



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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The Honorable Reggie Jones-Sawyer
California State Assembly
1021 O Street, Suite 5210
Sacramento, CA 95814

**ASSEMBLY BILL 1803 (JONES-SAWYER)
SUPPORT**

Dear Assembly Member Jones-Sawyer:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 1803.

AB 1803 provides that court fees are waived if a petitioner seeking expungement meets the requirements of Government Code §68632. An individual would qualify for a fee waiver if the individual receives any of the following services: Medi-Cal; Food Stamps, i.e. California Food Assistance Program, CalFresh Program, or SNAP; State Supplemental Payment (SSP) and State Supplemental Security Income (SSI); County Relief (CR), General Relief (GR), or General Assistance (GA); In-Home Supportive Services; Tribal Temporary Assistance for Needy Families (TANF); Cash Assistance Program for Aged, Blind, or Disabled Legal Immigrants. Individuals whose monthly income is 125% or less of the current poverty guidelines would also qualify.

In 2019, a state appeals court ruled that charging defendants fees without first assessing their ability to pay violates both the state and U.S. Constitutions. Consequently, individuals who petition for expungement can have their court fees waived if they would face undue financial hardship. However, petitioners must prove their inability to pay at a separate hearing. This not only adds to courts' operational costs and prolongs the expungement process, but also increases financial burdens to petitioners, such as requiring them to take time off from work or find accommodations for transportation.

AB 1803 provides that petitioners seeking the fee waiver will still need to meet existing requirements to receive an expungement and does not relieve the petitioner from continuing to make restitution payments.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

GEORGE GASCÓN
District Attorney