

FINES AND FEES REFORM: SAN FRANCISCO, CA

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San Francisco's Financial Justice Project: Reducing the burden of fines and fees on San Franciscans with low incomes**Results****\$32M**

in criminal justice system debt waived or eliminated, largely due to efforts of San Francisco's Financial Justice Project

The Challenge

- **Deep financial insecurity among a near-majority of San Franciscans:** Over the past decade, the cost of living in San Francisco has risen dramatically. A 2019 report by the Urban Institute found that despite one of the highest median wages in the country, [47% of San Franciscans were financially insecure](#), with less than \$2,000 in net savings. Nationally, 52% of Americans are considered financially insecure.
- **Fines, fees, and debt create additional barriers to upward mobility:** Municipal fines and fees, particularly stemming from the criminal justice system and traffic enforcement, do not take into consideration someone's ability to pay—creating significant burdens for San Franciscans with low incomes on top of the city's already high cost of living. Fines and fees - often via suspended drivers'

licenses and impounded vehicles – can worsen household debt, damage credit scores, and make it difficult for residents with low incomes to access work, school, and healthcare.

- **Fines and fees disproportionately impacting communities of color:** Black residents make up less than 6% of San Francisco’s population but in recent years made up nearly 45% of people arrested for failure to appear or failure to pay traffic court warrants. In Bayview-Hunters Point, the San Francisco neighborhood with the highest percentage of Black residents, the rate of driver’s license suspension was over three times the statewide average.
- **Punitive fines and fees widespread across local government and the courts:** Fines and fees that exceed people’s ability to pay are not an isolated problem in one or two departments, or even in just San Francisco—many public entities and local departments across the country charge fines and fees that severely impact people with low incomes. Community groups in San Francisco specifically called out the burden of fees charged to people in the criminal legal system, water shutoff fees, child support owed to the government, library fines, and fines charged by the Municipal Transportation Agency, among others.

The Solution

- **Creation of San Francisco's Financial Justice Project:** In 2016, in response to growing calls for local government to reevaluate excessive fines and fees, [San Francisco Treasurer José Cisneros](#) and [Director Anne Stuhldreher](#) created [The Financial Justice Project \(FJP\)](#), which works with departments across local government to eliminate or find alternatives to fines and fees that disproportionately impact San Franciscans with low incomes. FJP was housed within the City and County's Office of the Treasurer.
- **Deep engagement with community partners to identify priorities:** FJP’s operations are rooted in close partnerships with community organizations that work with San Franciscans with low incomes and communities of color. This enables the initiative to identify significant fine and fee “pain points” and prioritize the highest-impact reforms.
- **Creating an inventory of fines and fees across government:** FJP has worked with the San Francisco Mayor’s Budget Office and departments across local government to collect fines and fees data, create inventories of the fines and fees utilized across government, and identify fines and fees that most negatively affect San Franciscans with low incomes and communities of color. The FJP continues to work with their partners across local government to assess the impacts of fines and fees.
- **Partner with agencies to find solutions:** FJP works directly with city and county departments and agencies levying harmful fines and fees to find alternative solutions. These alternative solutions generally fall into one of three categories: basing the fine or fee on ability to pay; eliminating the fine or fee and identifying an alternative method to achieving the policy goal; or offering non-monetary alternatives to payment.

Major Accomplishments

- **Eliminated \$32 million in debt from locally-controlled fees in the criminal justice system:** FJP helped make San Francisco the first city and county to [eliminate and waive debt](#) from locally-controlled criminal administrative fees, providing debt relief to around 21,000 people. Monthly probation fees, ankle monitoring rental fees, and jail booking fees and other fees were charged to people in the criminal justice system. These fees heaped debt onto low-income residents who could not pay them, created barriers to their reentry, and were an ineffective source of revenue, according to FJP's report ["Criminal Justice Administrative Fees: High Pain for People, Low Gain for Government."](#)
- **Ended driver's license suspensions for missing court dates and lifted thousands of holds on licenses:** FJP worked with San Francisco Mayor London Breed and the San Francisco Superior Court to [lift all outstanding driver's license holds](#) for missing a traffic court date. Suspending driver's licenses for missing court dates was an extreme penalty that created barriers to employment and housing for thousands of San Franciscans. Rather than negatively impacting revenues, FJP's April 2020 report, ["Driving Towards Justice,"](#) found that ending license suspensions increased average collections per ticket by 8.9 percent in the year after the reform.
- **Helped institute "ability to pay" reforms, payment plans, and alternative payment plans for transit-related fines and fees:** FJP worked with the San Francisco Municipal Transportation Agency to [create payment plans and community service plans](#) to help people with low incomes pay their parking tickets and fare evasion citations, create [significant discounts on towing and booting fines and fees](#) for people with low incomes, and make [bus fares free for people experiencing homelessness](#).
- **Made jail phone calls free and ended jail commissary markups:** In August 2020, FJP worked closely with San Francisco Mayor London Breed, the San Francisco Sheriff, and community advocates to make San Francisco the first county in the country to [make jail phone calls free and end markups on items in the jail commissary](#). These fees created barriers to communication between incarcerated people and their support networks, which research shows is crucial to people's successful reentry. These reforms will save incarcerated people and their families \$1.7 million annually according to FJP's ["Justice is Calling"](#) issue brief.
- **Developed a pilot program to eliminate child support payments owed to the government, to ease the burden on low-income parents and ensure more money goes to children:** FJP worked with the San Francisco Department of Child Support Services to [eliminate the debt](#) that parents owed to the government to repay the cost of public assistance through their child support payments. Moving forward, all parents' payments went to their children. According to [research from the Urban Institute](#), the pilot led to 15-30% increases in child support payments, improved relationships between children and parents, and generated better outcomes for parents' finances, housing, and employment.
- **Waived debt from overdue library fines:** In 2019, FJP worked with the San Francisco Public Library (SFPL) to [eliminate and waive debt from overdue library fines](#). Research conducted by FJP and SFPL found that [overdue fines restrict access](#) to the library and exacerbate inequality by disproportionately affecting low-income and communities of color.
- **Allow homeless individuals to receive social services to clear "Quality of Life" citations:** Working with the San Francisco Police Department, the District Attorney's Office, and a range of other partners, FJP helped create the [CONNECT Program](#), which allows people experiencing homelessness to clear all

outstanding quality of life citations when they receive 20 hours of social service assistance from an approved provider.

Keys to Success

- **Leadership from the Office of the Treasurer, the Mayor's Office, and other elected officials:** FJP's strong support from the San Francisco Treasurer, the San Francisco Mayor, the San Francisco Sheriff, and the San Francisco Board of Supervisors, and other elected officials enables the office to work in close collaboration with partners across government. The office is able to establish trust and credibility and convene the right government partners in ways that would not have been possible as an outside actor.
- **Easing administrative burdens for departments to develop and implement reforms:** The FJP brings additional staff capacity to develop and implement reforms (ex: develop guidelines, applications, forms and conduct outreach to build awareness of discounts amongst eligible populations). The FJP also worked with San Francisco's Human Services Agency to create a cloud-based income verification system to make it easy for departments to verify eligibility for discounts.
- **Deep and continuous collaboration with community-based partners:** One-on-one engagement, robust listening sessions, and ongoing partnerships with community organizations and leaders have enabled FJP to serve as an effective bridge between community actors and local government entities and ensure that community concerns are heard. FJP conducts regularly scheduled meetings with a range of coalitions and groups, including the San Francisco Jail Justice Coalition, the End Poverty Tows Coalition, Debt Free Justice California, the Truth and Justice in Child Support Coalition, and others.
- **Focus on establishing trust among government partners:** FJP has taken a deliberate approach to relationship and trust building across government partners, working with leadership and staff in a range of departments to help them understand the need for reform and to implement equitable solutions. FJP staff approach government partners with a solutions-oriented mindset, starting by jointly examining and defining the challenge, then conducting research to understand the scope of the issue, conducting interviews with individuals directly impacted, then bringing these affected parties into direct communication with department leaders and staff. FJP then helps partners explore potential solutions, implement new policies, and communicate reforms.
- **Research and evaluation fuels advocacy:** FJP has conducted extensive research on various fine and fee pain points and published numerous reports in support of reform, many of which have been cited by public officials as a reason for reform.

Biggest Challenges

- **Collecting accurate data on fines and fees:** FJP initially struggled to collect accurate data across government on fines and fees. Some departments across government did not collect key data points or were resistant to sharing data. Significant time and trust building was required to create fines and fees inventories with many department partners.
- **Persuading leaders concerned about revenue loss from fines and fees:** When working with leaders of city and county departments, FJP often encountered fears from department leadership about the

revenue that would be lost if the fines or fees were reformed. Research on low levels of collections, discussions about the purpose of the fine or fee, and collaboratively developing alternative solutions helped address these concerns.

- **Challenging perceptions around the necessity of fines and fees, and the merits of alternative approaches:** For many, the belief that violations of the law should be punished with fines and fees is deeply ingrained. Moving beyond that punitive mindset is a constant struggle for the FJP team, which tries to combat these attitudes by publishing [evidence](#) of the effectiveness of alternative approaches.
- **Ensuring people eligible for fine and fee discounts know about them and apply:** Reaching out to San Franciscans with low incomes to inform them of various discounts and eligibility has been a consistent challenge for FJP and its partners.

Timeline

○ U.S. DEPARTMENT OF JUSTICE RELEASES THE FERGUSON REPORT

March 2015

The report reveals that Ferguson, MO has [engaged in a range of predatory and excessive practices](#) which disproportionately impacted Black residents with low incomes, charging residents \$531 for overgrown yards, \$792 for failure to obey charges, and \$375 for lacking proof of car insurance, among others. In response to the Ferguson report, advocates in California publish [“Not Just a Ferguson Problem,”](#) an examination of harmful fines and fees practices across the state.

○ DEBT FREE SF COALITION IS CREATED

2016

The coalition brings together legal aid and other community organizations serving people who are low-income, homeless, or previously incarcerated. The coalition begins calling for a range of local reforms to address many of the issues identified in the [“Not Just a Ferguson Problem”](#) report.

○ FINANCIAL JUSTICE PROJECT IS LAUNCHED

October 2016

San Francisco Treasurer José Cisneros authors an [op-ed in the San Francisco Chronicle](#) announcing the launch of FJP. Among the first major tasks of the FJP is to staff the newly-created [San Francisco Fines and Fees Task Force](#), a group created by legislative mandate that brought together staff from city and county departments, the court system, and community organizations.

○ PUBLICATION OF THE FINES AND FEES TASK FORCE REPORT

May 2017

The Fines and Fees Task Force publishes its [recommendations](#) in May 2017, providing a clear initial agenda for reform.

○ INTRODUCTION OF LEGISLATION TO ELIMINATE ALL LOCALLY-CONTROLLED CRIMINAL JUSTICE ADMINISTRATIVE FEES

February 2018

FJP, working with then-San Francisco County Board Supervisor (and future San Francisco mayor) London Breed, the San Francisco Public Defender's Office, and others, introduces legislation to [eliminate all local administrative fees related to the criminal justice system](#). The legislation is enacted in July 2018, and in August 2018, [\\$32 million in debt from administrative fees is lifted](#).

○ ESTABLISHED SIGNIFICANT DISCOUNTS FOR TOWING AND BOOTING FINES AND FEES AND ELIMINATED WATER SHUT OFF AND TURN ON FEES

May 2018

FJP worked with the San Francisco Municipal Transportation Agency to [provide significant discounts on towing and booting fines and fees](#) for people below 200% of the Federal Poverty Line. FJP also worked with the San Francisco Public Utilities Commission to [eliminate water shut off and turn on fees](#) charged to people whose water was turned off for nonpayment.

○ FINANCIAL JUSTICE PROJECT RECEIVES NATIONAL RECOGNITION

July 2018

FJP is named as a [finalist for the Harvard Innovations in American Government Award](#).

○ LAUNCH OF CONNECT PROGRAM

November 2018

Working with the San Francisco Police Department, the District Attorney's Office, and a large group of social service providers, the FJP helps launch the [CONNECT program](#), which allows homeless San Franciscans to resolve Quality of Life Violations through receiving social services.

○ SAN FRANCISCO PUBLIC LIBRARY ELIMINATES OVERDUE FINES

January 2019

Following the release of FJP's report, "[Long Overdue](#)," which evaluates the impact of overdue library fines and presents recommendations for reform, [the San Francisco Public Library votes](#) to end the use of overdue fines, lift \$1.5 million in debt, and restore suspended library cards for 17,000 patrons.

○ LAUNCH OF INCOME VERIFICATION TOOL

March 2019

In response to widespread concerns over the administrative complexity of determining discount eligibility, FJP works with San Francisco's Human Services Agency to create an income verification tool, creating an easy to use and instantaneous process for departments to check eligibility for income-based discounts.

○ **88,000 DRIVER'S LICENSE HOLDS ARE LIFTED**

April 2019

Working with the San Francisco Superior Court, San Francisco [lifts holds on driver's licenses for 88,000 people who missed traffic court dates.](#)

○ **URBAN INSTITUTE PUBLISHES EVALUATION OF CHILD SUPPORT DEBT RELIEF PILOT**

August 2019

The [evaluation](#) finds that when parents' debt to government stemming from missed child support payments was lifted, parents paid more consistently, their personal finances improved, and their relationships with their child and co-parent benefitted.

○ **MONEY BAIL IS ELIMINATED IN SAN FRANCISCO**

January 2020

Citing FJP's "[Do the Math: Money Bail Doesn't Add Up,](#)" San Francisco's District Attorney announces that the city and county will [stop using money bail.](#)

○ **NEW DISCOUNTS INSTITUTED ACROSS TRANSPORTATION SYSTEM**

April 2020

San Francisco's Municipal Transportation Agency, which had already reduced fines and fees related to towing and booting, [further reduce and waive these charges and allow for free Muni transit for San Franciscans experiencing homelessness.](#)

○ **SAN FRANCISCO BECOME THE FIRST COUNTY IN THE COUNTRY TO MAKE JAIL PHONE CALLS FREE AND END MARK UPS ON COMMISSARY STORE ITEMS**

July 2020

FJP worked closely with San Francisco Mayor London Breed, the San Francisco Sheriff, and community advocates to make San Francisco the first county in the country to [make jail phone calls free and end markups on items in the jail commissary.](#)

○ **CALIFORNIA BECOMES THE FIRST STATE TO ELIMINATE AND FORGIVE DEBT FROM 23 CRIMINAL ADMINISTRATIVE FEES**

September 2020

Working with the [Debt Free Justice California](#) coalition, FJP co-sponsored [successful legislation](#) which made California the first state to eliminate and forgive debt from 23 criminal administrative fees. This transformative reform lifted billions of dollars in debt off of tens-of-thousands of Californians.

The Process



CONFRONTING THE PROBLEM

- **Ferguson report sparks introspection:** The report, published in March 2015 by the U.S. Department of Justice after Michael Brown was killed by Ferguson police, sparks a national reckoning on the predatory, extractive practices that many local governments engage in with regard to fines and fees. The national report's publication catalyzes action among community groups in San Francisco and throughout California, resulting in the April 2015 publication, "Not Just a Ferguson Problem."
- **A coalition forms:** Building on the momentum of the "Not Just a Ferguson Problem" report, a coalition of legal aid and community organizations in San Francisco comes together to form Debt Free SF. The coalition begins advocating for a range of fine and fee reforms across public systems and pressures local leaders to act.
- **The Financial Justice Project is launched:** San Francisco Treasurer José Cisneros creates the Financial Justice Project and houses it in the Treasurer's Office. Cisneros, elected in 2004, had an established track record of launching initiatives to improve quality of life for San Franciscans with low incomes, including the creation of the San Francisco Office of Financial Empowerment.
- **Local task force is launched:** As the issue of fine and fee reform gains momentum in San Francisco, the Board of Supervisors passes legislation to establish the San Francisco Fines and Fees Task Force. The Task Force includes staff from a wide range of criminal justice and human services agencies, along with a range of community organizations and service providers. The newly created Financial Justice Project is charged with staffing the Task Force.



DESIGNING THE STRATEGY

- **Listening sessions with community groups determine Task Force agenda:** Before the Fines and Fees Task Force began meeting, FJP staff worked in close partnership with community organizations to identify the areas of reform that would have the largest impact on San Franciscans with low incomes. These conversations lead the Task Force to focus on six distinct domains of reform: transportation-related fines and fees, driver's license suspensions, ability to pay processes, child support, quality of life, and money bail.
- **The Task Force convenes:** The Fines and Fees Task Force meets once a month for six months, with each meeting focusing on one of the six policy areas identified through conversations with community groups. Each session features discussions of how that policy area has impacted San Franciscans with low incomes, a review of potential reforms, and a discussion of recommendations. The Task Force's final recommendations are published in May 2017.
- **Creating a fines and fees "inventory":** Following the release of the Task Force's recommendations, FJP begins conducting an assessment of fines and fees across San Francisco city and county government. In partnership with the Mayor's Budget Office, a preliminary inventory is created, and each department is asked to respond to a survey detailing the types of fines and fees they assess.

- **Partnerships with agencies to implement reform:** Equipped with a reform agenda informed by community, a preliminary inventory of fines and fees, and survey responses from city and county departments, FJP and the Mayor's Budget Office were prepared to meet with agency leaders and staff to discuss potential reforms.



ALLOCATING THE FUNDING

- **Initial philanthropic funding:** At launch in October 2016, FJP was funded with \$200,000 in philanthropic grants provided by Citi and the Walter and Elise Haas Fund. These funds went towards supporting one full-time staff person and a temporary fellow.
- **City and County allocate funding:** After FJP successfully staffed the Fines and Fees Task Force and demonstrated the value of the initiative, the City and County of San Francisco began allocating public funds to cover the salary of FJP's director and additional costs. The initiative now has a yearly budget of approximately \$1 million and has a team of three full-time staff.
- **Addressing concerns about revenue:** After implementing fine and fee reforms, staff at FJP's partners in government often find that "foregone" revenue was already uncollectible. Post-reform, it became apparent to many government departments that they were collecting very little money from fines and fees, if any. For example, FJP's report, "Criminal Justice Fees: High Pain for People, Low Pain for Government," demonstrates that prior to FJP's reforms to eliminate these fees, the collection rate for some fees were in the single-digits.



IMPLEMENTING THE PLAN

- **Hiring initial staff:** Anne Stuhldreher is the founding director of the Financial Justice Project. She brought the initial idea to Cisneros and had previously worked with him and former San Francisco Mayor (now California Governor) Gavin Newsom to create other financial empowerment programs.
- **Three broad pathways to reform:** As FJP began working with agencies and departments across San Francisco, reform recommendations would generally fall into one of three categories: basing harmful fines or fees on ability to pay; eliminating the fine or fee and identifying alternative methods to achieve the policy goal; or offering accessible, non-monetary alternatives to payment.
- **Publishing research to accelerate reform:** For nearly all of its areas of focus, FJP has conducted extensive research and published detailed findings and recommendations. These publications have been instrumental in shaping discourse around various fines and fees and offering officials actionable plans to achieve more equitable results.
- **Initial focus on the criminal justice system:** Two of the earliest focus areas of the FJP were on ending the use of money bail and eliminating a range of administrative fees related to the criminal justice system. Two reports, "Do the Math: Money Bail Doesn't Add Up for San Francisco," and "High Pain, Low Gain," shape reform conversations in both spaces.



MEASURING AND REFINING THE APPROACH

- **Measurement as a starting point:** In nearly all relevant policy domains, FJP has conducted and published research on the landscape of local fines and fees, described the impact these have on low-income San Franciscans, and offered recommendations for reform. This data is collected in close partnership with agencies across city and county government.
- **Evaluation enables greater reform:** In many cases, after helping implement reform, FJP has worked in partnership with relevant agencies to evaluate impact. Beyond improving outcomes for low-income San Franciscans, in several cases, reforming practices have actually led to increased collections.
- **Continuing relationships after initial reform:** FJP has maintained relationships with departments after first helping implement reforms. In several cases, these continued relationships have led to further reform, like in the case of the San Francisco Municipal Transportation Agency, where FJP has worked with the agency to institute reductions and waivers of towing and booting fines and fees and expand access to free transit.
- **Evaluation partnership begins with Urban Institute:** Starting in April 2019, FJP began working with the Urban Institute to evaluate one specific area of reform, the waiving of government-owed child support debt. The evaluation demonstrated the value of the reform, creating momentum for reform beyond San Francisco.
- **Growing state and national advocacy:** FJP has worked closely with community partners in California to advance statewide legislation to reform fines and fees, such as The Families Over Fees Act (AB 1869) which made California the first state in the country to eliminate and waive billions of dollars of debt from state-controlled criminal administrative fees. In May 2020, FJP launched Cities and Counties for Fine and Fee Justice, in partnership with the Fines and Fees Justice Center and PolicyLink, a cohort of ten cities and counties around the country committed to advancing bold and innovative reforms to unjust fines and fees. FJP also works with statewide coalitions to advance reforms in criminal administrative fines and fees, jail phone call fees, and child support.

RESOURCES

United States Department of Justice Civil Rights Division: Investigation of the Ferguson Police Department

https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf ↗

Lawyers' Committee for Civil Rights of the San Francisco Bay Area: "Not Just a Ferguson Problem"

<https://lccrsf.org/wp-content/uploads/Not-Just-a-Ferguson-Problem-How-Traffic-Courts-Drive-Inequality-in-California-4.8.15.pdf> ↗

List of publications from the Financial Justice Project

<https://sfgov.org/financialjustice/news-publications/our-reports> ↗

Recommendations from the San Francisco Fines and Fees Task Force

<https://sfgov.org/financialjustice/fines-and-fees-task-force> ↗

Financial Justice Project report: "Do The Math: Money Bail Doesn't Add Up for San Francisco"

https://sfgov.org/financialjustice/sites/default/files/2020-04/2017.6.27%20Bail%20Report%20FINAL_2.pdf ↗

Financial Justice Project Report: Criminal Justice Administrative Fees: High Pain for People, Low Gain for Government"

https://sfgov.org/financialjustice/sites/default/files/2020-04/Hig%20Pain%20Low%20Gain%20FINAL_04-24-2019_1.pdf ↗

Financial Justice Project report: "Driving Toward Justice: How ending driver's license suspensions for unpaid traffic tickets helps communities without impacting court collections

<https://sfgov.org/financialjustice/sites/default/files/2020-04/DrivingTowardJustice.pdf> ↗

Financial Justice Project: "Justice is Calling: How San Francisco Made Jail Phone Calls Free, Ended Commissary Markups, and Stopped Generating Revenue From Incarcerated People and Their Families"

<https://sfgov.org/financialjustice/sites/default/files/2021-02/FJP%20Justice%20is%20Calling%202-18-21.pdf> ↗

Financial Justice Project report: "Long Overdue: Eliminating Fines on Overdue materials to Improve Access to San Francisco Public Library"

<https://sfgov.org/financialjustice/reports/long-overdue-eliminating-fines-overdue-materials-improve-access-san-francisco-public> ↗

Financial Justice Project overview of reforms to towing fees

<https://sfgov.org/financialjustice/newsletters/it-started-never-ending-cycle-debt-and-poverty> ↗

Urban Institute evaluation of child support payment reform

https://www.urban.org/research/publication/relief-government-owed-child-support-debt-and-its-effects-parents-and-children/view/full_report ↗

San Francisco District Attorney: Overview of CONNECT Program

<https://www.sfdistrictattorney.org/resources/the-connect-program/> ↗

Overview of SF Municipal Transportation Agency discounts for residents with low incomes

<https://www.sfmta.com/discounts-low-income-individuals-and-people-experiencing-homelessness> ↗

Public Utilities Commission of San Francisco: Resolution to reform fines and fees

<https://sfpuc.sharefile.com/share/view/s3d7719b464f4023a> ↗

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