



**Advancing Equity:**  
First Steps Towards Fines &  
Fees Reform in Chicago



# A Message from the City Clerk

*Dear Friends,*

The goal of the Office of the City Clerk is to help create a city where all residents can thrive regardless of their ZIP code. Leading with the principles of accessibility, collaboration and openness, our office has set forth to create policies rooted in those concepts.

Over the past several years, community groups like Community Organizing and Family Issues (COFI) have been advocating on behalf of low-income families impacted by municipal fines and fees. Their work, along with the research of the Woodstock Institute and Chicago Jobs Council, as well as a national conversation around financial justice, sparked a series of articles by ProPublica and WBEZ, revealing extensive research into our City's ticketing process. This data revealed the impact of our City's ticketing systems and methods. When these findings were brought to the attention of our office, we realized there was a clear need for an in-depth review as well as structural changes, and we wanted to ensure we conducted this review with the input of the community. As policymakers, it is important to be reflective on past practices. The financial circumstances of both our City and its residents change over time, and we as government should change along with them.

That is why we launched the Fines, Fees & Access Collaborative: to take steps in making this goal a reality. The Fines, Fees & Access Collaborative – an alliance of community organizations, City Departments, elected officials, advocacy centers, and academic institutions – has been focused on reviewing and reforming the City's fines, fees, and collection practices.

Over the course of six months, this Collaboration has hosted multiple roundtables across the city, gathering feedback from residents directly impacted by these current policies and practices. We took this feedback, conducted a thorough review of these existing policies, had the honest and tough conversations about viable solutions and constructed recommendations to reform existing systems. We view these recommendations as a place to start, rather than an end for this work. These recommendations are specifically classified into four different categories: creating pathways to compliance, evaluating longstanding practices, improving access and awareness, and building equity, sustainability and viability.

Through this set of recommendations, we hope to reform and rebuild our City's collection practices, helping our residents achieve and maintain compliance. Through the implementation of these recommendations, we strive to make our City a city that works for all of its residents.



Anna M. Valencia

*City Clerk of Chicago*





In December of 2018, City Clerk Anna Valencia launched the Chicago Fines, Fees and Access Collaborative bringing together City Departments, community advocates, academic institutions, elected officials and residents together to review current practices and develop both short-term and long-term recommendations to address these issues. The goal of the Collaborative is to create immediate as well as lasting transformational change to the current systems and strike the right balance between equitable practices and compliance.

To help achieve this goal, the Collaborative collected data from the varying institutions and individuals already hard at work examining and advocating for equity and financial justice. This information was then assessed within the Collaborative creating an open dialogue about possible solutions and structural changes.

The Collaborative met on a monthly basis covering topics such as: payment plans; booting, towing, impoundment,

and driver's license suspension; and debt barriers to employment.

The Collaborative also wanted to hear directly from residents who were impacted by these policies and collected their feedback and lived experiences to incorporate into our recommendations. Several roundtables and town halls, which included child care on site and interpreters, were held across the city. A bilingual internet portal was also created on the City Clerk's website to solicit feedback directly from residents.

The Collaborative set forth to create an inclusive set of recommendations that takes into account the varying circumstances of residents who are impacted by policies, including, but not limited to, their race, socioeconomic status, gender identity, ZIP code, language spoken, criminal record, educational attainment and employment status.

# OVER THE COURSE OF SIX MONTHS, THE COLLABORATIVE CREATED A SET OF 14 INITIAL RECOMMENDATIONS:

- 1.Reform City Sticker Tickets:** Explore options that include reducing the City Sticker ticket amount, creating compliance opportunity programs (such as “fix-it” tickets), ending the automatic doubling of tickets, and establishing a system whereby the ticket amount is based on an individual’s ability to pay.
- 2.Launch a targeted Debt Forgiveness Program:** Create an incentive for compliance by forgiving debt, late fees and back charges for parking and compliance tickets, including City Sticker tickets.
- 3.Reform Payment Plans:** Decrease the barrier to entry for entering into a payment plan by either lowering the down payment or designing plans based on ability-to-pay, and expanding the list of acceptable documents to qualify for the “Hardship” payment plan.
- 4.Reinstitute the 15 Day Grace Period for City Sticker Tickets:** Allow residents fifteen additional days to purchase a City Sticker after it has expired before they become eligible to receive a ticket for noncompliance.
- 5.Work with Sister Agencies to Eliminate Employment Barriers:** Work with Sister Agencies to share best practices and eliminate unintended barriers to employment.
- 6.Evaluate the Current Late Fee Structure for All City Tickets:** Review the current late fee structure and the practice of doubling tickets for non-payment.
- 7.Assess the Overnight Winter Parking Restrictions:** Review the efficacy of parking restrictions during the winter months and evening hours.
- 8.Review the City’s Towing and Impoundment Practices:** Conduct a review and evaluation of existing contracts and practices pertaining to the City’s towing and impoundment practices.
- 9.Conduct a Comprehensive Review of the City’s Ticketing Policies and Practices:** Examine whether racial, economic, and other disparities exist among ticketing practices across communities to create a more equitable system.
- 10.Evaluate Street Signage, such as No Parking and Tow-Zones:** Review and evaluate street signage to identify where additional signage is needed in order to increase awareness of where and when one can and cannot park.
- 11.In Four Phases, Improve Public Education with an Emphasis on Community Collaboration:** Redesign existing public materials and create new materials in the five major languages spoken in Chicago with a focus on clear and accessible language.
- 12.Re-Train and Cross-Train Front Line Staff:** Update staff on new measures and resources for residents.
- 13.Establish a Chicago Financial Justice Director Position:** Establish a position to coordinate efforts across City Departments and agencies, as well as serve as point person on issues pertaining to fines and fees reform.
- 14.Work with the City’s Chief Equity Officer to conduct a Racial Equity Assessment:** Examine all recommendations and existing practices through a racial equity lens.

## The recommendations are divided into four categories:

### Create Pathways to Compliance

- Reform City Sticker Tickets
- Launch a Targeted Debt Forgiveness Program
- Reform Payment Plans
- Reinstitute a 15-day Grace Period
- Eliminate Employment Barriers

### Evaluate Longstanding Practices

- Evaluate the Late Fee Structures
- Assess the Winter Parking Restriction
- Review Towing and Impoundment Practices
- Review Ticketing Policies and Practices
- Evaluate Street Signage



### Improve Access & Awareness

- Improve Public Education with an Emphasis on Community Collaboration
- Re-Train and Cross-Train Front Line Staff

### Build Equity, Sustainability & Viability

- Establish a Financial Justice Director Position
- Conduct a Racial Equity Assessment

Part of the work of the Collaborative was to review the practice of suspending a resident's drivers license as a penalty for non-moving violations such as tickets. On page 22, you will find a discussion section that outlines the current stance of the varying members of the Collaborative. City Departments and community groups have divergent views as to how and whether to change this penalty. Therefore, a recommendation to preserve, change, or eliminate the penalty is not included in these recommendations.

## **INTRODUCTION AND BACKGROUND**

In December 2018, the Office of the City Clerk (OCC) brought together community groups, elected officials, City Departments, and independent researchers to form the Chicago Fines, Fees, and Access Collaborative (the Collaborative). The purpose of the Collaborative is to review the City of Chicago's fines, fees, and collection practices, their impact on residents, and opportunities to implement reforms.

Community groups have been at the center of the conversations around these practices. Community Organizing and Family Issues (COFI) POWER-PAC released a report in early 2018, *Stopping the Debt Spiral*, that looked at these practices and raised concerns about the impact that fines and fees might impose on Chicago's most economically challenged families. In June 2018, Woodstock Institute released *The Debt Spiral: How Chicago's Vehicle Ticketing Practices Unfairly Burden Low-Income and Minority Communities*, also looking at the impact of ticketing policies on low-income and minority communities. That same year, WBEZ and ProPublica released a series of articles breaking down much of the data that surrounds these practices.

Other civic groups, such as the Heartland Alliance and the Chicago Jobs Council have been looking to reform the consequences that come from accumulating excessive debt, such as suspension of driver’s licenses. The Collaborative is an extension of the efforts and work by these community groups, and many others.

Across the country, San Francisco also has been actively working to reform their ticketing practices. In 2016, they launched the Financial Justice Project, a program within the Treasurer’s Office to assess and reform fines, fees, and other financial penalties. To date, The Financial Justice Project has already achieved a number of reforms, such as lowering the cost of tow and boot fees for low-income individuals, and the creation of new payment plans while at the same time balancing revenue. Other areas such as Palm Beach County, Florida and Phoenix, Arizona have also taken on similar work.

The Collaborative had three different work streams which moved simultaneously over a 6-month period:

1. <b>Collaborative Working Group Meetings</b>	2. <b>Public Roundtable Discussions and Meetings</b>	3. <b>Public Comment in a Bilingual Online Portal</b>
<p>Elected officials, City Departments, community groups, and university partners held working group sessions to discuss current policies, best practices throughout the country, and potential reforms.</p>	<p>The OCC also held public roundtable discussions across the city to hear directly from Chicago residents and their experiences with the City’s fines, fees, ticketing and collection practices.</p>	<p>The OCC created an online portal where residents could write out their comments and send directly to the office. The OCC also provided a space for residents to enter their ZIP code in order to map the geographic location of resident input.</p>
<p>Working group sessions highlighted a different topic area each month, such as payment plans, towing, booting, impoundment practices, license suspensions, and debt employment barriers.</p>	<p>These discussions were also bilingual and included on-site child care in order to reach additional communities and individuals.</p>	

**TOP LESSONS LEARNED**

The Collaborative’s work highlighted various concerns common in any type of reform. Many of the key takeaways and lessons learned include the following:

The current structure of fines, fees, and penalties often hits low-income communities, as well as communities of color, the hardest. These communities, often have to make a decision between whether to pay their tickets, or pay living expenses (such as rent or food).

Community groups and residents voiced concern about the 'downward spiral' of accumulated fines, having their vehicle booted, towed and impounded; and subsequently having their driver's license suspended. During roundtable discussions and town halls, residents expressed how these situations can have a devastating impact on residents who find themselves on this path. Affording basic needs can become challenging for these residents, much less achieving compliance with the City's vehicle ticketing program.

Community groups and residents voiced concern that most residents rely on their vehicles to travel to work and earn income.<sup>1</sup> If their vehicle has been immobilized or their license has been suspended, their income, which is needed to pay off their fines, would be in jeopardy.

Some of the best practices nationwide that the Collaborative discovered included designing systems of repayment that considered residents' ability to pay. Community groups and residents have voiced that if there were viable payment options and plans, they would be able to pay their fees. Other municipalities and counties, such as Palm Beach County, Florida; Phoenix, Arizona; and San Francisco, California, designed flexible programs that took into consideration what a resident was able to pay. These municipalities worked with their residents and as a result saw an increase in compliance as well as revenue.

## The overarching principles that policymakers should consider when designing reform solutions should include the following:

- 1.** All City Departments should work with residents towards getting them on the path to compliance, especially those who are low-income. Residents' ability to pay should be considered in designing policies that concern fines and fees.
- 2.** The late fees structure should be designed for compliance rather than revenue collection, particularly for non-moving violations.
- 3.** All City policies and practices (such as ticketing, booting, towing, etc.) should be analyzed in regards to their impact on low-income communities and communities of color. Existing practices and prospective practices should be analyzed through a racial equity assessment to determine primary and secondary consequences on low-income and communities of color.

## Online Portal Feedback:

The OCC established an online portal providing individuals the opportunity to express their concerns about these practices and the impacts on the everyday lives of Chicagoans. An analysis was then conducted in conjunction with Loyola University Chicago's Center for Urban Research and Learning Coding Team, reviewing concerns, complaints, and possible solutions regarding fines, fees, and ticketing practices shared by individuals on this online portal.

The research findings identified core themes which were centered around flexible, fair, and commonsense application of rules at all levels of enforcement, better information provided to residents, and modification of existing policies and processes that would reduce onerous fines, especially for low income Chicagoans, and remove or alleviate penalties for non-moving and minor traffic violations. The common themes that emerged from the online portal are outlined below:

## Lower fines and fees, particularly for low-income residents.

Residents recommended late fees, City Stickers, and ticket prices be lowered or scaled in relation to household incomes, acknowledging the increased difficulties those in low-income and minority communities have in paying fees and fines. The solutions put forth included lengthening payment deadlines to 30 days, removing finance charges on payment plans, increasing the amount of payment options, implementing weekly or bi-weekly payment plans, and putting more residents on automatic payment plans.

## Greater flexibility of parking and City Sticker rules.

Many residents felt ticket issuers unfairly applied rules and were not empathetic in the face of difficult circumstances. They believed that in order to reduce these misunderstandings, police and parking enforcement should be more lenient and acknowledge the circumstances of the violation. Their suggested solutions included: tickets only being issued for snow removal ordinance violations when snow is on the ground, and that an application to purchase a City Sticker be included along with a ticket to prevent future fines. There were also multiple complaints pertaining to improper windshield City Sticker placement fines. Residents also suggested establishing a database check to ensure proof of City Sticker purchase and noted circumstances in which they would like more leniency from ticket issuers, such as when parking to escort children into a building or patients to the ER.

## More leniencies regarding loss of licenses, employment, and access to programs.

Residents suggested new methods to petition for reductions of their fines and fees in particular circumstances such as loss of license or unemployment. In extreme circumstances, they recommended more leniency for clearing business license holds. Finally, they suggested that the City help residents establish payment plans through Community Development Block Grant-funded programs like Micro Market Recovery Program.



## Change traffic, parking, and sticker rules and processes.

Many residents recommended specific changes in policies for traffic, parking, and sticker fines and fees. They suggest changes such as the abolition of side-street parking zones, more flexible City office hours, longer validity of City Stickers, parking ticket fines that reflect the length of violations, more professionalism in towing practices, and more accessible City Sticker vendors.

## Better inform residents about parking and traffic rules, fees, and fines.

Residents reported a need for increased clarity in the following areas: parking restrictions on side streets and main arteries, snow removal and associated parking regulation policies, and lack of signage and payment plan availability. Additionally, the residents urged more visible and accessible information related to specific fines and fees. They suggested that this information be provided in fliers and advertisements throughout Chicago neighborhoods.

## Greater enforcement and rules to address more pressing problems.

Residents noted areas which they believe deserved increased and effective enforcement. To improve traffic congestion, residents recommended increasing both fines for rideshare vehicles and enforcement of no parking zones during rush hour. Recommendations to increase safety and quality of life included greater enforcement of bike lane parking violations, sidewalk infringements, and parking and speeding violations in residential areas. Residents also noted some individuals which they believed the City should crack down on in regards to fining (e.g. city residents with cars registered outside the city, people parked in private apartments and condominium garages who avoid buying City Stickers.)

## RECOMMENDATIONS

### *Create Pathways to Compliance*

The following recommendations are focused on providing meaningful options, or pathways, for Chicago residents to achieve compliance.

The intention behind many of these recommendations is to shift assumptions in policymaking. Rather than assume that residents are intentionally skirting the law, much of the Collaborative's work has shown that policymakers should reframe these issues and create solutions with different assumptions. In this case, many residents want to be in compliance but need more pathways to do so, and so solutions should shift from making residents feel that government City employees are focused on "collections," and instead seek to ensure compliance is increased.

### Recommendation: City Sticker Ticket Reform.

The current City Sticker ticket is \$200. The \$200 ticket can also double, up to \$400, if not paid within an 83 day window. It is conceivable for a resident to receive several City Sticker tickets, which double, and end up with over a thousand dollars in ticket debt.

The City Sticker ticket was \$120 in 2012 – after which point, an ordinance was passed by City Council increasing it to \$200 on the premise that it would raise revenue when the City was facing a dire budget gap. According to data provided by the Department of Finance (DoF), between 2012 and 2013, post ticket increase, an additional \$7 million in revenue was collected and since 2013, revenue from City Sticker tickets has increased more than \$20 million.

The Collaborative recommends exploring options on how to provide Chicago residents additional pathways towards City Sticker compliance. The following policy options may be considered:

**City Sticker Ticket Reduction** - Reduce the City Sticker ticket from its current \$200 fine. Though the Collaborative discussed different fine levels, the group agreed that a good next step would be for the Mayor's Office, DoF,

and the Office of Budget and Management (OBM) to evaluate the revenue impact based on different fine levels (e.g. determine what the revenue impact would be if the fine was set at \$120, \$140, or \$150, and so on).

**“Fix-it” Tickets** – Provide a compliance opportunity by implementing a program whereby drivers cited for a compliance issue, such as a missing or expired City Sticker, have the opportunity to correct the issue within a certain time period and avoid being assessed a fine or have the fee reduced by some degree. An example of this are the “fix-it” tickets in San Francisco, where drivers cited for compliance issues may provide proof of the correction by having a California Law Enforcement Officer or Department of Motor Vehicles (DMV) employee sign the back of the ticket (or fill out a Proof of Correction form if the driver no longer has the physical ticket).<sup>2</sup> The driver then has the opportunity to mail the signed citation or form, along with a \$10 compliance fee within 21 days of receiving the initial citation.

**End the Automatic Ticket Doubling** – Many Chicago residents provided feedback about the automatic doubling of tickets, stating that the current window, 83 days according to the DoF, is too short, and that there was often ineffective notification of the citation. Some residents also noted that the doubling of the tickets was a main factor that contributed to insurmountable debt because it accumulated too quickly. Collaborative members recommend a review and consideration of different policy options, such as adding a smaller percentage fine after a certain period, rather than an automatic doubling.

**Ability-to-Repay System** – A properly administered ability-to-pay system could preserve the City’s existing revenue on the \$200 ticket by continuing to collect the amount from those who can afford it. By offering an opportunity for lower-income individuals to pay reduced amounts, however, the City may end up collecting additional revenue it otherwise would not have.

### **Recommendation: Launch a targeted debt forgiveness program.**

During many roundtable discussions, Chicago residents noted that there was a mistrust or fear of government. And in many cases, some residents had debt that felt so insurmountable that they did not know where to even begin to get into compliance with the City. The Collaborative recommends providing an incentive to residents to come into compliance by instituting a forgiveness program on ticket debt – a period of time when residents can come in and clear all of their debt for a single time. Through many discussions, it seemed that forgiving all ticket debt, may not be possible, but the Collaborative recommends conducting an assessment of the operational possibilities, and revenue impact, of instituting such a program. If a forgiveness program for all previous ticket debt is not possible to begin with, the Collaborative recommends starting with a City Sticker forgiveness program.



**How a City Sticker Forgiveness Program could work:** A Chicago resident who has City Sticker debt can acquire a valid, current City Sticker and ALL of their existing City Sticker tickets will be forgiven. Any resident who has City Sticker debt can take advantage of the program – but for a single time. If a resident receives a City Sticker ticket and had already taken advantage of the forgiveness program, they would not be eligible for a second time.

The forgiveness program could run through a 3-4 month period, where all Chicago residents could take advantage of the program. A public education and awareness campaign would also need to be coordinated with community groups to ensure residents can take advantage of the program. Finally, an ordinance would need to be passed to make this possible.

## Recommendation: Reform payment plans.

The DoF currently offers the following types of payment plans: Early, Standard, and Hardship. Residents have the option to sign up for payment plans either online or in-person.

A resident can only sign up online for a payment plan under the following conditions: if their vehicle has not been booted, their driver's license has not been suspended, or they do not have any outstanding fees such as boot, tow, boot tamper, storage, driver's license suspension, or payment plan default fees. If a resident is not eligible to sign up for an online payment plan, they must sign up for a payment plan in-person.

The following circumstances qualify Chicago residents to sign up for the hardship plans:

- Student (currently attending high school, college, trade, or vocational school) with a valid student ID
- Senior citizen (65 and older)
- Active military
- Recently inactive military (discharged from military in last 180 days)
- Foreclosure
- Bankruptcy
- Claimed Earned Income Tax Credit on most recent income tax return
- Participate in any of the following programs:
  - Government Issued Unemployment Compensation
  - Low Income Home Energy Assistance Program (LIHEAP)
  - Federal Public Housing/Section 8
  - Food Stamps
  - Medicaid or Supplemental Security Income (SSI)
  - Temporary Assistance for Needy Families (TANF)
  - Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - Workers' Compensation Income Benefits

The hardship payment plans provide residents more time to pay their ticket debt - whereas the standard plans provide 24 months, hardship plans provide 36 months. In addition, the hardship plan has a lower down payment than the standard plan if the car was booted or if the driver has a driver's license suspended.

However, community partners and Chicago residents have indicated that these payment plans can have a high threshold to entry, particularly if a resident's car has been booted or their license has been suspended. The down payment required, if a resident is booted or has their license suspended, and if they qualify for a hardship plan, is 25% of their total ticket debt, along with any boot, tow, and storage fees. If a resident does not qualify for a hardship plan, then the down payment for the standard plan is 50% of their total ticket debt and any boot, tow, and storage fees.

Moreover, many residents indicated that if they could not meet the minimum down payments, the City would turn residents away, meaning that the City did not collect the money, even if residents offered something. The Collaborative reviewed payment plan practices across the nation and saw examples of municipalities that implement a consistent rate for a positive result. These municipalities and counties changed their down payments which resulted in more people signing up for payment plans. The examples included:

*Palm Beach County, Florida:* Set a \$25 administrative fee to establish a plan that could get rolled into the total amount. The monthly payments were customized and based on what a person was able and willing to pay. Improving payment plans, as well as public education, resulted in Palm Beach County collecting 32 times more revenue in 2017 compared to 2014 (\$1.64 million compared to \$50,650), and 24 times more individual payments.

*San Francisco, California:* Reduced the payment plan enrollment fee from \$60 to \$5 for low-income individuals, and \$25 for everyone else. Lowering the fee for payment plans resulted in the number of people paying their tickets to quadruple.

*Phoenix, Arizona:* Created a "Municipal Court Compliance Assistance Program" that provided an affordable process for driver's license reinstatement. The new program allowed Phoenix residents to provide a down payment (which was at least \$50 plus any state fees) and then subsequently design their own payment plan based on their ability to pay on a monthly basis.

An Arizona State University study showed that over 7,000 residents participated in the program over its first nine months. Over 50% of participants reported that the program allowed them to obtain a new job, and 41.2% reported an increase in income.

The Collaborative was intentional about reviewing different models and practices from other cities and counties. The Collaborative also recognized, however, that there were some areas where the City of Chicago was further along in its reforms than other parts of the country. For example, the City of Chicago has done significant work around payment plans, such as providing more payment plan options, as well as providing residents with greater lengths of time to pay off the ticket debt. Moreover, rather than charge residents an administrative fee prior to joining a payment plan, the City of Chicago requires a down payment - a contribution towards the ticket debt as opposed to an added on cost. The Collaborative members thus, wanted to remain open to considering different components and practices in other cities for implementation in Chicago, while still recognizing that an analysis would be conducted to ensure that implementation of different models would make sense in Chicago.

Thus, the Collaborative recommends a range of options for lowering the barriers to entering into a payment plan, especially for low-income communities. These options may include:

- Changing the existing down payment from a percentage to a base rate. Currently, residents are required to pay an installment or a percentage that has to be calculated. A consistent, set rate, however, could help to simplify the process, educate the public, and minimize residents’ confusion or misinformation.
- An example of this may include a \$25 down payment for all early and standard plans, and \$0 down payment for hardship plans.
- Designing a program that allows residents to create their own payment plans, based on their ability to pay.
  - An example of this may include allowing a resident to determine how much they can pay in a month, and DoF representatives working with them to design the payment plan.

An example of changing the down payment to a flat fee could look like the following:

	<b>Standard</b>	<b>Hardship</b>
<i>Eligible Violations</i>	All	All
<i>Restrictions</i>	No	Must meet Hardship Qualifications
<i>Term</i>	Up to 24 months	Up to 36 months
<i>Down Payment</i>	\$25	\$0
<i>Can Additional Tickets be Added to the Existing Plan?</i>	Yes, with an additional down payment.	Yes, with an additional down payment.

The Collaborative also recommended reviewing additional acceptable documents and processes for the following populations and circumstances:

- **Domestic Violence Survivors** – Community partners brought up instances where domestic violence survivors accumulated debt from their abusers who took property, such as vehicles or license plates that were under the survivor’s name. The Collaborative recommended creating processes and a list of documents that could be used to waive debt accumulated by abusers under a survivor’s name. The Collaborative recommended, as a potential next step, creating a focus group with organizations that serve domestic violence survivors to identify potential documents that could be used, such as a signed affidavit, as well as potential processes that could be implemented in order to respect the sensitive nature of these situations and not further traumatize survivors.
- **Undocumented Immigrants** – Community partners and Chicago residents noted that many of the documents used to qualify for the “Hardship Plans” were tied to federal programs. Because undocumented immigrants often do not qualify for federal programs, many are unable to obtain the documents to qualify for “hardship plans.” The Collaborative thus recommends adding documents that can help undocumented immigrants prove “hardship.” To start this process, the Collaborative

recommended that the DoF review the identity, residency, and waiver-related documents listed in the Administrative Rules of the CityKey program, since this program also supports this population.

- **Part-Time Students** – Some part-time students noted that they could not always qualify for the hardship program, but the Collaborative recommends identifying documents that enable this population to qualify for “hardship” payment plan.
- **Letter from a registered, 501c3, Community Organization** – Community partners and residents noted that some residents might not be part of official programs, or have official documents that substantiate that they have a hardship. The Collaborative recommends establishing a process for accepting letters from registered, 501c3, community organizations, indicating a resident has a particular hardship.
- **Income at or below 200% of the federal poverty line** – Community partners and residents mentioned that it is feasible to be in a difficult financial situation, and yet still not qualify for some of the hardship requirements. The Collaborative recommends designing and implementing processes of capturing those residents who are in difficult financial circumstances but do not qualify for federal programs (or do not have official documents for one reason or another). The Collaborative recommends accepting those residents who provide some indication they are

## Recommendation: Reinstigate the 15 day grace period for City Sticker tickets

Currently, when a Chicago resident’s City Sticker expires on the last day of the month and it is not replaced with a valid Sticker, residents can get a ticket the very next day, and every day after that until they come into compliance. In order to provide residents flexibility, time, and opportunities to obtain a valid City Sticker, the Collaborative recommends re-instituting a 15 day grace period. Residents would have an additional 15 days after their current City Sticker expires to renew or purchase a new City Sticker before they would be eligible to be ticketed. A potential next step would be to work with the OCC and City Council to write and pass an ordinance with the aforementioned change.

## Recommendation: Work with Sister Agencies to Eliminate Employment Barriers

Chicago residents and community partners shared instances when debt in the form of unpaid City fines, like parking tickets, led to employment barriers by City Sister Agencies. The Collaborative discussed the updated City of Chicago policy related to debt and employment and recommended the City take steps to ensure prospective City employees are given an opportunity to enter into a payment plan rather than be barred from employment with the City, and that the City work with Sister Agencies to share best practices in order to update the Sister Agency policies to ensure City debt is not a barrier to employment.

## ***Evaluate Longstanding Practices***

The Collaborative working group meetings, round table discussions, and online portal responses raised concerns about a number of long-standing City practices and policies. The Collaborative recommends conducting thorough assessments and evaluations of the following areas:

The Collaborative recognized that the 6-month period of work would be an initial starting point of this important work. The process, however, helped the group identify areas that needed further development and assessment. The Collaborative also noted that the resources at the City were limited in many areas. Thus, the Collaborative identified the practices listed below as potential areas to further explore with external partnerships, such as universities, research institutions, design-think firms, and philanthropic entities and other funders, who could come together to help create robust evaluations of existing systems and policies.

The University of Chicago, led by the School of Social Service Administration, will act as a primary academic partner by leading a research and evaluation subcommittee of the Collaborative.

### **Recommendation: Evaluate the late fee structure for all tickets.**

As mentioned earlier, community groups and residents have raised concerns about the doubling of tickets. For example, a \$60 ticket becomes \$120, or a \$200 ticket (the ticket for lack of a valid City Sticker) becomes \$400. In addition, the Collaborative's working group sessions have revealed that some residents believe that they do not receive enough notification before late penalties go into effect. Though current policy provides 83 days before a ticket doubles, residents expressed concern that notices might be sent to the wrong addresses.

The Collaborative recommends an assessment and evaluation of the process and structure of how and when late fees are assessed on unpaid tickets. This assessment should also include a cost-benefit analysis of a policy that allows a fee waiver for those that obtain a ticket for the first-time or for low-income drivers.

This comprehensive review should evaluate a potential statute of limitations on ticket debt, as none currently exists in Illinois. Additionally, though there is a maximum amount that an individual can be charged per ticket, there is no such cap on the number of tickets a person can accumulate for a specific violation. Any review of existing ticket fees and fines, should include policy reforms that set caps on the maximum amount of ticket debt and statute of limitations on that debt.

- Potential City partners to help move this work forward: Mayor's Office, DoF, and OBM

### **Recommendation: Assess the overnight winter parking restriction.**

Chicago has two winter parking restrictions. One restriction applies year round but only when there is at least two inches of snow on the ground. The other restriction applies December through April, between 3am-7am, regardless of snowfall. If a resident has parked in a zone marked with the overnight restriction, they may be towed even if there is no snow on the ground.

Community groups, residents, and media reports have expressed concern regarding the efficacy of the overnight winter parking restriction. The Collaborative recommends an assessment and evaluation to determine its effectiveness and continued use.

- Potential City partners to help move this work forward: Mayor’s Office, Department of Streets and Sanitation (DSS), OBM, and the Chicago Department of Transportation (CDOT).
- A possible solution may include ending the overnight winter parking restriction or modifying where the overnight winter parking restriction is in effect.

## Recommendation: Review the City’s towing and impoundment practices.

Media reports and residents have indicated a concern with the City’s private towing contracts and impoundment practices. The Collaborative recommends assessing and evaluating the City’s towing and impoundment practices and determining if or where greater scrutiny and regulation is required.

- Potential City partners to help move this work forward: Mayor’s Office, DSS, DoF, OBM, and City Council.
- A possible solution may include a cost-benefit analysis of the City’s private towing contracts and possibly ending the practice of booting and towing vehicles related to non-public safety violations.

## Recommendation: Conduct a comprehensive review of the City’s ticketing policies and practices.

Community groups and residents have expressed a concern in the City’s ticketing practices, citing research and media reports showing that there is a significantly greater chance of being ticketed if the person comes from a low-income community, or a community of color. Chicago has a long history of structural racism that spans generations, and thus, it is important to Collaborative members that future assessments be conducted through a racial equity lens.

Further, the Collaborative recommends building on the work that has already been done to conduct a thorough assessment and evaluation of tickets issued throughout the city to further identify and understand patterns of increased ticketing in low-income and minority communities. The assessment should include recommendations for how to end these practices.

Additionally, an assessment of the City’s ticketing practices should study best practices in other municipalities that do not have or no longer have parking and compliance tickets used by police officers. Residents have indicated that such a reform could help build community and police relations.

- Potential City partners to help move this work forward: Mayor’s Office (the Policy Team and Chief Equity Officer), DoF, OBM, Chicago Police Department (CPD), and the Office of Emergency Management and Communications (OEMC).
- A possible solution may include CPD only issuing tickets for moving-violations.

## Recommendation: Evaluate street signage, such as no parking and tow-zones.

In the Collaborative's round table discussions, residents mentioned noticing improper or inadequate signage and yet still getting ticketed. Additional signage can increase awareness of where and when one can and cannot park. This recommendation is designed to be prescriptive: trying to prevent residents from receiving tickets in the first place.

Some residents, for example, noted a 2018 CBS report found that there are less signs on the south side of Chicago than on the north side -- resulting in more parking tickets being given to south side residents than north side residents. An assessment and mapping of existing signage would be a good first step to identify where gaps may need to be filled, followed by building an action plan of next steps with Aldermen.

- Potential City partners to help move this work forward: CDOT, the City Council Committee on Pedestrian and Traffic Safety, OBM, and Aldermen.
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### *Improve Access and Awareness*

The recommendations in this section address concerns about how well the City informs residents about its policies, programs, and options.

Many residents highlighted a lack of understanding of existing payment and compliance deadlines, processes, or City contact information and offices. Sometimes residents indicated language barriers or expressed concerns with a digital divide (e.g. not all residents have access to internet). The ideas listed below came from Chicago residents that participated in the numerous roundtable discussions or submitted comments through the Online Portal.

The Collaborative members felt it important to note, however, that consumer education does not by itself address the root cause of structural systems that need reform. Thus, any educational campaign should not

be viewed as the solution in and of itself, but rather, it should be one component of a much greater solution, and it should be aligned with raising awareness of newly reformed systems.

## Recommendation: In four phases, improve public education efforts with an emphasis on community collaboration.

**1.** Redesign existing public education materials: the Collaborative recommends a redesign of existing public education materials. This can include:

- Language in all materials being clear and plain rather than in technical jargon. The terminology and vocabulary of all materials should match the average reading level of Chicago residents.
- Ensure all public education materials are translated into multiple languages as well as ADA accessible. This increases the City's ability to reach diverse communities where English might not be the primary language.

### *Example Next Steps:*

- Work with the DoF and community groups to review public education materials and redesign accordingly.
- Have community groups, through the Collaborative, review all materials that are currently sent to residents.
- Send redesigned materials to community groups for additional review and feedback.

**2.** City Department-Community Organization Partnerships: The Collaborative recommends establishing and pursuing partnerships with community based organizations. Apart from public sector institutions (such as the Alderman's office), these organizations often understand the unique needs and challenges of their community. Hosting forums and information sessions across the city in partnership with community based organizations can aid greatly in public education and awareness.

In addition, allocating funding for community based organizations for the purpose of public outreach can further aid in promoting awareness. Funding can go towards printing of materials, reserving venues for hosting Chicago residents, transportation, and staff needs.

### *Example Next Steps:*

- Identify which community organizations will work with the City to host forums throughout 2019-2020.
- Identify Department partners and the scope and size of forums.
- Identify the amount of funding that can be provided to community organizations out of the current budget.

**3.** Marketing and Advertising: The Collaborative recommends increased marketing and advertising including the utilization of digital billboards. Digital billboards have millions of unique impressions, are geographically diverse and are seen on major thoroughfares such as major expressways. The following are a few examples of what can be advertised:

- Payment Plans.
- The requirement to get a City Sticker.
- When parking restrictions go into effect.

- Contact information for the DoF.

*Example Next Steps:*

- Work with OBM to identify resources for marketing and advertising and review the City’s current budget to identify space that can be allocated for advertising such as the CTA and digital billboards.

**4. Increased Utilization of Technology:** The Collaborative recommends a greater use of technology in promoting education and awareness. Text and email reminders can promote greater compliance and have been proven to impact outcomes in other fields such as student persistence <sup>3</sup> and medical appointment reminders. <sup>4</sup> In the Collaborative’s round table discussions, residents indicated that their phone (such as texts, emails, social media) is how they often receive information. Text messaging is a best practice that allows for easy communication and relaying of information in a quick and efficient manner, and can accommodate residents who may not have access to a computer, smartphone, or a reliable broadband connection. A study by Pew Research Center’s Internet & American Life Project found that “55 percent of people who receive 55 text messages or more a day would rather receive a text message than a phone call.” <sup>5</sup>

*Example Next Steps:*

- Review the City’s current practices of utilizing text messages, especially what current text notification platforms exist within the City.
- Work with DoF to identify where text alerts and reminders might be most helpful for residents.
- Work with the OCC to identify when text alerts and reminders might be most helpful in renewing City Stickers.

**Recommendation: Re-train and cross-train front line staff who interact with residents when paying their tickets and when retrieving their vehicles from impoundment lots.**

Residents and community groups expressed a concern about front line staff at payment and impoundment locations inadequately working with residents to assist them with their cases. Community groups would like to see an improvement in customer service and an active role in working with residents to rectify their issues. For example, if a resident has difficulty making a ticket payment, front line staff may assist by asking what the resident can pay and exploring alternative repayment options. If a resident is at an impoundment lot, front line staff can inform residents on how to retrieve their vehicles.

*Example Next Steps:*

- Work with the OCC, DoF, the Department of Innovation & Technology (DoIT) and DSS to evaluate current staff training procedures.
- Based on evaluation results, design and develop additional or new guidance for front line staff in their interactions with residents.

## *Building Equity, Sustainability & Viability*

The recommendations in this section look to build upon the Collaborative's progress and assure the long-term viability of reforms.

How do we ensure that a Collaborative is not needed ten years down the road? It is important that this work is sustainable and includes long-term reforms. The following recommendations begin the process of designing and utilizing foundational and structural mechanisms for long-term reform.

### **Recommendation: Establish a Chicago Financial Justice Director Position.**

As an overarching recommendation, a Chicago Financial Justice Director or team can bring together all the previous recommendations and work towards long-term and meaningful reform. This person's responsibilities can be similar to those of the San Francisco Financial Justice Director. The Chicago Financial Justice Director could also be an employee of the Mayor's Office in order to be able to work with all City Departments, Sister Agencies, and Aldermen to implement reforms.

The purpose and duties of such a position may include:

- Serving as a point person and liaison between City Departments, community stakeholders, and other government entities to create an action plan and implement policy changes and fines and fees reform.
- Serving as a point person to assist residents with tickets, booting, and impoundment concerns.
- Creating an analysis requirement for any new tickets, fines, and fees – including a racial and economic equity analysis.

*Example Next Steps:*

- Build the position out of the Mayor's Office. Work with both offices to further detail position duties.
- Allocate initial funding for positions.

### **Recommendation: Working with the Chief Equity Officer to Conduct a Racial Equity Assessment**

In May 2019, the Mayor's Office established the Office of Equity and Racial Justice headed by the Chief Equity Officer. The Office is tasked with identifying and addressing all areas of inequity in the City. Considering community groups and residents have voiced concern about the racial and economic inequities caused by current fines and fees, the Collaborative recommends working with the Chief Equity Officer in executing reforms.

*Example Next Steps:*

- Debrief with the Chief Equity Officer, and the Mayor's Office, over the Collaborative's research and recommendations. Identify which areas the Chief Equity Officer and the Office of Equity and Racial Justice can provide more research and resources on.

## DRIVER'S LICENSE SUSPENSION DISCUSSION

Although the authority to suspend driver's licenses rests with the Secretary of State's Office, local municipalities have the option to request a suspension once a resident hits the following threshold: ten or more unpaid parking tickets, or five or more unpaid red-light or automated speed camera tickets.

Community groups, residents, and media reports have expressed concern regarding the suspension of a person's driver's license for non-moving violations. Losing one's license immobilizes a resident, leaving them with few options for transportation, especially to get to work. Many jobs require a driver's license as a condition of employment. As previously stated in this report, low-income residents may struggle to come into compliance with their ticket debt payment due to a number of structural barriers, and may be more likely to face license suspension due to ticket debt. Community groups and residents have stated that if one is not able to get to work and earn an income, how is that person able to pay off their accrued fines in the first place?

Aside from being able to pay their debts, holding a job provides a range of economic and social benefits to the city. Unemployment, by contrast, particularly when it is heavily concentrated in communities of color and low-income communities, has a ripple effect of negative outcomes that extend throughout the city, including the following: increased crime, strains on social services, health consequences through the loss of insurance and income, reduced spending at city businesses.

Groups like the Fines and Fees Justice Center's sole mission is to eliminate the harmful and unjust impacts of fines and fees. In an effort to tackle issues such as driver's license suspension, the Fines and Fees Justice Center is launching a national campaign to end driver's license suspensions for unpaid fines and fees -- the Free to Drive Coalition -- and has already organized a statewide coalition in New York.

"Driver's license suspension is severe--it should only be used to stop dangerous driving. Not being able to pay or missing a hearing date is not about dangerous driving, it's about poverty. Across the country, the movement for reform has taken off: Mississippi, Idaho, California, the District of Columbia, Virginia, and Montana have all stopped suspending licenses for nonpayment. At least six other states are considering doing the same," said Katie Adamides, New York State Director for the Fines and Fees Justice Center.

The community groups and the Fines and Fees Justice Center involved in the Collaborative all strongly believe that any effort to reform the City's ticketing practices must include an end to driver's license suspension for unpaid fines and fees. They are leading the effort to pass The License to Work Act, legislation in the Illinois General Assembly ending the practice of suspending driver's licenses for non-moving violations statewide. The bill, having passed the State Senate with bipartisan support, awaits a vote in the House.

The Collaborative's City partners acknowledge and understand the concern being raised here. City partners, alongside the Mayor's Office, will continue to work with community advocates to address this issue.

# THE CONTINUED WORK OF THE COLLABORATIVE

*Brief City Council Members & Review Current Legislation* In order to inform and promote the recommendations in this report, Aldermanic briefings will be held with City Council members and their staff. Aldermen are on the ground and hear from residents every day on these issues. They are also the ones who many residents go to for assistance on these issues. These briefings will help to familiarize elected officials on the hard work of the Collaborative, proposed next steps and answer any questions.

Additionally, the Collaborative recommends the Mayor's Office review and consider existing ordinances introduced by Alderman Villegas and Alderman Dowell. The Collaborative hopes to work closely with these Aldermen who have also taken steps to reform the City's ticketing and impoundment practices.

## NEXT STEPS FOR THE COLLABORATIVE

The Collaborative will continue to meet quarterly to review the current status of the existing recommendations, evaluate the application and outcomes of implemented recommendations and create new suggestions. As this work is ongoing, there will need to be continued partnership among existing members and new partners who will be brought in along the way. The Collaborative will also create a separate academic subcommittee that will help evaluate existing data and measure implementation of new changes.

## CONCLUSION

Over the past several months and across every corner of our city, we have heard from residents and we listened. Combined with the work of journalists, academics, researchers, and advocates we have created a set of recommendations that take a first step at addressing our City's fines and fees policies. This work will take time and will require the continued dedication and continued collaboration of all of us. Now is the time to get to work.

# ACKNOWLEDGEMENTS

This report would not have been made possible without the generous work of all of the following organizations, City Departments, elected officials, and academic institutions:

- Alderman Ervin (28)
- Alderman Sawyer (6)
- Alderman Scott (24)
- Alderman Villegas (36)
- Former Alderman Foulkes (16)
- Alderman Garza (10)
- Former Alderman Mell (33)
- Former Alderman Pawar (47)
- The City of Chicago Departments of Law, Finance, Budget, Chicago Police Department, Transportation, and the Department of Family and Support Services.
- Chicago Jobs Council
- Community Organization and Family Issues (COFI) & POWER PAC
- The Fines & Fees Justice Center
- The Financial Justice Project, San Francisco
- Heartland Alliance
- Loyola Chicago Center for Urban Research and Learning
- Sargent Shriver National Center on Poverty Law
- University of Chicago's School of Social Service and Administration
- Woodstock Institute

We want to thank the Office of the City Clerk staff who assisted with the editing of this report: Ariana Garcia, Kathryn O'Connell, Kate LeFurgy, and Treshonna Nolan.

Tonantzin Carmona and Danish Murtaza managed the operations of the Collaborative's meetings, conducted in-depth research and analysis, and served as report authors. Thank you to Diana Wnek for designing the final report.

## DISCLAIMER:

This report reflects the input and view of a number of groups, including members of the public and members of the Collaborative. The statements herein do not necessarily reflect the views or conclusions of the City of Chicago or the Office of the City Clerk.

## REFERENCES:

- <sup>1</sup> "Over 80% of Illinoisans drive to work..." <https://cjc.net/policy-advocacy/transit-table/#issues>
- <sup>2</sup> <https://www.courts.ca.gov/9529.htm>
- <sup>3</sup> <https://www.chronicle.com/blogs/headcount/using-text-message-reminders-to-boost-student-persistence/38493>
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