

May 19, 2020

The Honorable Roy Cooper  
Governor of North Carolina  
20301 Mail Service Center  
Raleigh, NC 27699-0301

*Via U.S. Mail and Email*

Dear Governor Cooper:

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 neighbors 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 COVID-19 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 people of color.

We are aware that you have already demonstrated your leadership by issuing several Executive Orders in response to the COVID-19 pandemic and signing the COVID-19 relief packages passed by the legislature. These measures are necessary to protect many North Carolinians and address some of the short-term economic impacts people are sure to face in the coming months. But experts expect the pandemic will last from 18 months to two years,<sup>1</sup> and the significant economic impact will undoubtedly plague our state much longer.

Without substantial intervention from every level of government, middle class households will fall into poverty, and low-income households, which are already extremely vulnerable, will experience the worst harms of the crisis as they struggle to afford rent, food, and other necessities. Many North Carolinians will thus experience a significant decline in family economic stability, making it difficult, if not impossible, to pay outstanding court debt. The consequences of non-payment of court debt are weighty, and could permanently destabilize poor and working-class families, result in needless warrants for arrests and incarceration, and even lead to increased recidivism.



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<sup>1</sup> U.S. Dep't of Health & Human Servs., PanCAP Adapted U.S. Government COVID-19 Response Plan, 4 (Mar. 13, 2020), available at <https://int.nyt.com/data/documenthelper/6819-covid-19-response-plan/d367f758bec47cad361f/optimized/full.pdf#page=1>.

Understanding the difficulties families face, the judicial branch has already taken some limited action. On March 16, 2020, Orange and Chatham Counties' Chief District Court Judge issued an order granting an extension of 40 days to any payment due to the Clerk of Court. On April 2, 2020, Chief Justice Beasley then issued an order granting an extension of 90 days for any payment due to the Clerk of Court. While these first steps provided much-needed short-term relief, a 90-day extension will not be enough time for payment of court debt for the upwards of a million North Carolinians who have filed for unemployment benefits since March 15, 2020.<sup>2</sup>

Given that so many North Carolinians are struggling to meet their basic needs during this crisis and unemployment numbers are rapidly rising, we ask that you work closely with the Chief Justice of the North Carolina Supreme Court, the North Carolina Administrative Office of the Courts, and other state agencies in the executive branch, including the North Carolina Division of Motor Vehicles, to exercise the regulatory authority provided by Session Law 2020-3, Section 4.38, to delay or modify outstanding court fines and fees in the following ways. Taking the steps listed below is necessary to increase public safety of state residents, ensure that fines and fees are not a barrier to people's basic needs throughout the current emergency and beyond, and promote the resiliency of our communities:

- Suspend the collection of all court debt;
- Reinstate drivers' licenses that are suspended under NC Gen. Stat. §20-24.1;
- Impose a moratorium on all driver's license revocation proceedings under NC Gen. Stat. §20-24.1;
- Waive the \$65 license restoration fee and \$50 service fee for reinstatement; and
- Waive \$200 NC DMV hearing fees.

We further ask that you ensure the proposed actions remain in effect **for a reasonable period of time, giving strong consideration to the fact that medical experts have warned that the pandemic itself will last until at least September 2021**. Doing so will provide much-needed aid to families struggling to weather the financial impact of this pandemic and its aftermath.

We appreciate your efforts to minimize the impacts of COVID-19 on the State of North Carolina. We urge you to continue your efforts by implementing these policies to prevent further economic hardship in our communities. We would welcome an opportunity to discuss and assist you with the implementation of the policies outlined above. Please respond to Whitley Carpenter, by Tuesday, May 26, 2020 with your proposed plan to address this issue and any requests for assistance from our coalition. Whitley can be reached via email at [wcarpenter@forwardjustice.org](mailto:wcarpenter@forwardjustice.org).

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<sup>2</sup> See Richard Craver, *Unemployment benefit claims surpass 1 million in North Carolina; 20% of state workforce has now applied*, Winston-Salem Journal (May 4, 2020) [https://www.journalnow.com/business/unemployment-benefit-claims-surpass-1-million-in-north-carolina-20-of-state-workforce-has-now/article\\_548d9d4a-b48c-5045-88ca-d662e918eec7.html](https://www.journalnow.com/business/unemployment-benefit-claims-surpass-1-million-in-north-carolina-20-of-state-workforce-has-now/article_548d9d4a-b48c-5045-88ca-d662e918eec7.html)

Sincerely,

**THE NORTH CAROLINA FINES AND FEES COALITION**

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