

1 [Increasing fee charged to participants in First Offender Prostitution Program.]

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3 **Resolution approving increase in authorized fee for the First Offender Prostitution**
4 **Program to \$1,000.**

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6 WHEREAS, the San Francisco Administrative Code Section 10.193-1 allows the
7 District Attorney to collect an administrative fee from persons arrested for violating Penal
8 Code Section 647(b) who are determined by the District Attorney to be eligible for the District
9 Attorney's First Offender Prostitution Program and who elect to participate in the program; and

10 WHEREAS, the First Offender Prostitution Program is a highly effective collaboration
11 among the District Attorney's Office, Police Department and SAGE Project, Inc. that has
12 reduced the recidivism rates for program participants to a remarkable 3.6 percent;

13 WHEREAS, the San Francisco Program received the 1998 Innovations in American
14 Government Awards Program, selected from more than 1,800 projects around the country by
15 the Ford Foundation, Council on Excellence in Government and the John F. Kennedy School
16 of Government at Harvard University; and

17 WHEREAS, Section 10.193-1 current sets the fee at \$500; and

18 WHEREAS, Section 10.193-1 requires that the District Attorney examine the fee
19 annually to ensure that it continues to reflect the costs of the services provided by the
20 program; and

21 WHEREAS, Section 10.193-1 requires the District Attorney to prepare and submit a
22 resolution for approval by the Board of Supervisors to modify the maximum fee if the
23 authorized fee does not cover the costs of the services provided or that the minimum
24 authorized fee exceeds the costs of the services provided,

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1 WHEREAS, Section 10.193-1 states that the District Attorney may establish reduced
2 fee rates for individuals who lack the financial capability to pay the full fee, but in no event
3 shall the reduced fee be less than \$100 for any individual participant;

4 WHEREAS, the District Attorney's office provides a sliding scale rate, with the majority
5 of the participants paying the full fee;

6 WHEREAS, the program has been operating at a deficit for five years, with the
7 program participants, including the District Attorney's Office, the Police Department and
8 SAGE Project, absorbing the overages;

9 WHEREAS, the program participants can no longer absorb those overages;

10 WHEREAS, based on past years the District Attorney's Office anticipates that 636
11 persons will enter the program;

12 WHEREAS, based on past years, the District Attorney anticipates that 60 percent of
13 program participants will pay the full fee, 25 percent will pay half of the fee, 10 percent will pay
14 one-quarter of the fee, and 5 percent of the participants will pay 10 percent of the fee;

15 WHEREAS, based on past years the District Attorney estimates that the cost of the
16 program will be \$526,790.

17 WHEREAS, if the fee is raised to \$1,000, the total fees would be \$480,600;

18 WHEREAS, the program participants are prepared to absorb the minor deficit that may
19 be created;

20 WHEREAS, Section 10.193-1 states that the newly authorized fee will be effective
21 beginning the next fiscal year; now, therefore, be it

22 RESOLVED, That the maximum authorized fee for the First Offender Program
23 participants shall be \$1,000 beginning July 1, 2002.