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March 18, 2026

The Honorable Nick Schultz
Chair, Assembly Public Safety Committee
1020 N Street, Room 111
Sacramento, CA 95814

RE: AB 2122 (Ban Infraction Bench Warrants) (Kalra & Lowenthal) – SUPPORT

Dear Chair Schultz:

The National Consumer Law Center (NCLC)¹ writes to express our support for Assembly Bill 2122, the Ban Infractions Bench Warrants Bill. This bill would amend the penal and vehicle codes to eliminate bench warrants for minor infractions, which are otherwise non-jailable offenses.

Under California law, nonpayment of an infraction fine or missing a traffic court date can result in a bench warrant, or a judge-issued order that authorizes law enforcement to arrest a person and bring them before the court.² People who miss court dates may be jailed for offenses that could not result in jail time otherwise. This system operates as a debtor's prison, creating a two-tiered system of justice; people who can afford to pay do not have to appear in court, while those who cannot afford to pay can be arrested and jailed for the same infractions. Arresting people who cannot afford to pay can have severe negative consequences for the individual arrested and their families, including fear, separation of parents and children, and potential job loss and increased difficulty in finding new jobs—which can in turn make payment even harder and cause larger problems. And bench warrants are issued without considering why someone did not appear in court, such as lack of transportation, the risk of losing their job, and never receiving notice. Further, these arrests and jailing divert public resources from other priorities and turn police officers into debt collectors.

¹ The National Consumer Law Center (NCLC) is a nonprofit organization that engages in research, education, advocacy, and litigation to advance economic justice for low-income and other disadvantaged people, including people of color and older adults. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, federal and state governments, and courts across the nation to protect low-income people from harmful lending and debt collection practices, help financially stressed families build and retain wealth, and advance economic fairness. Through its Criminal Justice Debt & Reintegration Project, NCLC works to address fines-and-fees policies that trap low-income families and families of color in poverty and criminalize poverty.

² Cal. Penal Code § 853.8, <https://law.justia.com/codes/california/code-pen/part-2/title-3/chapter-5c/section-853-8/>; Cal. Veh. Code § 40510.5, <https://law.justia.com/codes/california/code-veh/division-17/chapter-2/article-2/section-40510-5/>.

Additionally, infraction bench warrants are disproportionately issued to people of color and low-income people. For example, although Black people only make up 5.8% of the population in San Francisco, they make up 48.7% of those arrested for “failure to appear/pay” traffic court warrants.³ These bench warrants can also lead to ICE arrests and removal proceedings for non-jailable offenses.⁴

Research shows that non-punitive approaches, like improved notices and text message reminders, can help ensure people appear in court.⁵

Eliminating infraction bench warrants will help end an unnecessary pipeline to incarceration that makes it harder for people to pay their debt, support their families, and achieve financial stability.

For these reasons, NCLC respectfully urges you to support AB 2122. If you have any questions please, contact Dani Kando-Kaiser at dani@kaiseradvocacy.com.

Sincerely,

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cc: The Honorable Ash Kalra, California State Assembly
The Honorable Josh Lowenthal, California State Assembly

³ Back on the Road California et al., *Stopped, Fined, Arrested: Racial Bias in Policing and Traffic Courts in California* 1, 8–9, 16, 18 (2016), https://lccrsf.org/wp-content/uploads/2016/06/Stopped_Fined_Arrested_BOTRCA.pdf.

⁴ See Jeremy Loudonback, *Lost and arrested: How a series of disastrous events led a former LA foster youth into ICE custody*, L.A. Public Press, (Nov. 10, 2025), <https://lapublicpress.org/2025/11/lost-and-arrested-part1/>.

⁵ See, e.g., Christina Hager, *Text reminders help people get to court on time in Massachusetts*, CBS News, Feb. 10, 2023, <https://www.cbsnews.com/boston/news/text-reminders-defendants-court-on-time-massachusetts-probation/>; Alissa Fishban et al., *Behavioral nudges reduce failure to appear for court*, *Science*, Nov. 6, 2020, <https://www.science.org/doi/full/10.1126/science.abb6591> (redesigned summons form and text messages reduced failures to appear on average by 13 and 21%, respectively; estimating that these nudges helped avoid at least 30,000 arrest warrants being issued over 3 years); Brice Cook et al., *Using Behavioral Science to Improve Criminal Justice Outcomes: Preventing Failures to Appear in Court* (2018) (redesigned summons form reduced failure to appear by 13% and reminder messaging reduced failure to appear by 26%).