CAJPA California Association of Joint Powers Authorities

association of california school administrators

csba California School Boards Association

CASBO Smart business. Smart schools.™

RCRC

LAUSD UNIFIED

LEAGUE OF CALIFORNIA CITIES

CARPD California Association of Recreation and Park Districts

SELF SCHOOLS EXCESS LIABILITY FUND

California Latino School Boards Association

CSDA

CARE DEEPLY SERVE BOLDLY NBSIA

California Est. 1933

OFFICE OF THE CITY ATTORNEY CITY OF LOS ANGELES

CITY OF DUNSMUIR CALIFORNIA

CITY OF OROVILLE, CALIFORNIA INCORPORATED 1906

CITY OF MT. SHASTA INCORPORATED MAY 31, 1905

HERMOSA BEACH CITY SCHOOL DISTRICT

DESERT SANDS UNIFIED SCHOOL DISTRICT

COLTON INCORPORATED • 1887

City of Jurupa Valley

LA MESA-SPRING VALLEY SCHOOLS

REDONDO BEACH UNIFIED SCHOOL DISTRICT

IRVINE UNIFIED SCHOOL DISTRICT

LIVE OAK CALIFORNIA

CITY OF SHASTA LAKE Established 1993

SEBASTOPOL CHARTER A Public Waldorf School

RIDEPV

ABC UNIFIED SCHOOL DISTRICT

SIERRA SANDS Unified School District

HUNTINGTON BEACH CITY SCHOOL DISTRICT

KCSOS Kern County Superintendent of Schools

SANTA ROSA CITY SCHOOLS

YREKA "THE GOLDEN CITY"

City of Elk Grove

CITY OF CHICO INC. 1872

FAIRFIELD

VACAVILLE

CITY OF BELLFLOWER Families. Businesses. Futures. "GROWING TOGETHER"

CITY OF WALNUT CREEK

THE HUB OF THE WEST EST. 1947 BARSTOW

Hope Elementary School District

SAN MARCOS UNIFIED SCHOOL DISTRICT engaging students...inspiring futures

NORTHERN CALIFORNIA SCHOOLS INSURANCE GROUP

CITY OF LA MIRADA 1960 STATE OF CALIFORNIA

CITY OF LA MESA JEWEL of the HILLS

PETALUMA 1858

PARAMOUNT THE CITY Safe, Healthy, and Attractive

OROVILLE UNION HIGH SCHOOL DISTRICT EST. 1892

NATOMAS CHARTER SCHOOL

CITY OF MARYSVILLE, YUBA COUNTY, CAL. INCORPORATED FEB. 5, 1851

CITY OF FOLSOM DISTINCTIVE BY NATURE

CITRUS HEIGHTS Solid roots. New growth.

GSRMA GOLDEN STATE RISK MANAGEMENT AUTHORITY

COUNTY OF INYO CALIFORNIA

CITY OF RANCHO CORDOVA CALIFORNIA Incorporated 2003

CITY OF SOUTH GATE CALIFORNIA

NORCAL CITIES NCCSIF ESTABLISHED 1979 SELF INSURANCE FUND

BUTTE SCHOOLS SELF-FUNDED PROGRAMS

CITY OF STANTON INC 1956 CALIFORNIA

RESIG SAFETY FIRST COLLABORATION EDUCATION AT THE CORE BEST PRACTICES INCLUSIVE COMMUNITY

CJPRMA EST. 1986

SIA for Kids SCHOOLS IN PARTNERSHIP

Tuolumne JPA Serving Schools Since 1980 ALPINE · AMADOR · CALAVERAS · TUOLUMNE

SIG Schools Insurance Group

BAKERSFIELD

TRUTH GROWTH RESPECT SONOMA CHARTER SCHOOL

CITY OF EUREKA CALIFORNIA

CITY of PERRIS INC. 1911

CITY OF CLOVERDALE

CITY OF EASTVALE INCORPORATED 2010

CALIMESA California

NOVEMBER 24, 1987 CITY OF HIGHLAND

RANCHO CUCAMONGA

CITY OF LAKEPORT INCORPORATED APRIL 30, 1888

CITY OF WHITTIER CALIFORNIA INC. 1898

CITY of COTATI 1963

CITY OF FORT BRAGG CALIFORNIA

CITY OF UPLAND CALIFORNIA

CITY OF ROSEVILLE CALIFORNIA

CIRA CALIFORNIA INTERGOVERNMENTAL RISK AUTHORITY

CITY OF TEHAMA Little City of Big Trees

TRINDEL Risk Management for Rural Counties

MENIFEE

MERCED COUNTY

CRSIG Central Region School Insurance Group

WEST COVINA UNIFIED SCHOOL DISTRICT

CalSSD CALIFORNIA ASSOCIATION OF SUBURBAN SCHOOL DISTRICTS

LEMON GROVE SCHOOL DISTRICT CALIFORNIA

CITY OF WEED

POWAY UNIFIED SCHOOL DISTRICT

TORRANCE UNIFIED SCHOOL DISTRICT

COUNTY OF KINGS CALIFORNIA

CITY OF CORONA EST. 1886

LINDSAY UNIFIED SCHOOL DISTRICT

MURRIETA SOUTHERN CALIFORNIA City of Murrieta

CITY OF RIVERSIDE

CITY OF LAKE ELSINORE DREAM EXTREME

Blythe

BENNETT VALLEY UNION SCHOOL DISTRICT SCHOLARSHIP MENTORSHIP FRIENDSHIP

Moreno Valley Unified School District — Excellence on Purpose, Shining Brighter

Buckeye Union School District

SAFER

Southern California ReLIEF — Regional Liability Excess Fund

Wheatland Union

Northern California ReLIEF

Cajon Valley Union School District — Best Place to Live, Work, Play & Raise a Family

East Side Union High School District — Silicon Valley

North Coast Schools Insurance Group

Alameda County Schools Insurance Group

Milpitas Unified School District

City of El Segundo

City of St. Helena

Central Fire District — Santa Cruz County

Bret Harte Union High School District

Town of Truckee

Solano County

County of Siskiyou — California

BETA Healthcare Group

SCLS School & College Legal Services of California

Wright Elementary School District

Sonoma County Office of Education

Hayward Area Recreation and Park District — HARD

ERMA Employment Risk Management Authority

California Affiliated Risk Management Authorities — CARMA

Vernon California

City of Reedley — The World's Fruit Basket

City of Moreno Valley — December 3, 1984

Hemet California — Your Horizon Is Here.

City of Sacramento

City Living in a Rural Atmosphere — City of Norco

City of Pico Rivera — California

Tehama County — Brit — California

City of Artesia — State of California — Incorporated 1959

City of Long Beach — Incorporated 1897

California National City — 1887 Incorporated

CIPA — California Insurance Pool Authority

LUSD — Livingston Union School District

LASD — Los Altos School District

Jurupa Unified School District

PSUSD — Palm Springs Unified School District

Mt. Diablo Unified School District

EBSIG — east bay schools insurance group

Rowland Unified School District

KV USD

Livermore Valley Joint Unified School District

AVUSD — Anderson Valley Unified School District

Westminster School District — Est. 1872

KUSD — Konocti Unified School District

Dunham Dragons Est. 1870

City of Oakdale California

Kings County Office of Education Todd Barlow - Superintendent of Schools

Central San Joaquin Valley Risk Management Authority CSJVRMA

The City of Madera

We Are West Side

New Haven Unified School District

San Mateo County Schools Insurance Group —A Public Entity—

SDRMA Special District Risk Management Authority

Almond Capital of the World City of Ripon Incorporated 1945

Merced

Tracy

Garden Grove Unified School District Est. 1965

Santa Clara Unified School District

Upper Lake Unified School District

Folsom Cordova Unified School District

Tustin

Camino Union Elementary School District

Indian Diggings School District

Butte County California

Lynwood Unified School District

City of Canyon Lake Incorporated December 1, 1990

County of Humboldt The Home of the Redwoods

EDCOE El Dorado County Office of Education

City of Carson, California Incorporated February 20, 1968

San Bernardino County

Building a Bright Future for All Learners Galt Joint Union Elementary School District

City of Willows California Incorporated 1886

Shasta-Trinity Schools Insurance Group

City of Downey

City of Yorba Linda Birthplace of Richard Nixon 37th President of the United States Incorporated 1967

County of Riverside May 9, 1893

The City of Coalinga 1906 City of Coalinga The Sunnyside of the Valley

Santa Rosa City Schools

City of Duarte

Lassen County California

Sunnyvale

Mono County California

Hanford California

City of Victorville Incorporated Sept. 21, 1962 Home of the San Bernardino County Fair California

City of Lindsay Est. 1910 California

Pasadena

La Puente

City of Industry Los Angeles County 1957

City of Arcadia

City of Glendora Industry Incorporated 1911

City of Glendale California

Palm Desert

Oakley Union Elementary School District

VUSD Vacaville Unified School District

Canyon School

Visions in Education

Date: August 7, 2026

To: Members, California State Legislature

Urgent Need for Comprehensive Tort Reform to Protect California Taxpayers, Survivors, and Essential Public Services

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On behalf of the undersigned organizations, we urge the Legislature to enact meaningful tort reform for civil actions against public entities. New data released by the California Association of Joint Powers Authorities (CAJPA) confirms what our members have been warning lawmakers about for years: **public-entity liability costs have tripled in the last seven years, now exceeding $7 billion in known exposure. Costs are on pace to grow another 70 percent by 2027–28.** The fiscal trajectory is unsustainable, the structure of liability is fundamentally unfair to taxpayers, and the consequences are now measured in billions of dollars diverted away from classrooms, fire stations, roads, mental health services, and the essential programs Californians depend on every day.

Our organizations share a deep and unwavering commitment to ensuring that survivors of harm receive justice, support, and meaningful compensation. California's public agencies are not asking for insulation from accountability. We do not seek to deny survivors their day in court. Instead, we seek to fix a system that, as currently structured, transfers enormous wealth to plaintiffs' law firms and threatens the financial solvency of the very public agencies tasked with protecting and serving our vulnerable community members. The longer the Legislature waits, the more public services will be cut, the more agencies will face insolvency.
The Path Forward. We urge the Legislature to advance a comprehensive tort reform package for civil actions against public entities that, at minimum, includes the following:

- **Defined benefits,** including caps on damages in civil actions against public entities, ensuring survivors and other injured parties are made whole while preserving the capacity to deliver essential public services.

- **Proportional (several) liability for economic damages** in civil actions against

public entities, so that taxpayers pay only for the share of harm actually attributable to the public agency. This way the perpetrators bear the cost of their own conduct and not taxpayers.

- **Heightened evidentiary and procedural standards** for claims where witnesses, records, and evidence archives are absent or insufficient to assign culpability.

Why are Billions of Taxpayer Dollars Being Diverted from Essential Services? AB 218 (Gonzalez, Chapter 861, Statutes of 2019) related to childhood sexual assault is one stark driver, but it is not the only one. Across the spectrum of civil litigation against public entities — from premises liability to dangerous conditions — plaintiffs' firms are increasingly targeting governmental defendants precisely because they are perceived as having the deepest pockets. The result is an unreasonable transfer of public resources to private wealth that the Legislature has both the power and the responsibility to address

How Are Claims Against Public Entities Funded? Most cities, counties, special districts, and school districts in California do not purchase liability coverage from traditional commercial insurance carriers because it is either too expensive, does not provide sufficient coverage, or is simply not offered. Instead, they self-fund their liability coverage or they collectively pool risk through Joint Powers Authorities (JPAs), which are not insurance companies with large capital reserves. Every self-funded claim, including those paid out of a JPA, comes from taxpayer-funded member contributions paid by cities, counties, schools, and other public agencies from the same general fund dollars that pay for police officers, firefighters, teachers, road crews, and homelessness response.

When a JPA pays out claims of magnitude, every member agency in that pool feels it through higher premiums, the potential need for special assessments, reduced coverage limits, and/or increasingly, the inability to obtain coverage at all. Public agencies that have never had a single AB 218 claim filed against them are facing double-digit premium increases. For schools, this means Proposition 98 education dollars intended to support today's students are paying for decades-old liabilities. Even for cities and counties that have few claims filed against them it means delaying critical infrastructure maintenance and reducing local government's ability to provide social-safety-net services to the most vulnerable Californians.
Plaintiffs' Attorneys Are on Track to Profit Over Half a Billion Taxpayer Dollars Every Year. In civil actions against public entities, plaintiffs' counsel commonly recover contingency fees of 40 percent or more of the gross judgment or settlement. Even using a conservative 30 percent contingency assumption**, estimated plaintiff attorney fees in actions against California public entities have climbed to over $500 million annually.** In many individual cases, **attorney fees approach 50 percent of the taxpayer-funded settlement or award.** That means that for every $10 million paid by a city, county, JPA, or school district, as much as $4 to $5 million is paid to a private law firm. It does not go to the survivor, nor does it go to mental health services, prevention or victim assistance, or back to the taxpayers who funded the payment. Plaintiffs' firms

are, in many cases, the single largest beneficiaries of the current system.

Caps on Damages Are Essential to Preserve Public Services and Solvency. Support for meaningful tort reform must include caps on damages in actions against public entities. Without such caps, the cascading effects of recent legislation will only worsen, and the very real threat of insolvency among California's public agencies, already materializing in some regions, will only accelerate. California already imposes reasonable limits in medical malpractice cases under MICRA, recognizing the public interest in such restrictions. The same principle should apply when taxpayer dollars are the source of the payment.

Public Entities Should Pay in Proportion to Their Actual Fault — Not for the Crimes of Others. Under California's current liability structure, a public entity found just one percent at fault can be ordered to pay the entirety of a plaintiff's economic damages — even when the overwhelming majority of fault lies with a criminal actor who has no assets to satisfy a judgment.

The result is morally indefensible: perpetrators escape financial accountability for their conduct, while taxpayers — through their cities, counties, transit agencies, and school districts — are forced to pay for the harm that resulted. It allows perpetrators to walk away while public services are gutted to satisfy awards for conduct the public entity did not commit. **The Legislature must restore proportional (several) liability for economic damages in actions against public entities, so that they are responsible only for the share of harm attributable to the public agency's own conduct.**

Survivors Deserve Their Day in Court, and Public Entities Deserve a Meaningful Opportunity to Defend. Restoring balance to AB 218 claims involving decades-old conduct does not require closing the courthouse door to survivors. Rather, it requires recognizing that, after decades have passed, the records and witnesses needed to fairly adjudicate a claim are often incomplete or simply gone. For claims involving conduct that occurred decades ago, we urge the Legislature to restore balance by reinstating a prior-knowledge requirement, paired with a clear-and-convincing-evidence standard. Prior to AB 218, California law permitted survivors to bring claims against public entities outside the statute of limitations, when a plaintiff could show the entity "knew or had reason to know, or was otherwise on notice, of any unlawful sexual conduct" by the perpetrator and failed to implement reasonable safeguards. That framework provided a meaningful path to justice for survivors with evidence of institutional culpability while also protecting taxpayers from liability for conduct the public entity had no realistic means to anticipate, prevent, or now defend against.

Our coalition stands ready to work with the Legislature, the Administration, and the survivor community to craft a balanced, durable solution so that necessary action can be taken now. Detailed findings and supporting data are available in CAJPA's recent report, *Protecting Public Funds: The Rising Cost of Claims Against California Public Entities*. Please do not hesitate to contact us with questions or to discuss specific legislative vehicles.

Sincerely,

California Association of Joint Powers Authorities (CAJPA)
California School Boards Association (CSBA)
California Association of School Business Officials (CASBO)
Los Angeles Unified School District (LAUSD)
Association of California School Administrators (ACSA)
The Rural County Representatives of California (RCRC)
California Association of Recreation and Park Districts (CARPD)
California Special Districts Association (CSDA)
League of California Cities
Los Angeles City Attorney's Office
North Bay Schools Insurance Authority (NBSIA)
California Association of Suburban School Districts
California Latino School Boards Association
California LULAC (League of United Latin American Citizens)
ABC Unified School District
Alameda County Schools Insurance Group
Anderson Valley Unified School District
Beta Healthcare Group
Bennett Valley Union School District
Brett Harte Union High School District
Buckeye Union School District
Butte Schools Self-Funded Programs
Cajon Valley Union School District
California Affiliated Risk Management Authorities (CARMA)
California Insurance Pool Authority
California Intergovernmental Risk Authority (CIRA)
California Joint Powers Risk Management Authority (CJPRMA)
Camino Union Elementary School District
Canyon Elementary School District
Central Fire District, Santa Cruz County
Central Region School Insurance Group
Central San Joaquin Valley Risk Management Authority (CSJVRMA)
City of Arcadia
City of Artesia
City of Avalon
City of Bakersfield
City of Bellflower
City of Blythe
City of Calimesa
City of Canyon Lake
City of Carson
City of Chico
City of Citrus Heights

City of Cloverdale
City of Coalinga
City of Colton
City of Corona
City of Cotati
City of Downey
City of Duarte
City of Dunsmuir
City of Eastvale
City of El Segundo
City of Elk Grove
City of Eureka
City of Fairfield
City of Folsom
City of Fort Bragg
City of Glendale
City of Glendora
City of Grass Valley
City of Hanford
City of Hemet
City of Highland
City of Industry
City of Irwindale
City of Jurupa Valley
City of La Mesa
City of La Mirada
City of La Puente
City of Lake Elsinore
City of Lake Port
City of Lindsay
City of Live Oak
City of Long Beach
City of Madera
City of Marysville
City of Menifee
City of Merced
City of Monrovia
City of Montclair
City of Moreno Valley
City of Mt. Shasta
City of Murrieta
City of National City
City of Norco
City of Oakdale
City of Oroville
City of Palm Desert

City of Paramount
City of Pasadena
City of Perris
City of Petaluma
City of Pico Rivera
City of Placerville
City of Rancho Cordova
City of Rancho Cucamonga
City of Reedley
City of Ripon
City of Riverside
City of Roseville
City of Sacramento
City of Shasta Lake
City of Sunnyvale
City of South Gate
City of St. Helena
City of Stanton
City of Tehama
City of Tracy
City of Tustin
City of Upland
City of Vacaville
City of Vernon
City of Victorville
City of Walnut Creek
City of Weed
City of Whittier
City of Willows
City of Yorba Linda
City of Yreka
Corona Norco Unified School District
County of Alpine
County of Butte
County of Humboldt
County of Inyo
County of Kern
County of Kings
County of Lassen
County of Merced
County of Mono
County of Riverside
County of San Bernardino
County of Siskiyou
County of Solano
County of Tehama

County of Trinity
County of Yuba
Desert Sands Unified School District
Dunham Elementary School
East Bay Schools Insurance Group (EBSIG)
East Side Union High School District
El Dorado County Office of Education (EDCOE)
Employment Risk Management Authority (ERMA)
Folsom Cordova Unified School District
Galt Joint Union Elementary School District
Garden Grove Unified School District
Golden State Risk Management Authority
Hayward Area Recreation & Park District
Hermosa Beach City School District
Hope School District
Huntington Beach City School District
Indian Diggins School District
Irvine Unified School District
Jurupa Unified School District
Kelseyville Unified School District
Kern County Superintendent of Schools (KCSOS)
Kings County Office of Education
Konocti Unified School District
La Mesa Spring Valley Schools
Lemon Grove School District
Lindsay Unified School Districts
Livermore Valley Joint Unified School District
Livingston Union School District
Los Altos School District
Lynwood Unified School District
Manteca Unified School District
Moreno Valley Unified School District
Mt. Diablo Unified School District
New Haven Unified School District
Natomas Charter School
NorCal Cities Self-Insurance Fund
North Coast Schools Insurance Group
Northern California Regional Liability Excess Fund (NCR)
Northern California Schools Insurance Group
Oakley Union Elementary School District
Oroville City Elementary School District
Oroville Union High School District
Palo Verde Valley Transit Agency (PVVTA)
Palm Springs Unified School District
Poway Unified School Districts
Redondo Beach Unified School District

Redwood Empire Schools Insurance Group (RESIG)
Riverside Unified School District
Rowland Unified School District
San Marcos Unified School District
San Mateo Schools Insurance Group
Santa Clara Unified
Santa Rosa City Schools
Sausalito Marin City School District
School & College Legal Services of California
Schools Association For Excess Risk (SAFER)
Schools Excess Liability Fund (SELF)
Schools Insurance Authority (SIA)
Schools Insurance Group (SIG)
Sebastopol Charter
Sebastopol Independent Charter School
Shasta-Trinity Schools Insurance Group
Sierra Sands Unified School District
Sonoma Charter School
Sonoma County Office of Education
Southern California Regional Liability Excess Fund (SCR)
Special District Risk Management Authority
Torrance Unified School Districts
Town of Fort Jones
Town of Truckee
Tri Valley Wheels
Trindel Risk Management for Rural Counties
Tulare Joint Union High School District
Tuolumne JPA
Upper Lake Unified School District
Vacaville Unified School District
Visions in Education
West Covina Unified School District
West Side Union Elementary School District
Westminster School District
Wheatland Union High School District
Wright Elementary School District