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April 23, 2018

Cory Jasperson  
Director, Governmental Affairs  
Judicial Council of California  
520 Capitol Mall, Suite 600,  
Sacramento, CA 95814-4717

## Re: SB 185 (Hertzberg): Crimes: Infractions (Support)

Dear Mr. Jasperson:

The California Conference of Local Health Officers (CCLHO) voted at the CCLHO Board meeting on April 5, 2018 to take a Support recommendation on SB 185 (Hertzberg), a bill that would require a court to determine a defendant's ability to pay traffic violations and reduce fines by 80 percent for those defendants the court determines to be indigent. AB 185 includes additional requirements on courts, including that court debt collection programs have a payment plan option based on the debtor's ability to pay, and a requirement for the court to discharge an indigent defendant's unpaid fines after four years if the defendant remains indigent.

CCLHO agrees with the bill's author, who states that "several high-profile studies have shown how damaging it is to low-and moderate-income families who are unable to resolve administrative and non-safety related driving offenses. Thousands of Californians have been plunged deep into debt and lost their drivers licenses and income."

SB 185 would help address the inequities faced by Californians, who do not have the ability to pay as currently required, when faced with costly traffic fines. California has some of the highest traffic fines and fees in the country, with a red light violation costing an average of \$490 versus \$154 on average in other states; and running a stop sign costing an average of \$238 versus \$151 in other states. These higher infractions result in disproportionately worse consequences for low-income people for the same offenses. License suspensions, as a result of not being able to pay the fines and fees, and the financial burden of paying court fines and fees limits healthy choices, as do arrests and jail for warrants for failure to pay.

Furthermore, research shows that if fines and fees match a defendant's ability to pay, counties likely would collect more revenue from a larger number of people, as exemplified by the 96 percent of people in tiered fine systems that paid something toward their fines, as compared to only 77 percent of people with flat fines. (Beth Colgan, UCLA). Additionally, California's amnesty program in 2015 collected three times more on delinquent debt.

CCLHO also recommends that court debt collection programs include requirements to collect, report out and make available de-identified demographic information of program participants at the city or census tract level where permissible, to enable analyses of the program's impact. CCLHO further recommends the inclusion of other fees and fines directed at indigent defendants into this program.

Mr. Cory Jaspersen

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CCLHO was established in statute in 1947 to advise the California Department of Health Services (now California Department of Public Health), other departments, boards, commissions, and officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Should you have any questions, please contact me by email at [ken.cutler@co.nevada.ca.us](mailto:ken.cutler@co.nevada.ca.us) or by phone at 530-265-7154.

Sincerely and on behalf of the CCLHO membership,

*Original signed by Dr. Ken Cutler*

Ken Cutler, MD, MPH

President, California Conference of Local Health Officers

Cc: Jean Shiimoto, Director, California Department of Motor Vehicles;  
Karen L. Smith, MD, MPH, Director and State Public Health Officer, California  
Department of Public Health