

State Representative
Leslie Herod
Colorado State Capitol
200 East Colfax Avenue, Room 307
Denver, CO 80203
Office: 303-866-2959
leslie.herod.house@state.co.us



Chair, House Finance Committee
Vice-Chair, House Judiciary Committee
Chair, Committee on Legal Services
Chair, Black Democratic Legislative Caucus

COLORADO
HOUSE OF REPRESENTATIVES
State Capitol
Denver
80203

April 6, 2020

Governor Jared Polis
State Capitol Building
200 E. Colfax Ave., Room 136
Denver, CO 80203

Re: Request to Suspend Judicial Fines, Fees and Costs During COVID-19

Dear Governor Polis,

The COVID-19 public health and economic crisis requires that Colorado's leaders take all available and necessary steps to minimize harm to families. We write to ask you to act immediately to remove the economic harm caused by fines, fees, and costs in juvenile delinquency and adult criminal cases for the duration of this crisis. As businesses shut down and workers are asked or ordered to stay home, unprecedented numbers of Coloradans are newly unemployed.¹ Economic activity has ground to a halt and extended closures will likely trigger a deep recession.² Families facing a sudden and substantial loss of income should be allowed to marshal what resources they have left to cover food, housing, medical care and other necessities, rather than paying down criminal or juvenile debt. Colorado can minimize the immediate financial harm to families by relieving them of criminal and juvenile debt until this crisis has passed.

We ask that you issue an executive order pursuant to the Colorado Disaster Relief Emergency Act temporarily suspending statutes that authorize courts to impose criminal and juvenile fees, fines, and costs, as well as statutes authorizing judicial collection investigators to collect fees, fines, and costs; issue attachments, garnishments, and liens; and refer accounts to private collection agencies. We also ask that you direct the Department of Revenue to suspend all tax offsets and return all referrals to the State Judicial Branch and direct the Department of Motor Vehicles to cease revoking driving privileges based on unpaid fees, fines, and costs. We ask that this order apply to all payments due and all fees and costs assessed on or after March 1, 2020.

Specifically, the order should:

1. Stop the assessment and collection of all criminal and juvenile fees, fines, and costs;

¹"Colorado Weekly Unemployment Claims Soar To 60K As Coronavirus Fears Grip Economy." *CPR News*, 2 Apr. 2020, www.cpr.org/2020/04/02/colorado-weekly-unemployment-claims-soar-to-60k-as-coronavirus-fears-grip-economy/.

²"Economic Forecast Shows COVID19 Impacting Economy." *Office of Governor Jared Polis*, 16 Mar. 2020, <https://www.colorado.gov/governor/news/economic-forecast-shows-covid19-impacting-economy>. Press release.

2. Suspend all payroll deductions, earnings attachments, bank and inmate account garnishments, rental payment garnishments, and property liens for unpaid criminal and juvenile fees, fines, and costs;
3. Suspend all interest accrual, financial penalties including late payment assessments, and other consequences (including revoking or extending probation sentences) for nonpayment or late payment of criminal and juvenile fees, fines, and costs;
4. Recall all referrals made on or after Wednesday, March 1, 2020, of unpaid criminal and juvenile fees, fines, and costs from the Colorado Department of Revenue tax offset program and private collection agencies, and stop new referrals; and
5. Notify the public of these decisions so that families may plan their finances accordingly.

Because this issue impacts families across Colorado, a uniform approach is essential, rather than allowing individual judicial districts to address—or ignore—the issue as each one sees fit. Accordingly, we ask that you work closely with the State Judicial Branch to ensure that all cases in our State are handled consistently.

Sincerely,

Representative Leslie Herod
Vice Chair, House Judiciary Committee

Representative Mike Weissman
Chair, House Judiciary Committee

Senator Pete Lee
Chair, Senate Judiciary Committee

Senator Julie Gonzales
Vice Chair, Senate Judiciary Committee

CC:

The Honorable Nathan B. Coats
Chief Justice, Colorado Supreme Court
2 E. 14th Street
Denver, CO 80203

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Ann England
Clinical Law Professor
University of Colorado School of Law

Colene Robinson
Clinical Professor
Juvenile and Family Law Clinic
University of Colorado Law School

Christopher N. Lasch
Professor of Law
Co-director, Criminal Defense Clinic*
University of Denver Sturm College of Law*
**Affiliations provided for identification purposes only*

Sara S. Hildebrand
Clinical Teaching Fellow, Criminal Defense Clinic*
University of Denver Sturm College of Law*
**Affiliations provided for identification purposes only*

Robin Walker Sterling
Associate Professor
Ronald V. Yegge Clinical Director
Co-Director, Criminal Defense Clinic*
Co-Director, Immigration Law and Policy Clinic*
University of Denver Sturm College of Law*
**Affiliations provided for identification purposes only*