

1 [Behested Payment Waiver - Technology for Operations and Public Safety Prevention and
2 Intervention Initiatives]

3 **Resolution authorizing the District Attorney and the District Attorney’s Chief of Staff to**
4 **solicit donations for prosecutorial operation and technology needs; and to support**
5 **public safety prevention and intervention initiatives for six months, notwithstanding**
6 **the Behested Payment Ordinance.**

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8 WHEREAS, The San Francisco District Attorney’s Office (SFDA) prioritizes public
9 safety by restoring accountability and appropriate consequences to the criminal justice
10 system; and

11 WHEREAS, The SFDA believes in responsible reforms, giving offenders the
12 opportunity to address the root causes of their criminal behavior and developing innovative
13 programs to serve as tools for rehabilitation; and

14 WHEREAS, The SFDA is committed to creating a safer, stronger San Francisco that
15 supports the crime victims, survivors, and their loved ones; and

16 WHEREAS, The SFDA is dedicated to reducing mass incarceration and recidivism,
17 while maintaining racial and class inequities in the criminal justice system; and

18 WHEREAS, The SFDA intends to improve prosecutorial operations by way of
19 improving technology and prosecution resources to ensure the highest standard of
20 prosecution practices are upheld by the office; and

21 WHEREAS, Technology upgrades and updates to the electronic records systems are
22 necessary for supporting prosecution deliverables; and

23 WHEREAS, Prosecution resources include access to legal databases, coverage of
24 litigation expenses (expert witnesses, transcription, translation, court records), logistical
25 support for SFDA staff; and

1 WHEREAS, Over the past few years, the SFDA’s budget has unfunded operational
2 costs between \$2,000,000 to \$2,400,000 annually; and

3 WHEREAS, The SFDA will endeavor to raise approximately \$7,000,000 in third-party
4 philanthropic donations to cover three years of stable operations for this project; and

5 WHEREAS, The SFDA intends to improve public safety through continuing to develop
6 innovative prevention and intervention initiatives; and

7 WHEREAS, The SFDA spearheaded the “Access to Hope” Initiative (Initiative), which
8 is a non-prosecutorial prevention and intervention initiative designed to build trust and create
9 hope in those individuals and communities most deeply impacted by crime and violence to
10 prevent and deter crime cycles; and

11 WHEREAS, SFDA will endeavor to raise approximately \$9,000,000 in third-party
12 philanthropic donations for youth, women’s, and re-entry programming strategies aimed to
13 prevent and intervene with criminal behavior; and

14 WHEREAS, The funding will support housing and diversion programming for women
15 impacted by crime; a vocational academy that includes housing to support re-entry; and
16 expansion of youth programming with cultural and educational immersion aimed at building
17 empathy among youth as a violence reduction strategy; and

18 WHEREAS, SFDA seeks to partner with numerous individuals, nonprofit organizations,
19 private entities, grantmakers and foundations; and

20 WHEREAS, SFDA seeks a waiver of the City's Behested Payment Ordinance
21 (Campaign and Governmental Conduct Code, Section 3.600 et seq.) to the extent it prohibits
22 solicitations of financial support for the Initiative from yet to be identified nonprofits, private
23 organizations, private individuals, grantmakers, and foundations who would qualify as
24 interested parties under the Behested Payments Ordinance; and

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1 WHEREAS, The parties receiving this waiver have agreed to report to the Board of
2 Supervisors donations to the City that were solicited under this waiver; such reports will
3 identify the donor, the amount of the donation, and the interested relationship the donor has
4 with the department that solicited the donation; the departments will submit the reports to the
5 Board within 60 days of the expiration of the six-month period authorized by this waiver; now,
6 therefore, be it

7 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
8 Code, the Board of Supervisors hereby waives application of the Behested Payment
9 Ordinance as to the District Attorney and the District Attorney’s Chief of Staff for a period of
10 six months from the effective date of this Resolution to fundraising from nonprofits, private
11 organizations, private individuals, grantmakers, and foundations to support the Initiative; and,
12 be it

13 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) serves the
14 public interest by bringing private funding for critical operational costs in the District Attorney’s
15 Office and to fund a non-prosecutorial prevention and intervention initiative that will aid
16 individuals and communities most impacted by crime and violence; and, be it

17 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) does not
18 create an appearance of impropriety.

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