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COUNTY OF SANTA BARBARA

June 18, 2018

The Honorable Salud Carbajal
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Carbajal:

I have sent the enclosed letters on behalf of the Santa Barbara County Board of Supervisors to the Judiciary Committee expressing support for legislation to reauthorize and update the State Criminal Alien Assistance Program, including language reinstating the reimbursement of local governments for costs associated with incarceration of undocumented immigrants charged with felony or misdemeanor crimes.

Congresswoman McSally has introduced H.R. 3212, 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.

SCAAP 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 undocumented immigrants. 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 County of Santa Barbara's annual reimbursements to drop by fifty-eight percent.

Please work with your colleagues who serve on the committee to expedite action on H.R. 3212 or similar legislation to both reauthorize and amend SCAAP to include these important provisions.

Sincerely yours,

Don Gilchrest
Washington Representative

DWG: awg
Enclosures