

1 [Affirming a Commitment to Racial and Economic Equity in the City Budget and Urging
2 Support for California State Senate Bill No. 555 (Mitchell)]

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

9
10 WHEREAS, Our country is currently reeling from two viruses, being COVID-19 and
11 systemic racism, and the combination of these is causing widespread harm but
12 disproportionately impacting the most vulnerable people, especially communities of color,
13 people living paycheck-to-paycheck, and people in the criminal justice system; and

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

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

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

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

1 WHEREAS, Government programs and courts have long levied fines to discourage
2 behaviors and fees to cover costs, but these have insidious unintended impact, driving
3 economic inequality by pushing people into poverty or keeping them there; and

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

8 WHEREAS, The City and County of San Francisco faces a projected budget deficit of
9 \$1.5 billion over the next two years and all departments have been asked to cut their budgets
10 by 10-15% minimally; and

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

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

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

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

24 WHEREAS, The high cost of jail phone calls is an impediment to maintaining
25 meaningful contact between family members, which is important to successful reentry; and

1 WHEREAS, While the cost of phone calls from California state prisons was reduced by
2 previous statewide legislation, the high cost of phone calls and other communications from
3 county jails across the state remains unaddressed; and

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

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

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

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

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

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

22 WHEREAS, Phone call and jail store commissary costs are a significant economic
23 drain on low-income people and people of color, and disproportionately impact communities of
24 color, particularly women of color; and

25

1 WHEREAS, In June 2019, the City of San Francisco, with leadership from Mayor
2 London N. Breed and then-Sheriff Vicki Hennessy, announced that it would be the first county
3 in the nation to make jail phone calls free and eliminate markups on items sold in the jail
4 commissary store; and

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

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

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

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

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

22 FURTHER RESOLVED, That the City and County of San Francisco Board of
23 Supervisors hereby directs the Clerk of the Board to send a copy of this Resolution to the
24 California State Assembly, California State Senate, as well as the Bill's primary sponsor,
25 Senator Holly Mitchell; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors is committed to engaging with
2 the City budget through a lens of equity, which includes an examination of where both
3 investments and divestments are made, as well as careful consideration of new revenues
4 being proposed to ensure the City is not balancing the budget on the backs of our most
5 vulnerable residents; and, be it

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

9 FURTHER RESOLVED, That the Board urges the Mayor to adopt this same
10 commitment, to prioritize racial and economic equity in not only allocations but also revenue
11 generation in this year’s City budget process, and ensure that in balancing the budget we
12 don’t do so at the harm and expense of our most vulnerable San Franciscans.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 200769

Date Passed: July 21, 2020

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.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

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.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

07/31/2020

Date