



May 3, 2021

The Honorable Carlos Mariani, Chair
Public Safety and Criminal Justice Reform Finance and Policy Committee
479 Rev. Dr. Martin Luther King Jr. Blvd.
St Paul, MN 55155

The Honorable Warren Limmer, Chair
Judiciary and Public Safety Finance and Policy Committee
3221 Minnesota Senate Bldg.
St. Paul, MN 55155

Dear Chair Mariani, Chair Limmer, and Members of the Conference Committee,

On behalf of Lutheran Social Service of Minnesota, I want to ask you to make **Fines and Fees Reform** a high priority as you negotiate the Judiciary and Public Safety Conference Committee Report. This provision is from a bipartisan bill authored by Representative Frazier (HF 306) and Senator Latz (SF 902). The bill was heard in the House Judiciary Committee and the House Public Safety Committee and passed both committees with unanimous support. It is included in the House Judiciary and Public Safety Omnibus budget bill.

The Fines and Fees Reform bill gives judges discretion to reduce, waive, or offer community service in lieu of the \$75 state surcharge in cases of financial hardship and requires the court to consider ability to pay before imposing a sentence that includes fines, fees, or surcharges.

The vision of Lutheran Social Service of Minnesota is that *All people have the opportunity to live and work in community with full and abundant lives*. For many of the people we serve across the state of Minnesota, the extra surcharge on top of a ticket severely limits their opportunity to attain that full and abundant life. Many people we serve are busy trying to make those ends meet and would benefit greatly by a judge's ability to remove extra surcharges. These surcharges hurt all low-income communities, and people of color face even greater burdens.

Criminal and traffic fines and fees impose a heavy financial burden on low-income individuals, for whom the collateral consequences of non-payment often lead to escalating debt and increased interaction with the criminal justice system. Unaffordable fines and fees can have devastating consequences, forcing people to choose between meeting their basic needs or paying court debt to avoid the collateral consequences of defaulting.



This reform is in line with the American Bar Association's 2018 guidelines on court fines and fees, which state:

If a state or local legislature or a court imposes fees in connection with a conviction for a criminal offense or civil infraction, the amount imposed should never be greater than an individual's ability to pay. No law or rule should limit or prohibit a judge's ability to waive or reduce any fee, and a full waiver of fees should be readily accessible to people for whom payment would cause a substantial hardship.

The bill is supported by a broad coalition of stakeholders, including city attorneys, public defenders, and many community organizations.

Thank you for all your hard work on behalf of Minnesotans and for your service on the Judiciary and Public Safety Conference Committee.

Sincerely,

Paul Slack
Social Justice Advocate
Lutheran Social Service of Minnesota

CC: The Honorable Jamie Becker-Finn; The Honorable Kelly Moller; The Honorable Cedrick Frazier; The Honorable Tim Miller, The Honorable Andrew Mathews; The Honorable Mark Johnson; The Honorable Bill Ingebrigtsen; The Honorable Ron Latz