

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

2

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

5

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 a maximum 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,

25

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

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

8           WHEREAS, the District Attorney's office proposes to set fees for participation in the  
9 program as follows:

10	<u>Annual Income</u>	<u>Fee</u>
11	\$0-8,999	\$150
12	\$9,000-15,999	\$350
13	\$16,000-29,999	\$650
14	\$30,000 and above	\$1,000

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

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

19  
20  
21  
22  
23  
24  
25