

March 21, 2023

The Honorable Reginald Byron Jones-Sawyer Sr.
Public Safety Committee Chair
California State Assembly
1020 N Street, Room 111
Sacramento, CA 95814-4900

RE: Support the End Debtor's Prison Act (AB 1266)

Dear Assemblymember Jones-Sawyer,

I am submitting this testimony in support of AB 1266 on behalf of the Policing Project at NYU Law, an organization dedicated to promoting democratic policing. At the Policing Project, we have worked with police departments and elected officials in more than a dozen jurisdictions, including New Jersey, New York, Washington, New Mexico, California, and others. We also have drafted model state level legislation on a variety of policing issues, including warrant reform, with expert input from policing leaders, academics, and police reform advocates. This work is in part the basis for my testimony in support of AB 1266, which would amend the penal and vehicle code to end bench warrants for minor infractions.

Currently, individuals can go to jail when they are unable to pay the penalty (or experience barriers to appearing in court) for traffic violations or tickets for infractions. These low-level offenses do not pose a risk to public safety—indeed, the underlying infractions are non-incarcerable. Yet we lock individuals up daily, based on bench warrants issued for failure to pay or appear.

A warrant isn't just a piece of paper. When it is enforced by a cop with a gun, it too often has devastating, and even mortal, consequences. Warrants endow officers with immense power, and can create volatile flashpoints of confrontation between officers and community members. In Minnesota, the discovery of a bench warrant during a routine traffic stop led to the killing of Daunte Wright.

This is why we believe warrants should only be issued when they are truly necessary. Arrests for low-level warrants take up significant law enforcement resources, not to mention the expenses associated with courts and jails.¹ And like many facets of the criminal legal system, warrants disproportionately affect Black communities and those living below the poverty line.

¹ A 2016 literature review indicates that all research over a 40+ year span that examined governmental cost savings from ending or limiting arrests for low-level warrants demonstrated cost savings. See [International Association of Chiefs of Police, Citation in Lieu of Arrest: Examining Law Enforcement's Use of Citation Across the United States at 13 \(2016\)](#).

Public safety doesn't require immediate incarceration as a response for these infractions and minor offenses. On the contrary, research shows that reported crime rates fell in cities that cut or ended low-level arrests – and so did police violence.² Moreover, AB 1266 will continue the trajectory of fine and fee justice in California, and ensure individuals are not locked up for an inability to pay. We support AB 1266, and respectfully request your “Aye” vote on this measure.

Sincerely,

Nila Bala
Director of Legislative Initiatives

² See, e.g., [Samuel Sinyangwe, “Cities That Reduced Arrests for Minor Offenses Also Saw Fewer Police Shootings And Crime in Those Cities Wasn’t Worse.” FiveThirtyEight \(Jul. 26, 2021\).](#)