# **Driving Toward Justice**

How ending driver's license suspensions for unpaid traffic tickets helps communities without impacting court collections.



JUSTICE PROJEC

# **Executive Summary**

In 2015 the San Francisco Superior Court became the first court in California to stop suspending people's driver's licenses when they could not pay their traffic tickets. Court leaders were responding to community outcry that the penalty was too extreme and mounting evidence that suspensions disproportionately burden communities of color and people who are too poor to pay traffic tickets, which often exceed \$500 in California. Research shows that people who lose their driver's licenses often lose their jobs and that suspensions perpetuate and exacerbate poverty. In a paper entitled Not Just a Ferguson Problem, a group of California advocates wrote: "These suspensions make it harder for people to get and keep jobs, further impeding their ability to pay their debt. Ultimately, they keep people in long cycles of poverty that are difficult, if not impossible to overcome." According to Michael Yuen, the Chief Executive Officer of the San Francisco Superior Court: "After reading the Department of Justice Investigation of policing practices in Ferguson Missouri, we knew that ending this practice was simply the right thing to do. We wanted to be on the right side of history."

Since the court eliminated this penalty, leaders of the San Francisco Court and the Financial Justice Project have been repeatedly asked the same question: Did stopping the suspension of driver's licenses for Failure to Pay traffic tickets (FTP) inhibit the court's ability to collect debt? In other words, without the collection "hammer" of license suspension, did people pay?

In collaboration with the San Francisco Superior Court and the California Judicial Council, we conducted research to answer this question. Our analysis shows that since the San Francisco Superior Court stopped using driver's license suspensions to compel payment, there has been no negative impact on revenue collection. In fact, collections on delinquent debt per filing in San Francisco have increased since eliminating the penalty. And across California, on-time collections went up in the year following the end of driver's license suspensions for FTP statewide. The increase in collections, without the use of driver's license suspensions, indicates that the ability to suspend driver's licenses was not needed to ensure on time payments. In 2018, the San Francisco Court also formalized a policy stopping the suspension of driver's licenses for missing a traffic court date, or Failure to Appear (FTA).

Analysis and interviews with court and other leaders reveals that commonsense collections practices, rather than reliance on extreme penalties like driver's license suspensions, are more likely to aid collections. These collections practices, which have been used in the private financial services industry for years, include sending frequent reminder notices, monthly billing statements, offering accessible payment plans, and offering discounts for lower-income people based on their ability to pay.

Today, 44 states across the country suspend, revoke or refuse to renew a person's driver's license for unpaid fines and fees in an effort to compel payment. A growing number of these localities and states are considering stopping the suspension of driver's licenses for non-driving reasons because of the extreme hardship these penalties can cause. We hope our experience and this issues brief is instructive for officials around the country who are considering this reform.

## 2 A Timeline of Reform: The Use of Driver's License Suspensions for Non-Driving Offenses, and San Francisco and California Reforms to Reverse This Trend

Driver's license suspensions were originally intended to be used as a tool to remove unsafe drivers from the road and to ensure public safety. However, over the last several decades, government and court entities have increasingly used driver's license suspensions as a tool to compel the collection of debt.<sup>1</sup> Today, 44 states and the District of Columbia suspend, revoke or refuse to renew driver's licenses for unpaid traffic, toll, misdemeanor and felony fines and fees, resulting in more than 11 million debtrelated driver's license suspension nationwide.

In California, licenses were primarily suspended for Failure to Pay a traffic ticket (FTP), or Failure to Appear in court (FTA). A 2015 research paper entitled <u>Not Just A Ferguson Problem</u> revealed that California had suspended 4 million driver's licenses for FTP and FTA.

Driver's License Suspensions for Failure to Pay (FTP): In California, most people who receive a ticket are found guilty, assessed a fine, and given a deadline by when they need to pay or appear in court. Until recently, if someone didn't pay by the deadline, the courts would notify the Department of Motor Vehicles (DMV) which would send out a 30-day notice, and, if the ticket remained unpaid, the DMV could suspend the person's driver's license for "FTP" or "Failure to Pay." San Francisco stopped suspending driver's licenses for Failure to Pay in 2015, and the former Governor Jerry Brown expanded the reform statewide in 2017.

Driver's License Suspensions for Failure to Appear (FTA): While courts across the state no longer suspend driver's licenses for Failure to Pay, in most areas of California (except San Francisco) residents can still have their driver's licenses suspended for missing their traffic court date, known as "Failure to Appear," or "FTA." If someone does not appear in court or resolve their ticket by the deadline, the court notifies the DMV, which can suspend a driver's license.

Advocates, including the <u>Back On The Road</u> <u>Coalition, The Debt Free SF Coalition</u> and other partners sounded the alarm about the impact of driver's license suspensions on lowincome people and people of color, resulting in significant reform. Below is a timeline of reform in San Francisco and California:

### TIMELINE OF SAN FRANCISCO AND CALIFORNIA REFORMS

- 2015: The San Francisco Superior Court becomes the first in California to stop suspending driver's licenses for Failure to Pay
- 2015: Governor Jerry Brown signed into law a program that allowed Californians to participate in an <u>amnesty program</u>, which ran through March of 2017. The amnesty program aimed to provide relief to people who could not afford to pay traffic tickets and to help people reinstate their driver's licenses.
- **2016:** Advocates file lawsuits challenging the constitutionality and legality of suspending driver's licenses for failure to pay and appear.

- **2017:** California Governor Jerry Brown ends the practice of suspending driver's licenses across California through the <u>2017/18 budget</u>.
- 2019: San Francisco formally stops suspending driver's licenses when someone misses a traffic court date, and clears up to <u>88,000 holds</u> that had previously been placed on driver's licenses for Failure to Appear.
- 2019: Free to Drive Campaign launches, with a coalition of more than 100 organizations across the country calling for an end of the use of license suspensions for unpaid fines and fees.

While there have been significant reforms across California, courts still submit approximately 41,000 Failure to Appear notifications to the DMV each month across the state.<sup>2</sup> The chart below provides an overview of the number of notifications to the DMV and suspensions for Failure to Pay, Failure to Appear, and driving under the influence (DUI) in California from 2015-2017.

	2017	2016	2015
FTA Notifications	588,939	618,403	753,654
FTP Notifications	416,733	461,590	555,640
FTA/FTP Suspensions	488,077	516,054	612,831
DUI FTA Suspensions	22,648	23,032	24,331

Source: Information Received via email from the California Department of Motor Vehicles to Office of Senator Hertzberg. March 30th, 2017.

# **3** A License to Collect: Eliminating Suspensions Does Not Impact Collection Rates.

Since the San Francisco Superior Court stopped using driver's license suspensions to compel payment, there has been no negative impact on revenue collection. In fact, collections on delinquent debt per filing in San Francisco have increased since eliminating the penalty. And across California, on-time collections went up in the year following the end of driver's license suspensions for Failure to Pay. The increase in collections without the use of driver's license suspensions indicates that the ability to suspend driver's licenses was not needed to ensure payment.

The San Francisco Financial Justice Project and The San Francisco Superior Court often field questions from government and court officials across the country about our local experience with stopping the suspension of driver's licenses for an inability to pay traffic fines or missing a traffic court date. These officials are often considering adopting similar reforms but are concerned that taking this action will result in a decrease in on-time and delinquent collections, as driver's license suspensions are used as a penalty for nonpayment. Initial evidence from our experience in San Francisco and California shows that we do not need this onerous penalty to effectively collect debt. The experience of the San Francisco Superior Court and the San Francisco Treasurer's Office show that commonsense collections methods, such as contacting people earlier and more frequently, yield greater collections per individual, and work better for both residents and government.

Across California, on-time collections went up in the year following the end of driver's license suspensions for Failure to Pay. The increase in collections without the use of driver's license suspensions indicates that the ability to suspend driver's licenses was not needed to ensure payment.

### METHODOLOGY

**Methodology:** To analyze the impact of stopping the use of driver's license suspensions for Failure to Pay, we reviewed court collections and citation data, both in San Francisco and across California. We examined:

 Collections of delinquent<sup>3</sup> and nondelinquent revenue per year. Since 2008, the Judicial Council has published an annual report on collections of delinquent court-ordered debt, by county and across the state. The Judicial Council also began reporting nondelinquent revenue collected in 2017. To analyze collection of delinquent revenue, we reviewed Judicial Council reports, along with collections information on provided by the San Francisco Traffic Court.

 <u>The number of traffic infraction filings</u> <u>per year.</u><sup>4</sup> The Judicial Council publishes the number of traffic filings in its annual Court Statistics Report. A filing is any ticket or citation filed with the court. Traffic infractions constitute nearly 95% of all traffic filings.<sup>5</sup>

To analyze the fiscal impact, we calculated the amount of revenue collected on delinquent debt per filing in San Francisco pre-and-post policy reform. We also looked at statewide trends of collections of on-time payments after former Governor Brown ended the use of driver's license suspensions across the state.

Analysis of data from the San Francisco Superior Court shows no negative impacts on collections of delinquent debt after eliminating the use of driver's license suspensions for Failure to Pay in 2015.

San Francisco Superior Court ended the use of driver's license suspensions for Failure to Pay in 2015. After analyzing the amount of delinquent revenue collected compared to the number of tickets filed, we found no negative impact

Analysis of data from the San Francisco Superior Court shows no negative impacts on collections of delinquent debt after eliminating the use of driver's license suspensions for Failure to Pay in 2015. on collections after ending driver's license suspensions for Failure to Pay in San Francisco. In fact, over the past several years, collections on delinquent debt per filing have increased, indicating that eliminating driver's license suspensions does not appear to have an impact on our court's ability to collect delinquent debt.

To conduct the analysis, we reviewed delinquent traffic court revenue (revenue) and traffic infraction filings (filings) between July 2014 and June 2018.<sup>6</sup> We found that since fiscal year 2014-15, traffic filings in San Francisco have decreased by 45 percent.<sup>7</sup> Given such a dramatic decrease in filings, a parallel 45 percent decrease in collections would be expected. Instead, the amount collected on delinguent debt has decreased at a slower rate (36 percent), staying comparatively flat.8 Because the number of filings decreased so rapidly, we wanted to understand the effectiveness of collections per citation, or filing. The decrease in filings, and the comparatively flat rate of collections means there has actually been an increase in the amount of debt collected per filing.

The table below illustrates the amount of delinquent revenue collected per filing between fiscal year 2014-15 and fiscal year 2017-18. The data shows that collections on delinquent debt per filing has <u>increased</u> in the years since San Francisco stopped suspending driver's licenses for failure to pay.

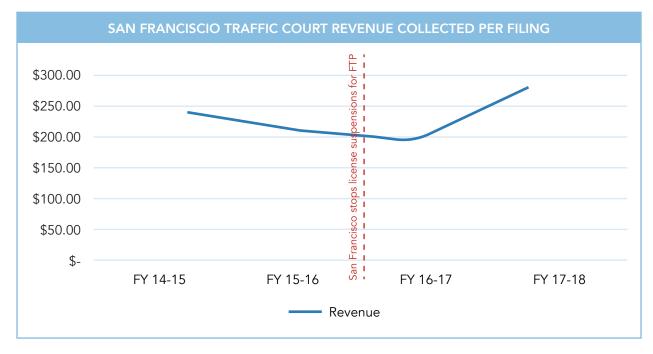


Figure 1 Sources: Traffic Infraction Filings, "Court Statics Report," Judicial Council, Retrieved from https://www.courts. ca.gov/13421.htm. Revenue from collections on Delinquent Traffic Court Debt provided by the San Francisco Superior Court.

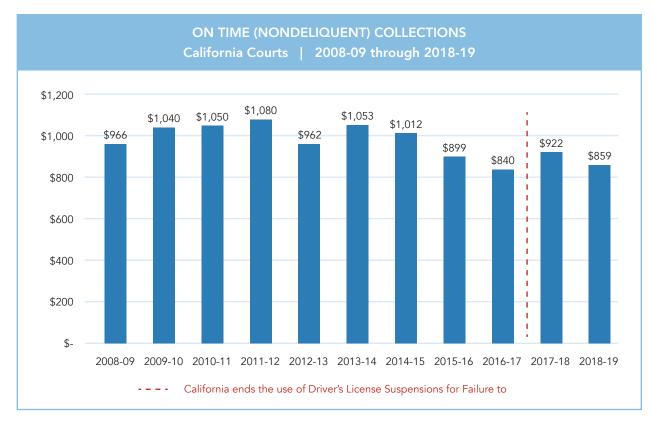
The increase in collections per filing, without the use of driver's license suspensions, indicates that the ability to suspend driver's licenses was not needed to collect delinquent debt.

## Across California, on-time collections increased in the year after the state stopped suspending driver's licenses for Failure to Pay.

In 2017, former Governor Jerry Brown ended the practice of suspending driver's licenses for Failure to Pay a traffic ticket statewide. The year following the end of this practice, fiscal year 2017-18, California courts collected \$922 million from non-delinquent accounts, an 8.9 percent *increase* from the prior year.<sup>9</sup> The increase in on-time collections, without the use of driver's license suspensions, demonstrates that the ability to suspend driver's licenses was not needed to ensure on time payments.

While collections have declined slightly in the year since, the Judicial Council attributes the decline primarily to the continuing decline in the number of filings.

The year following the end of the practice of suspending driver's licenses for Failure to Pay a traffic ticket, fiscal year 2017-18, California courts collected \$922 million from non-delinquent accounts, an 8.9 percent *increase* from the prior year. The chart below illustrates the total amount of on-time revenue collected by county courts across California from 2008-09 through 2018-19. The data shows that in the year after the state ended the use of license suspensions for failure to pay, collection of on-time revenue went up, indicating that license suspensions were not necessary to compel on time payment.



Source: Report on the Statewide Collection of Delinquent Court Ordered Debt for 2018–19." Judicial Council of California. December 2019.

According to the Judicial Council, the courts have implemented several mechanisms to help individuals pay or resolve their court-ordered debt before it becomes delinquent. Specifically, they note that their efforts to:

- Release driver's license holds or suspensions for Failure to Pay which increases people's abilities to get or keep jobs, and therefore be able to pay their debts.
- Conduct Ability to Pay (ATP) determinations, so that people with lower incomes receive a discount on their traffic fines and are therefore able to pay them more easily
- Use alternative sentences, such as performing community service to resolve citations and clear debt.<sup>10</sup>

In conversations with San Francisco court officials, they describe how they relied on more frequent, commonsense collections methods after they stopped the suspension of driver's licenses to compel payment. These include working with their collections vendor to send reminder notices and monthly billing statements, offering accessible payment plans, and providing more information about ability to pay. In 2018, the San Francisco Financial Justice Project and community advocates worked with the court to simplify and enhance their Ability to Pay process, to offer discounts to people with low incomes. The court's ability to pay guidelines are described on the <u>"Can't Afford to Pay"</u> page of the San Francisco Superior Court's website.

Research from across the country, including best practices from private financial services companies, shows that commonsense collections practices and behavioral nudges are more likely to induce collections, and that alternatives that force compliance through penalties or intrusive actions are more costly and less effective. Cities across the country have found that redesigning letters, sending more reminders, and using more effective messaging have increased payment rates and court appearance rates dramatically, even without the use of new penalties.<sup>11</sup>

The effectiveness of San Francisco Traffic Court's reliance on more commonsense collections methods mirrors the experience of the San Francisco Office of the Treasurer & Tax Collector. The San Francisco Office of the Treasurer & Tax Collector oversees revenue collection for the \$12 billion budget of the City and County of San Francisco. Starting in 2015, the Treasurer's Office made several changes in the ways we collect delinquent revenue and taxes. After examining the relative effectiveness of various collections methods, the Department also moved toward methods that include:

- Sending more frequent, timely payment reminders, before and on the payment due date.
- Increasing the use of phone calls and email messages to encourage payment.
- Sending presumptive balances to encourage individuals to respond.
- Having a diverse array of performance metrics for collections staff that include providing high-quality customer service and incentivizing account resolutions, independent of whether money is collected.

As a result of these changes, the San Francisco Treasurer's Office has seen a steady increase in revenue per debt referral.<sup>12</sup> Importantly, the Department has also seen an increase in nondelinquent collections, meaning more people are paying their taxes on time, saving the city collection costs on delinquent debt and saving the debtor from paying late fees and penalties. With on-time payments increasing, staff spend less time and resources on negative interactions with the public, and staff morale has increased as well.

Similarly, more frequent and better designed reminders have been shown to improve court appearance rates and reduce FTA. There is ample evidence that sending people text message reminders about their court date increases people's appearance rates. Furthermore, prominently indicating the court date appearance requirement and location of the court on the reminder notice has also been proven to increase appearance rates. Ideas42, a behavioral science consulting company, worked with New York City to reduce their Failure to Appear rate. They tested two different strategies to increase court appearance: a redesigned court summons form to make it more understandable and easier for people to respond and text message reminders. They found that the behavioral redesign of the form reduced failures to appear by 13 percent, and text message reminders reduced failures to appear by 26 percent. We believe these methods are more effective means to improve court appearance rates, rather than suspending people's driver's licenses when they miss a court date.

After moving toward common-sense collection methods like sending more frequent reminder notices, the San Francisco Treasurer's Office has seen a steady increase in revenue per debt referral. Importantly, the Department has also seen an increase in nondelinquent collections, meaning more people are paying their taxes on time, saving the city collection costs on delinquent debt and saving the debtor from paying late fees and penalties.

## Driving Inequality: Suspensions Impact Economic Security and Disproportionately Burden Low-Income Communities of Color.

Low-income people are more likely to be unable to pay a traffic ticket or appear in court. Over the past few decades, the fines and fees associated with traffic citations have steadily increased. What used to be a \$100 violation in California now costs nearly \$500 and jumps to over \$800 if a person misses the initial deadline to pay. As the fees have gone up, fewer people can afford to pay their tickets. A Federal Reserve report found that more than 40% of Americans could not cover an emergency \$400 expense without borrowing or selling a personal item. As a result, research shows that people with lower incomes are more likely to have their licenses suspended for Failures to Appear. Research also shows that low-income people face additional barriers to appearing in court. For example, most courts send written notices to home addresses, although research shows low-income people move more frequently due to evictions, homelessness, and affordability issues. As a result, they may be less likely to get court date notifications, reminder notices, or suspension notices from the DMV. Low-income people also have less ability to take time off work, often use less reliable means of transportation, and are more likely to face childcare issues that prevent them from appearing.

Suspending people's driver's licenses for their inability to pay traffic tickets or missing court dates can dig people into a hole that is hard to climb out of. For many Californians, not having valid license means not having a job. <u>Research</u> shows a direct and significant relationship between driver's license suspensions and loss of employment, prolonged unemployment and a decrease in income. One study found that 42 percent of people lost their jobs after their licenses were suspended. Nearly half of the people who lost their job because of a suspension could not find a new job. Of those that were able to find another job, 88 percent reported a decrease in income. Another <u>study</u> found that for mothers with young children on welfare and in subsidized childcare having a driver's license was more important for finding steady work than a high school diploma. Driver's license suspensions not only prevent people from earning the money they need to pay their court debt, they also undercut someone's ability to support themselves and their families.

Research shows that driver's license suspensions disproportionately and overwhelmingly impact people of color. Driver's license suspensions disproportionately burden communities of color. Research shows that Black and Latino individuals are particularly impacted by suspensions as numerous studies have shown they are more likely to be pulled over by the police while driving. In Stopped, Fined, Arrested, the authors found that "Rates of driver's license suspensions due to a failure to appear or pay a ticket are directly correlated with poverty indicators and with race. The highest suspension rates are found in neighborhoods with high poverty rates and high percentages of Black or Latino residents." Public records from the California Department of Motor Vehicles and U.S. Census data demonstrate that in primarily Black and Latino neighborhoods, driver's license suspension rates range as high as five times the state average.

In San Francisco, the City funded a program to help low-income people overcome the devastating employment and economic impact of driver's license suspensions. The San Francisco Human Services Agency, responsible for overseeing public benefits and promoting economic well-being for San Franciscans, created the Legal Barriers to Employment Project to help residents get their driver's licenses back, and to clear other hurdles standing in the way of obtaining employment.<sup>13</sup> Before the San Francisco court changed its suspension policy, more than two-thirds of their clients sought their help because they had their driver's license suspended.

Perversely, research shows that driver's license suspensions can undermine public safety by diverting enforcement resources. Because 83 percent of Americans report driving a car multiple times a week, many continue driving even after their license has been suspended. When they do, they risk a criminal conviction, more fines and fees, and incarceration. The American Association of Motor Vehicle Administrators <u>determined</u> that suspensions for FTP and FTA undermine safety, as "the costs of arresting, processing, administering, and enforcing social non-conformance related driver license suspensions create a significant strain on budgets and other resources and detract from highway and public safety priorities." <u>The time spent</u> by law enforcement stopping, citing and arresting people for driving on a suspended license could be more productively used fighting serious crime.

## 5 Taking Reform on the Road: Implementing Similar Initiatives Across the Country

Suspending driver's licenses should only be used to penalize dangerous driving. Yet across the nation, licenses are suspended for everything from unpaid parking and traffic tickets, to missing court dates. And in California, county level courts still suspend people's driver's licenses when they miss a traffic court date.

There is growing momentum to stop suspending driver's licenses for Failure to Pay traffic tickets and Failure to Appear in traffic courts, as local and state officials become aware of how driver's license suspensions can undermine people's ability to work and drive people into poverty. Below are recommendations for localities and states that are considering ending the suspension of driver's licenses for the inability to pay tickets or missing a court date.

 Reach out to community groups that can explain the impact of driver's license suspensions on low-income people and people of color in your community. In San Francisco and California, community groups and social justice advocates were the first to sound the alarm on how suspending people's driver's licenses when they could not pay traffic tickets was driving people into poverty that was hard to escape and having a disproportionate impact on people of color. Reaching out to legal aid and other community organizations that work with low-income people will help court and government officials understand the adverse impacts of this practice.

2. Identify the community-wide negative impact that driver's license suspensions can have on your local jurisdiction. We found that driver's license suspensions created downstream effects that not only impacted San Francisco residents, but also the city and county as a whole. For example, residents who could not find or keep jobs due to license suspensions turned to local nonprofits and the San Francisco Human Services Agency for assistance. The Human Services Agency, in turn, had to use its resources to provide funding to legal aid providers to help clients remove the holds on driver's licenses. Research shows that driver's license suspensions can significantly impact not only individual employment and income, but also the local economy. A study from Phoenix, Arizona found the local GDP increased when suspended licenses were reinstated.

- 3. Reach out to and engage with the national Free to Drive Campaign which is committed to the principle that restrictions on driving privileges should only be used for dangerous driving, and not to coerce debt payment or to punish people who miss a court appearance. The coalition is comprised of more than 130 legal, policy, advocacy, research, and private sector organizations and is led by an ideologically diverse steering committee that includes: American Civil Liberties Union, Civil Rights Corps, Fines and Fees Justice Center, Koch Industries, Legal Aid Justice Center, Right on Crime, Southern Poverty Law Center, Texas Appleseed, and The Lawyers' Committee for Civil Rights Under Law. The coalition can provide assistance and guidance to localities and states that are considering these reforms.
- 4. Introduce alternative mechanisms to enhance collections and increase appearance rates, including implementing commonsense collections and more

frequent reminders and clear messaging

**about court dates.** The San Francisco and California experience shows that collections efforts can be effective without relying on driver's license suspensions to compel payment, and research from outside California shows that clear messaging can increase appearance rates. Specifically, the San Francisco Treasurer's Office and the Courts recommend:

- Sending higher frequency, lower-touch communications about debt due, including e-mails, post cards, and phone call reminders
- Offering no-cost payment plans
- Creating clear Ability to Pay processes that allow people with lower incomes to receive discounted fines and fees that are in proportion to their income
- Sending text message reminders to individuals about upcoming court dates
- Clearly indicating the court appearance date and location on summonses to traffic court.

## Acknowledgements

### **CONTRIBUTORS:**

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- Debt Free San Francisco Coalition
- East Bay Community Law Center
- Fines and Fees Justice Center
- Lawyers' Committee for Civil Rights of the San Francisco Bay Area

- Legal Services for Children
- Legal Services for Prisoners with Children
- Mayor London Breed
- San Francisco Mayor's Budget Office
- San Francisco Superior Court

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- 1 This trend began with legislation passed by Congress in 1996 which required that states be able to suspend driver's licenses for failure to pay child support. States across the country begin suspending driver's licenses to compel the collection of debt.
- 2 Source: Court Filings. Guillermo Hernandez, Kaofeuy Phan, and Beverly Tucker v. California Department of Motor Vehicles. Exhibit H.
- 3 Delinquent Revenue is defined as revenue collected on "nonforthwith" delinquent accounts, and installment payment accounts that have not met the terms of their payment conditions. Forthwith payments generally involve payments on the same day as the court order, with no extra cost involved.
- 4 Court Statistics Report. Judicial Council of California. Table 9d. Retrieved from <u>https://www.courts.</u> <u>ca.gov/13421.htm.</u>
- 5 There were 197,000 traffic misdemeanors in FY17/18, and 2.7 million traffic infractions statewide. Source: 2019 Court Statistics Report. Judicial Council of California.
- 6 San Francisco Traffic Court Revenue FY14/15-FY17-18 provided by the San Francisco Superior Court. Revenue excludes collection on criminal debt. Infraction Filings retrieved from the Court Statistics Report, California Judicial Council.
- 7 Filings in FY14-15: 136,665. Filings in FY17-18. 74,762. Source: Court Statistics Report. Judicial Council of California
- 8 Traffic Court Revenue in FY14-15: \$32.72 million. Traffic Court Revenue in FY17-18: \$15.1 million. Source: San Francisco Superior Court.
- 9 Report on Statewide Collections of Delinquent Court-Ordered Debt for 2017-18. Judicial Council. December 2018. Page 2
- 10 Report on Statewide Collections of Delinquent Court-Ordered Debt for 2017-18. Judicial Council. December 2018. Page 2
- 11 Making revenue collections more effective: lessons from a Nobel laureate. Bloomberg Cities. November 2017. Using Behavioral Science to Improve Criminal Justice Outcomes: Preventing Failures to Appear in Court. Ideas42 and University of Chicago Crime Lab. January 2018
- 12 The Treasurer and Tax Collector's Office serves as the collections entity for many City and County Departments, and debt is often referred to the department to collect.
- 13 The program is funded by with Temporary Assistance for Needy Families (TANF) Formula funds, State CalWORKs funds, and San Francisco County general funds and administered by Bay Area Legal Aid. All the people they serve received some type of means-tested public benefit, such as CalWORKs.