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**COUNTY OF SANTA BARBARA**

April 24, 2017

The Honorable Dianne Feinstein  
 Ranking Minority Member  
 Committee on the Judiciary  
 United States Senate  
 Washington, D.C. 20510

Dear Senator Feinstein:

I am writing on behalf of the County of Santa Barbara in support of legislation to reauthorize and update the State Criminal Alien Assistance Program (SCAAP), including language reinstating the reimbursement of local governments for the costs associated with the incarceration of illegal aliens charged with felony or misdemeanor crimes.

Thank you for your support for SCAAP. The program was intended to help pay the costs incurred as a result of the Federal government's failure to control the borders, enabling States and local jurisdictions to submit claims for the costs associated with incarcerating criminal illegal aliens. In implementing the statute, the Department of Justice enabled local governments such as the County to be reimbursed under SCAAP for individuals who had not yet been adjudicated, reasoning logically that those costs were no less valid than post-adjudication costs. However, DOJ subsequently reinterpreted the statute and no longer allows local governments to file claims for individuals who had not yet been convicted. This caused the Santa Barbara County's annual reimbursements to drop by over 58%.

Senator Flake has introduced S. 745, which would reauthorize and update SCAAP, including clarifying the definition of "criminal alien" to include individuals charged with a crime, and expanding SCAAP to include reimbursements for medical expenses associated with the incarceration of criminal undocumented aliens. Please work with the members of your committee to expedite action on S. 745 or similar legislation that would both reauthorize SCAAP and amend it to include these important provisions

I thank you for your consideration.

Sincerely yours,

Thomas P. Walters  
 Washington Representative

TPW:awg