Resolution affirming a commitment from the Board to racial and economic equity in the
City budget in terms of revenue generation, and in support of California State Senate
Bill No. 555, authored by Senator Holly Mitchell and co-authored by Assembly Members
Jose Medina and Buffy Wicks, to reduce rates and fees associated with county jail
communications and commissary services to reduce the financial burden on
incarcerated people and their families.

WHEREAS, Our country is currently reeling from two viruses, being COVID-19 and
systemic racism, and the combination of these is causing widespread harm but
disproportionately impacting the most vulnerable people, especially communities of color,
people living paycheck-to-paycheck, and people in the criminal justice system; and

WHEREAS, One of the many ways systemic racism has devastated Black and Brown
communities is through the imposition and enforcement of fines and fees, which harm
communities of color as it relates to wealth extraction, mass criminalization, and excessive
police contact that leads to police violence; and

WHEREAS, Our web of fines, fees, and penalties for minor offenses fuels over-policing
of Black and Brown people and communities; and ultimately the over representation of Black
and Brown people in the criminal justice system; and

WHEREAS, During the last recession, in order to fill budget gaps, state and local
governments dramatically increased the number and amount of fines and fees imposed on
people for minor traffic and municipal code violations, misdemeanors and felonies; and

WHEREAS, A recession is underway that will have serious and disproportionate
impacts by race and wealth, exacerbating the existing inequalities that already exist; and

Supervisors Fewer, Mar, Walton, Mandelman
BOARD OF SUPERVISORS
WHEREAS, Government programs and courts have long levied fines to discourage behaviors and fees to cover costs, but these have insidious unintended impact, driving economic inequality by pushing people into poverty or keeping them there; and

WHEREAS, This regressive system of taxation continues to cause enormous harm in economically vulnerable communities, and particularly communities of color, trapping low-income people in a maze of poverty and punishment, eroding confidence in public institutions and undermining safety and prosperity in our communities; and

WHEREAS, The City and County of San Francisco faces a projected budget deficit of $1.5 billion over the next two years and all departments have been asked to cut their budgets by 10-15% minimally; and

WHEREAS, Our budget is a statement of our values and should embody our commitment to racial and economic equity, by ensuring our most vulnerable community members are invested in rather than depleted of resources; and

WHEREAS, Over the past three years San Francisco has led an effort to assess and reform fines, fees, and financial penalties that have an adverse and disproportionate impact on low-income people and communities of color, and has implemented sweeping changes to eliminate regressive and harmful fines and fees, in alignment with our city values; and

WHEREAS, Under California’s current system, local governments contract with private companies to provide goods and services inside local jails; and

WHEREAS, This system and current state law allows for both the local government and the private entity to profit from these contracts for goods and services such as phone calls and jail store/commissary items, which are paid for by incarcerated people and their families; and

WHEREAS, The high cost of jail phone calls is an impediment to maintaining meaningful contact between family members, which is important to successful reentry; and
WHEREAS, While the cost of phone calls from California state prisons was reduced by previous statewide legislation, the high cost of phone calls and other communications from county jails across the state remains unaddressed; and

WHEREAS, The cost of calls and other communications from county jails is inconsistent across the state, with a 15-minute call ranging from $0.68 up to $17.80 in some counties; and

WHEREAS, Research shows that increased communication between incarcerated people and their families decreases recidivism and improves reentry outcomes after release; and

WHEREAS, Charging incarcerated people and their families for phone calls makes it harder for incarcerated people to stay in touch with family members, and therefore creates barriers to their reentry; and

WHEREAS, In addition to the high cost of phone calls, people in county jails often have a difficult time meeting their basic hygiene and dietary needs, as jails often provide only basic hygienic supplies which are often very low quality, and the food regularly served in county jails leaves many people hungry and in need of additional food; and

WHEREAS, The only opportunity for people held in county jails to meet their individual hygienic and nutrition needs is through jail commissary stores; and

WHEREAS, Through the commissary, many county jails set the price for these items higher than the vendor’s prices, with items marked up as high as 100%, according to the Prison Policy Institute; and

WHEREAS, Phone call and jail store commissary costs are a significant economic drain on low-income people and people of color, and disproportionately impact communities of color, particularly women of color; and
WHEREAS, In June 2019, the City of San Francisco, with leadership from Mayor
London N. Breed and then-Sheriff Vicki Hennessy, announced that it would be the first county
in the nation to make jail phone calls free and eliminate markups on items sold in the jail
commissary store; and

WHEREAS, The City of San Francisco took these actions to lift an economic burden
from low-income communities, improve connection to support networks, and ease reentry
from jail back into our communities; and

WHEREAS, In June 2020, the People Over Profits Ordinance was introduced at the
Board of Supervisors, which ensures that San Francisco will never again generate revenue
from incarcerated people and their families through jail phone calls, commissary markups, and
through the sale of other goods and services; and

WHEREAS, Senate Bill No. 555, authored by Senator Holly Mitchell and co-authored
by Assembly Members Jose Medina and Buffy Wicks in February 2019, will expand statewide
on the efforts to reduce the cost of phone calls and commissary items and promote more
connected and economically stable families statewide; and

WHEREAS, Specifically, Senate Bill No. 555 would require any jails or juvenile facilities
in the state of California to negotiate the lowest possible cost of telephone service, eliminate
any commissions being provided to the jail or juvenile facility related to the service being
provided, prohibit key fees; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the California Legislature and
Governor Gavin Newsom to support and pass California State Senate Bill No. 555; and, be it

FURTHER RESOLVED, That the City and County of San Francisco Board of
Supervisors hereby directs the Clerk of the Board to send a copy of this Resolution to the
California State Assembly, California State Senate, as well as the Bill’s primary sponsor,
Senator Holly Mitchell; and, be it
FURTHER RESOLVED, That the Board of Supervisors is committed to engaging with the City budget through a lens of equity, which includes an examination of where both investments and divestments are made, as well as careful consideration of new revenues being proposed to ensure the City is not balancing the budget on the backs of our most vulnerable residents; and, be it

FURTHER RESOLVED, That the Board specifically will take a hard look at any new fines and fees that are proposed in this budget process in alignment with the above commitment; and, be it

FURTHER RESOLVED, That the Board urges the Mayor to adopt this same commitment, to prioritize racial and economic equity in not only allocations but also revenue generation in this year’s City budget process, and ensure that in balancing the budget we don’t do so at the harm and expense of our most vulnerable San Franciscans.
Resolution affirming a commitment from the Board to racial and economic equity in the City budget in terms of revenue generation, and in support of California State Senate Bill No. 555, authored by Senator Holly Mitchell and co-authored by Assembly Members Jose Medina and Buffy Wicks, to reduce rates and fees associated with county jail communications and commissary services to reduce the financial burden on incarcerated people and their families.

July 21, 2020 Board of Supervisors - ADOPTED
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200769

I hereby certify that the foregoing Resolution was ADOPTED on 7/21/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

07/31/2020
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

07/31/2020
Date