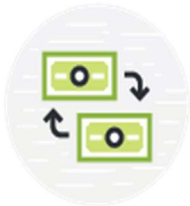


Support SB 1637 (Zaffirini) Help Texans Take Care of Their Fines and Get Back on Their Feet

TEXANS NEED A WAY TO RESOLVE FINES AND FEES THEY CANNOT PAY WHILE STILL BEING HELD ACCOUNTABLE.

Low-income people throughout Texas often become trapped in a cycle of poverty when they cannot afford to pay traffic tickets and other citations. They lose their driver's licenses for not paying, then get more tickets for driving without a license which they often must do to earn a living. Eventually, they receive arrest warrants and can end up in jail for days, weeks, or even months. While in jail, they lose their jobs and housing and are driven even deeper into poverty. **Ending this cycle would empower more Texas families to achieve financial stability and self-sufficiency.**

Last session, HB 351 (Canales) and SB 1913 (Zaffirini) began to address some of these issues by expanding alternative sentencing and reducing warrants issued, making people less afraid to come to court to resolve what they owe. That legislation has had a positive impact and actually led to increased revenue. **Since those bills took effect in 2017, the total amount collected per case in justice and municipal courts that is kept by local governments has increased from \$97 per case to \$101 per case.**



But there are still several common-sense reforms that would greatly improve the way courts enforce criminal fines and fees.

- Since SB 1913 and HB 351 took effect, community service sentences are up 20% in justice and municipal courts—a trend in the right direction. Yet still, **only about 1.5% of cases are resolved through community service and less than 1% of cases have fines or court costs waived or reduced for indigency, meaning many people who are eligible for these alternatives are not being granted them.**
- Class C misdemeanor warrants issued for failure to appear decreased by 19% and Class C capias warrants decreased by 10% over the last year, since SB 1913 and HB 351 took effect. However, **there are still nearly 2 million arrest warrants issued in these cases annually.**



SB 1637 (Zaffirini) will fill in the gaps left by last session's important improvements and help people across Texas take care of their fines and get back on their feet. Specifically, the bill would do the following:

(1) PROMOTE ALTERNATIVE SENTENCING



- **Under SB 1637, anybody struggling to pay a fine after they have left court would be able to request a hearing on his or her ability to pay and the judge would be given discretion to impose a new alternative sentence, such as a reduced fine or community service, at that time.** Currently, only people who plead in open court, which rarely occurs in low-level Class C cases, are entitled to consideration of alternative sentences.
- Many judges already allow reconsideration of fines and costs after sentencing, understanding that it will increase compliance rates and help low-income Texans take care of their tickets. SB 1637 would make this common practice a standard practice across the state.
- SB 1637 also provides guidance to judges on what factors they can consider when determining whether or not community service would impose an undue hardship on a person.
- The bill also allows people to complete community service in their county of residence, so that community service is an option even if a person no longer resides in the same county the court is located.

(2) EXPAND ACCESS TO COURTS

- Many municipal and justice courts have logical policies of not arresting people on Class C warrants when they come to court to attempt to take care of their tickets. However, a few courts do arrest or threaten to arrest people if they come to court, given a gap left by last year's legislation still allows arrests on capias warrants. This scares people from coming to court and reduces collection and compliance rates.
- **SB 1637 would allow people to come to court without fear of arrest.**
- SB 1637 would also allow municipal and justice courts to hold hearings by phone or videoconference, so that people living far away can speak to a judge and arrange a payment plan or community service.



SUPPORT SB 1637 TO HELP PEOPLE RESOLVE FINES AND COURT DEBT AND INCREASE COMPLIANCE WITH COURT ORDERS.

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