



# LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

April 2, 2024

Dear Senate Majority Leader Stewart-Cousins, Assembly Speaker Carl Heastie, and Governor Kathy Hochul,

**We urge you to address the issue of predatory court fines and fees in this year's budget and to include the Senate's One-House proposal in the final enacted budget.**

The Senate one-house budget included the elimination of most mandatory surcharges; a provision for judicial waiver of the remaining surcharges, court fees and mandatory minimum fines in the case of indigence or in the interest of justice; and an end to the practice of garnishing incarcerated people's commissary accounts, which functions simply as a regressive tax on people's families. Additionally, the budget proposal includes a data reporting requirement so that there is clarity and transparency on what remaining fines and fees are imposed and whether New Yorkers are able to pay them.

On behalf of [Law Enforcement Leaders to Reduce Crime & Incarceration](#) (LEL), a coalition of approximately 200 current and former police chiefs, federal and state prosecutors, attorneys general, and correctional officials from across the country who are committed to the twin aims of reducing unnecessary incarceration while keeping communities safe with smart on crime policies, we support this proposal to eliminate predatory court fines and fees because such charges serve to undermine rather than enhance public safety efforts. The pursuit of warrants for unpaid fines and fees not only drains significant time and resources that could otherwise be directed toward public safety but also fails to generate meaningful revenue. These practices strain community trust in law enforcement, hindering cooperation and collaboration essential for effective crime prevention. Furthermore, the focus on revenue generation detracts from the fundamental mission of law enforcement to serve and protect their communities without undue financial burden.

These predatory fines and fees punish New Yorkers living in poverty. They exacerbate the harms of a justice system already fraught with disproportionate impacts on low-income New Yorkers and represent serious financial barriers that stop people from moving on after involvement with the courts, without making our communities safer. When governments use such fines and fees to raise money, the result is a hidden, disproportionate tax levied on those who can least afford it.

Nearly 60% of residents across the state could not afford to cover a \$245 fine and fee without cutting back on household expenses. If you are one of the millions of New Yorkers living paycheck-to-paycheck, paying just one traffic ticket and its mandatory surcharge could mean missing rent, going without healthcare, or living without basic necessities. Fines and fees are also an inefficient and volatile source of government revenue. Collection rates for fee revenue are poor (ranging from 28-56% for court fees) and, in many places, they are getting worse.

This system of taxation-by-citation is an inefficient and overly punitive system that creates incentives to prioritize revenue generation, extracts wealth from people living in poverty, exposes Black and brown New Yorkers to more encounters with the criminal justice system, and leaves hundreds of thousands of New Yorkers saddled with debt.

**We strongly support the End Predatory Court Fees Act (S.313/A.4183) and urge you to incorporate the portions of the bill included in the Senate's One-House proposal into the final enacted budget.**

Respectfully yours,

A handwritten signature in blue ink, appearing to read 'Ronal W. Serpas', with a long horizontal flourish extending to the right.

Ronal W. Serpas, Ph.D.  
Executive Director  
Law Enforcement Leaders  
to Reduce Crime & Incarceration  
Former Police Superintendent  
New Orleans, Louisiana