



May 19, 2020

The Honorable Nancy Skinner
Chair, Senate Budget and Fiscal Review
Subcommittee No. 5
State Capitol, Room 5094
Sacramento, CA 95814

The Honorable Shirley Weber
Chair, Assembly Budget Subcommittee No. 5
State Capitol, Room 3123
Sacramento, CA 95814

**RE: Courts' Ability-to-Pay Program - Concerns
Judicial Branch - Budget Item 0250**

Dear Senator Skinner and Assembly Member Weber:

On behalf of the California State Association of Counties (CSAC) and the Urban Counties of California (UCC), we write to jointly express our considerable concerns related to the Governor's proposal to expand the courts' ability-to-pay (ATP) pilot program statewide, which would permit individuals to apply online for reduction or forgiveness of infraction-related fines and fees based on their financial capacity to pay. Our position relates exclusively to the absence of a backfill to county governments for expected loss of revenue, even though our members collectively would experience a revenue loss similar to that expected by the courts.

Our organizations understand and are sensitive to the underlying policy conversation regarding lessening the financial burden associated with fines and fees levied on adults in the criminal justice system. Indeed, we recognize that today's system of assessing fines and fees is overly complex, and its financial and legal implications are often crippling for those who can least afford them. The associated debt often works as a considerable impediment to successful community reintegration and full participation in family, community, and work responsibilities. However, while the May Revision accounts for and addresses a substantial backfill – perhaps as much as \$50 to \$100 million for the current and budget year – for the courts associated with expected revenue loss, no such backfill is provided for counties, even though our financial loss would be comparable.

The impact of this lost revenue would be crippling to local programs, especially when coupled with the drastic financial impacts of COVID-19. We highlight in particular the dramatic drop in Sales and Use Tax as well as Vehicle License Fees, which together fund critical public safety programs realigned in 2011.

We strongly urge you to consider providing a local backfill to counties associated with the implementation of a statewide ATP program, so that counties can avoid program elimination and service disruptions at the local level. Thank you for considering the county perspective.

Sincerely,



Josh Gauger
CSAC Legislative Representative



Elizabeth Espinosa
UCC Legislative Representative

Cc Honorable Members, Senate Budget and Fiscal Review Subcommittee No. 5
 Consultants, Senate Budget and Fiscal Review Subcommittee No. 5
 Honorable Members, Assembly Budget Subcommittee No. 5
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