harm. International standards, including the Nelson Mandela Rules, the Bangkok Rules, the Beijing Rules, and the Tokyo Rules, recognize human dignity, non-discrimination, health care, independent inspection, family contact, legal access, education, rehabilitation, and non-custodial measures.

The crisis is not that no rules exist. The crisis is that rules are often violated, ignored, underfunded, hidden, or neutralized by institutional culture. Oversight must therefore be independent, public, data-driven, legally empowered, and protected from capture by the same agencies it is charged with reviewing.

I recommend the following:

- 1. Establish an Independent Custody Budget and Operations Review Framework covering police holding areas, county jails, and state prisons, with authority to review staffing, classification, use of force, lockdowns, medical access, food quality, programming, grievances, technology access, parole preparation, disciplinary practices, and release planning.**
- 2. Require meaningful representation of formerly incarcerated people, legal scholars, social scientists, mental health experts, public health experts, restorative justice practitioners, family members, victims' rights advocates independent of law-enforcement funding, and civil rights attorneys on oversight and advisory bodies.**
- 3. Protect oversight from political capture by limiting the influence of law enforcement and correctional officer unions over oversight design, operational review, jail budget priorities, disciplinary policy, and conditions-of-confinement standards, while preserving lawful collective bargaining over wages, health care, retirement, and workplace safety.**
- 4. Create enforceable rights to modern communication technology for incarcerated people, including phones, tablets, legal research tools, family communication, court access, education, reentry planning, and lawful business or financial interests.**

5. **Guarantee access to family, spiritual leaders, community-based mentors, legal counsel, educational providers, approved media access, and reentry organizations, subject only to individualized and documented security restrictions.**
6. **Require independent review of all lockdowns, mobility restrictions, program cancellations, medical delays, uses of force, in-custody deaths, suicide attempts, sexual abuse allegations, staff misconduct allegations, and retaliation complaints.**
7. **Strengthen whistleblower protections for incarcerated people, staff, contractors, medical workers, volunteers, and Board or oversight personnel who disclose abuse, corruption, falsified data, unsafe conditions, or retaliation.**
8. **Require fit-for-duty evaluations, trauma-informed training, anti-racism training, de-escalation training, disability-rights training, gender-responsive training, religious accommodation training, and cultural humility training for all personnel directly involved in custody, classification, discipline, parole, release decisions, and force.**
9. **Create maximum administrative and criminal accountability for crimes committed against incarcerated people, including sexual abuse, assault, retaliation, evidence falsification, deliberate medical neglect, and coordinated coverups.**
10. **Build a uniform appeal system for jail and prison disciplinary decisions, classification decisions, program exclusions, parole-preparation barriers, and denials of education, vocational training, religious access, family access, and medical accommodations.**
11. **Provide holistic healthy meals, including medically appropriate, religiously appropriate, culturally appropriate, and plant-based options. Food is not merely a cost item; it is medical care, mental health care, religious practice, and human dignity.**
12. **Treat youth and young adults as developmentally distinct. Children and young people should be separated from adult carceral populations and placed in healing-centered, education-centered, family-connected environments. California should expand young-adult justice models through at least age 25 where legally appropriate, and should prohibit the prolonged confinement of children in environments designed for adult punishment.**
13. **Reserve long-term prison custody for the most serious violence, including homicide, felony sexual violence, and great bodily injury causing life-altering harm. For other offenses, courts should be required to consider treatment, restitution, restorative justice, education, employment, housing, family repair, community supervision, and victim-centered healing before imposing incarceration.**
14. **Shift public spending away from avoidable incarceration and toward public health, literacy, housing, trauma treatment, youth development, substance use treatment, vocational education, restorative justice, and reentry. A fiscally responsible system prevents harm before it becomes a jail cost.**
15. **Fully fund and staff the Office of Inspector General so that the Sheriff's Department Oversight Board is not forced to "make do" without the investigative, audit, policy, and data capacity needed to perform Charter-mandated oversight.**

Addendum for Further Review: Transformation Beyond the Immediate Findings

The Civil Grand Jury's report concerns San Francisco jails, but the jail crisis cannot be separated from the larger architecture of criminalization. Police substations, jails, prisons, parole, probation, court debt, disciplinary hearings, gang validation, classification, solitary confinement, and reentry barriers are part of one continuum. When one part fails, the harm travels.

As a formerly incarcerated juvenile youth offender, I know that confinement is not merely a place. It is a culture. At its worst, it uses fear, silence, humiliation, racial hierarchy, emotional illiteracy, and bureaucratic delay to dominate the human spirit. At its best, custody should be rare, lawful, transparent, temporary when possible, medically safe, spiritually open, educationally rich, and designed for return to community.

This country must also be honest about history. The Thirteenth Amendment abolished slavery and involuntary servitude except as punishment for crime. After the Civil War, that exception helped form legal, economic, and political pathways through which Black people and poor people were criminalized, controlled, leased, exploited, segregated, and stripped of family and wealth. Modern jail and prison policy must be evaluated with that history in mind. Oversight without historical truth becomes management of harm instead of transformation.

This addendum is therefore submitted as guidance for a complete review of prison and officer distinction, structural racism, discrimination, social engineering, political influence, and the economic incentives that expand custody while weakening community health. The City and County of San Francisco should lead California by demonstrating that public safety does not require cruelty, secrecy, or permanent human disposal. Public safety requires lawful accountability, healed people, restored families, protected victims, disciplined public servants, and transparent public budgets.

Respectfully submitted,

William Palmer, President

San Francisco Sheriff's Department Oversight Board

Note & References; Key legal and policy authorities supporting the draft include the Civil Grand Jury response categories in Penal Code §933.05 as quoted in your transmittal; *Brown v. Plata*, where the Supreme Court upheld a population limit to remedy unconstitutional California prison conditions; *Estelle v. Gamble* and *Farmer v. Brennan* on deliberate indifference; *Kingsley v. Hendrickson* and *Bell v. Wolfish* on pretrial detainee protections; and *Roper*, *Graham*, and *Miller* on youth culpability and punishment. The Mandela Rules also expressly identify dignity, health care, discipline, complaints, contact with the outside world, staff training, and independent inspections as core prison-management standards. And references remedies from "The History of Law Enforcement in America."

From: Leung, Dan (SDA) <dan.leung@sfgov.org>

Sent: Wednesday, August 26, 2026 8:30 AM

Subject: FW: Grand Jury Report Responses



Dan Leung
Board Secretary, Sheriff's Department Oversight Board

📍 Office of Sheriff's Inspector General
☎ (415) 241-7711 📠 (628) 652-1139
📍 Located with the Department of Police Accountability
📍 1 South Van Ness Ave. 8th Floor San Francisco, CA, 94103
🌐 www.sf.gov/sdob 🌐 www.sf.gov/sfoig



IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

File a complaint about sheriff



Please consider the environment before printing this e-mail!

From: Palmer II, William (SDA) <william.palmerii@sfgov.org>
Sent: Tuesday, August 25, 2026 8:56 PM
To: Leung, Dan (SDA) <dan.leung@sfgov.org>
Cc: Nataly Ortiz, Estela (SDA) <estela.natalyortiz@sfgov.org>
Subject: Re: Grand Jury Report Responses

Dan, forward this to the Board members.

Civil Grand Jury Response — Board Process and Officer Roles

Dan and Board Members,

Thank you for collecting the individual Board member responses concerning the Civil Grand Jury report.

I want to clarify the process going forward so that there is no misunderstanding concerning the respective roles of the President, Vice President, Secretary, and the Board as a whole.

The Charter assigns the substantive oversight and reporting responsibilities to the Sheriff's Department Oversight Board collectively. I am not aware of any Board action, Charter provision, or established procedure assigning the Vice President independent or co-equal responsibility to direct the preparation of the Board's Civil Grand Jury response. If such authority exists, please identify it so that we can follow it consistently.

Likewise, the Vice President's authority to preside when the President is absent is a temporary parliamentary function. At the last meeting, I notified Dan in advance that I would be arriving late. Upon my arrival, the basis for temporary substitution as presiding officer had ended. I chose not to interrupt the proceedings at that moment, but that should not be interpreted as a transfer or relinquishment of the President's continuing responsibilities.

My concern is therefore not with cooperation. I welcome cooperation from Vice President Ortiz and every member of this Board. My concern is with maintaining clear lines of authority, notice, communication, and parliamentary decorum. Decisions regarding who is assigned to direct, compile, negotiate, or represent the Board on a matter should not develop informally or without communication to the President and, where required, authorization from the Board.

For the Civil Grand Jury response, please continue collecting all member submissions and transmit the complete record to me, with a copy to Vice President Ortiz. I will coordinate with the Secretary, Vice President, City Attorney, and participating Board members toward a unified working draft for consideration by the full Board through the appropriate public process.

Until my term as President ends, or the Board lawfully determines otherwise, I will continue to discharge the responsibilities entrusted to that office. I ask everyone to maintain that same respect for each officer's role and for the institutional decorum of this Board—not merely for the benefit of the current officers, but as a precedent for those who will serve after us.

This is bigger than any individual officeholder. A civilian oversight body asking other institutions to follow rules, respect authority, and remain accountable must demonstrate those same principles within its own governance.

Respectfully,

William M. Palmer II
President
San Francisco Sheriff's Department Oversight Board

From: Leung, Dan (SDA) <dan.leung@sfgov.org>

Sent: Friday, August 21, 2026 12:12 PM

Subject: FW: Grand Jury Report Responses

Hello Board Members,

Thank you to those of you who have already submitted your responses.

This is a final reminder for all others to submit their responses to the CGJ report by EOD Monday 8/24. I will then forward everything to President Palmer and Vice President Ortiz so they can compile the full draft.



Dan Leung
Board Secretary, Sheriff's Department Oversight Board

📍 Office of Sheriff's Inspector General
☎ (415) 241-7711 📠 (628) 652-1139
📍 Located with the Department of Police Accountability
📍 1 South Van Ness Ave. 8th Floor San Francisco, CA, 94103
🌐 www.sf.gov/sdob 🌐 www.sf.gov/sfoig



IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

File a complaint about sheri



Please consider the environment before printing this e-mail!

From: Leung, Dan (SDA)
Sent: Monday, August 17, 2026 7:06 AM
Subject: FW: Grand Jury Report Responses
Importance: High

Hello Board Members,
Thank you to those who have already submitted your responses.
For those who haven't, this is a quick reminder that your feedback on the Civil Grand Jury (CGJ) report is due next **Monday, August 24, 2026**.
I will incorporate all input into President Palmer's response. This ensures we have a comprehensive document ready for review and potential approval at our next meeting.



Dan Leung
Board Secretary, Sheriff's Department Oversight Board

📍 Office of Sheriff's Inspector General
☎ (415) 241-7711 📠 (628) 652-1139
📍 Located with the Department of Police Accountability
📍 1 South Van Ness Ave. 8th Floor San Francisco, CA, 94103
🌐 www.sf.gov/sdob 🌐 www.sf.gov/sfoig



IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

File a complaint about sheriff



Please consider the environment before printing this e-mail!

From: Leung, Dan (SDA)
Sent: Monday, August 10, 2026 10:13 AM
Subject: Grand Jury Report Responses
Importance: High

Dear Board Members,

Please find attached the Civil Grand Jury Report and response worksheet that was distributed during Friday's meeting. Kindly provide your individual feedback and submit your responses by **Monday, August 24th**. This will allow me enough time to compile everyone's input into a single, cohesive draft response for review and possible approval at September's meeting.

Please note that we are currently awaiting President Palmer's draft responses. I will forward his draft to the group as soon as it becomes available.



Dan Leung

Board Secretary, Sheriff's Department Oversight Board

📍 Office of Sheriff's Inspector General

📞 (415) 241-7711 📠 (628) 652-1139

📍 Located with the Department of Police Accountability

📍 1 South Van Ness Ave. 8th Floor San Francisco, CA, 94103

🌐 www.sf.gov/sdob 🌐 www.sf.gov/sfoig



IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

File a complaint about sheriff



Please consider the environment before printing this e-mail!