

April 7, 2020

Kevin Leonard, Executive Director
NC Association of County Commissioners
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Raleigh, NC 27603
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Via U.S. Mail and Email

Dear Kevin Leonard:

We are writing to you as members of the North Carolina Fines and Fees Coalition, which has been working for years to lessen the crushing burden placed upon the poorest of our citizens by the ever-increasing fines, fees and penalties imposed by the courts of North Carolina in criminal and traffic cases. Not surprisingly, the impact of the current coronavirus pandemic is falling most heavily on the same people who are most harmed by the excessive imposition of fines fees and penalties -- those who are living paycheck-to-paycheck, who are so often entangled in the criminal legal system, and who are disproportionately from communities of color.

We write with concerns regarding the collection of individual debts submitted by local governments. We ask that you encourage your member Commissioners to use their discretion, pursuant to NCGS §105A-3(b1)¹, to suspend the submission for collection of debts owed county and local agencies by individual debtors.

North Carolina is being hit hard with this pandemic. Experts warn that the pandemic will last at least 18 months,² and the destabilizing financial impact that it will have on families will extend far beyond that. More than 350,000 people in the state have already filed for unemployment due to layoffs, and the number of unemployment applications increase every day. North Carolina residents in counties across North Carolina are even being asked to shelter-in-place. There will undoubtedly be even more job loss in the coming weeks as businesses slow down or suspend their operations.

As our neighbors and friends across the state scramble to buy groceries and medicines, take care of children who have been released from school, and meet a host of basic needs, they should not also be forced to confront outstanding debts owed local and county agencies. Everyone in the country is



¹ https://ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_105A/GS_105A-3.html

² Department of Health & Human Services, PanCAP Adapted: U.S. Government COVID-19 Response Plan (Mar. 13, 2020), <https://int.nyt.com/data/documenthelper/6819-covid-19-response-plan/d367f758bec47cad361f/optimized/full.pdf#page=1>.

impacted by COVID-19, but those with limited means are the most vulnerable financially and at the greatest risk of long-term damage from the pandemic.

Starting with the Governor, North Carolina leaders at the state, county and municipal levels have acted quickly and decisively to meet this ongoing crisis by taking steps to ameliorate the potentially disastrous impact of the ongoing pandemic. Just recently, Attorney General Josh Stein announced that the North Carolina Department of Justice would immediately suspend collection efforts for debts owed to state agencies. We are asking you to urge your members to take similar action.

With the COVID-19 pandemic at hand, and the country and state on the brink of a major economic downturn, now is the time for our state leaders to make decisions that serve our residents. We therefore ask that you work with your members to reach a goal of **suspending collections requests on behalf of local agencies for a reasonable period of time, giving strong consideration to the expert reports warning that the pandemic itself will last for at least 18 months**. Doing so will provide much-needed aid to families struggling to weather the financial impact of this pandemic and its aftermath.

Thank you for your consideration.

Sincerely,

THE NORTH CAROLINA FINES AND FEES COALITION

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