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December XX, 2015

DRAFT

The Honorable Dianne Feinstein  
331 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Feinstein:

On behalf of the California State Association of Counties (CSAC), I am writing to express our appreciation to you for sponsoring legislation (S 2395) that would make critically important changes to the State Criminal Alien Assistance Program (SCAAP). CSAC applauds your ongoing leadership on SCAAAP, and we are pleased to endorse this bipartisan bill.

As you know, the authorization for SCAAAP expired in fiscal year 2011. While funding for the program has been extended through the annual appropriations process, we strongly support provisions of S 2395 that would renew the program's authorization at \$950 million annually through fiscal year 2020.

In addition, CSAC strongly supports language of the bill that would allow jurisdictions to be reimbursed for the costs of housing undocumented individuals who are *accused* of certain crimes – and not only *convicted* of such offenses, as is allowed under the current statute. This commonsense change would correct a long-standing flaw in federal law that disadvantages county governments, which often spend a considerable amount of financial resources housing pretrial offenders who may not ultimately be convicted of the crimes for which they are accused. Current law also essentially creates a gap in reimbursement if an individual's pretrial incarceration period and subsequent conviction do not occur within the same fiscal year.

Finally, we strongly support provisions of S 2395 that would require the Department of Justice (DOJ) to fully compensate jurisdictions for the costs of incarcerating the "unknown" category of SCAAAP inmates. As you are aware, unknown inmates are classified as such because they have not had prior contact with federal immigration authorities and therefore are not included in the Department of Homeland Security (DHS) database. We share your belief that counties should not be penalized for the Federal government's inability to verify the status of undocumented inmates.

Thank you again for your strong leadership on SCAAAP. We are pleased to endorse your legislation and we look forward to continuing to work with you on this issue. Should you have any questions or if you need any additional information, please contact Joe Krahn, CSAC Federal Representative, Waterman and Associates at (202) 898-1444.

Sincerely,

A handwritten signature in blue ink that reads "Matt Z. Cate". The signature is fluid and cursive, with "Matt" and "Z." appearing above "Cate".

Matt Cate  
CSAC Executive Director