

Abolishing Fees and Fines in the Pursuit of Racial, Gender, and Economic Equity

October 23, 1:00 pm - 2:00 pm EDT



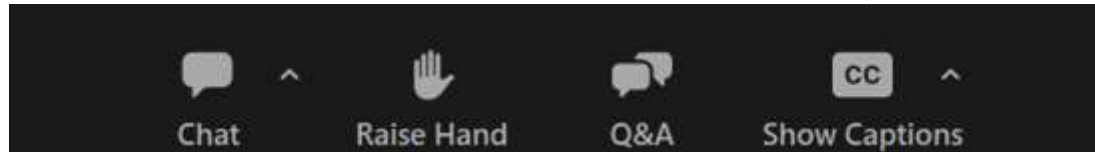
Webinar Control Panel

PARTICIPATE

Type your question in the
Q & A BOX
to be addressed during
discussion breaks or during
Q/A

CLOSED CAPTIONS

Captions can be turned on via
Show Captions
to be viewed in real-time and
will also be available in the
recording afterwards



AFN is the leading national grantmaker membership organization focused on advancing equitable wealth building and economic mobility.

- ✓ Broaden your Knowledge Base
- ✓ Connect to a Powerful National Network
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- ✓ Collaborate for Influence



**Business
Ownership**

**Financial
Health**

**Employment
& Income**

Education

Health

Housing

**The Wealth
Gap**

Speakers



Marquetta Atkins
Executive Director
**Destination
Innovation/Progeny**



Stephanie Campos-Bui
Co-Director
**UC Berkeley Policy
Advocacy Clinic**



**Hernán
Carvente-Martinez**
Executive Director
**Alianza for
Opportunity**



Nadia Mozaffar
Senior Attorney
Juvenile Law Center



**Anand
Subramanian**
Senior Director of
the People Pathway
**San Francisco
Foundation**



Stephanie Campos-Bui

Co-Director

Berkeley Law

Policy Advocacy Clinic

Fees and Fines

Fees

Variable charges imposed by court and other system actors

To recoup costs of the system

Fines

Fixed monetary penalties imposed by the court, usually according to the alleged offense

To punish and deter behavior

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

JUVENILE COURT

NO. [REDACTED]

IN THE MATTER OF [REDACTED]

Parent(s)/Guardian(s): [REDACTED]

Disposition Date: 10-24-12

ORDER FOR PAYMENT OF SUPPORT (Welfare & Institution Code 903.45)

The petition of the Financial Officer having been submitted to this court for decision,

IT IS ORDERED THAT [REDACTED]

1) shall pay to the County of Alameda **\$150.00** for legal services and **\$0.00** per calendar month OR daily rate of **\$12.64**, whichever is less for the past support of the minor (from 09-28-12 until released from juvenile institutions facility) in the following manner: in full by _____ in installments of **\$1118.28** per month, commencing 15 days after receipt of first statement.

2) shall, in addition to the payment(s) ordered in paragraph 1 above, pay to the County of Alameda **\$0.00** per calendar month or a daily rate of **\$0.00**, whichever is less, for the support of the minor effective, until released from the juvenile institutions facility or emancipated.

3) shall, in addition to the payments ordered in paragraphs 1 and 2 above pay to the County of Alameda the following fees:

| | |
|--------------------------------|-----------------------------------|
| Juvenile Investigation Fee | \$ 125.00 |
| Juvenile Supervision Fee | \$ 0.00 per month - TOTAL \$ 0.00 |
| Electronic & GPS Monitoring | \$ 7.50 per day |
| Drug & Substance Abuse Testing | \$ 0.00 per test |
| Lab Test Confirmation | \$ 0.00 per test |

4) that on 12-23-12 the parent(s)/guardian(s) incurred \$52.00 for service of process fees in addition to the above mentioned charges.

5) shall make payments payable to the County of Alameda and send payments to **CENTRAL COLLECTIONS, 1221 Oak Street, Room 220, Oakland, CA 94612.**

Failure to make payments as ordered may result in levy of execution against your property.

FILED
ALAMEDA COUNTY

JAN 15 2013

CLERK OF THE SUPERIOR COURT
BY [REDACTED]

- Legal services
- Support of the minor
- Investigation fee
- Electronic & GPS monitoring
- Service of process

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

JUVENILE COURT

NO. [REDACTED]

IN THE MATTER OF [REDACTED]

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FILED
ALAMEDA COUNTY
JAN 15 2013
CLERK OF THE SUPERIOR COURT
BY [REDACTED]

- Legal services \$150
- Support of the minor \$758
- Investigation fee \$125
- Electronic & GPS monitoring \$1,350
- Service of process \$52
- \$2,435**
- Fine **\$1,000**

Long-Lasting Economic Strain

- Youth are indigent by nature of their age.
- Most youth in the system come from low-income families that cannot afford to pay.
- Subject to involuntary collection mechanisms, including wage garnishment and tax refund intercept
- Can be converted into civil judgments

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 1328
RANCHO CORDOVA CA 95741-1328
(916) 845-4064

Notice Date: 02/03/2021
222900510002

EARNINGS WITHHOLDING ORDER FOR COURT-ORDERED DEBT

Account Number: [REDACTED]
Billing Number: [REDACTED]
Amount Due: **\$144,865.54**

**EMPLOYEE'S COPY
DELIVER TO EMPLOYEE**

Employee: [REDACTED]

We issued an Earnings Withholding Order for Court-Ordered Debt to your employer to collect your delinquent court-ordered debt pursuant to Section 10280 of the California Revenue and Taxation Code, and Section 706.074 of the California Code of Civil Procedure.

Your employer must do the following:

1. Deliver all pages labeled EMPLOYEE'S COPY of the Earnings Withholding Order for Court-Ordered Debt to you.
2. Calculate the withholding amount using the Withhold Chart in section A on PAGE 1B.
3. Begin withholding your earnings on the first pay period that ends at least 15 days after your employer receives this order.
4. Send payments until the Amount Due is paid or until we release this legal order. If you terminate employment, this order remains in effect for one year after termination date. If this employer rehires you during that period, your employer must resume withholding your earnings and send them to us - unless the Amount Due has been paid.

To mail payments:

- Make payment to **Court-Ordered Debt Collections**.
- Write your name, account number, and billing number (as shown on this order) on your payment.
- Attach a copy of this page to your payment.
- Mail payment to:

COURT-ORDERED DEBT COLLECTIONS
FRANCHISE TAX BOARD
PO BOX 1328
RANCHO CORDOVA CA 95741-1328

ADDITIONAL INFORMATION
If this order creates an undue hardship or if you already paid the Amount Due, call us immediately at (916) 845-4064. You have a right to a hearing to reconsider or modify the amount withheld. To request a hearing or a certified language interpreter, call (916) 845-4064. Persons with hearing or speech impairments, call (800) 822-6268 (TTY/TDD).

PAYMENT INSTRUCTIONS
To avoid withholding or further collection action, pay the Amount Due. To pay online and for other payment options, go to ftb.ca.gov and search My COD Account.

| Referring Office | Case Number | Amount Due | Phone Number |
|--------------------|------------------|--------------|----------------|
| CORRECTION & REHAB | NC0217464-651288 | \$144,865.54 | (916) 322-4676 |

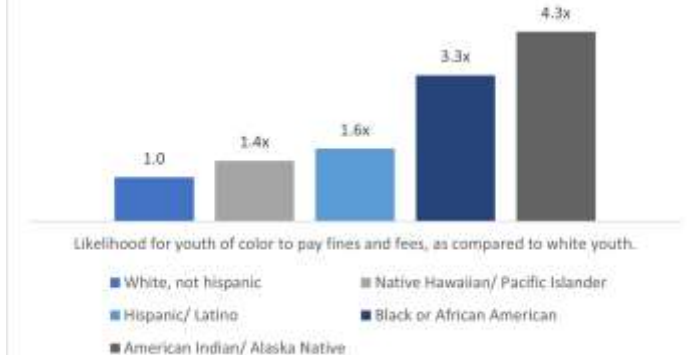
Regressive Tax on Communities of Color

- Black, brown, and Indigenous youth are oversurveilled, overarrested, and overpunished
- Communities of color bear a disproportionate burden of fees and fines

Average Juvenile Probation Conditions and Fees by Race and Ethnicity in Alameda County, 2013

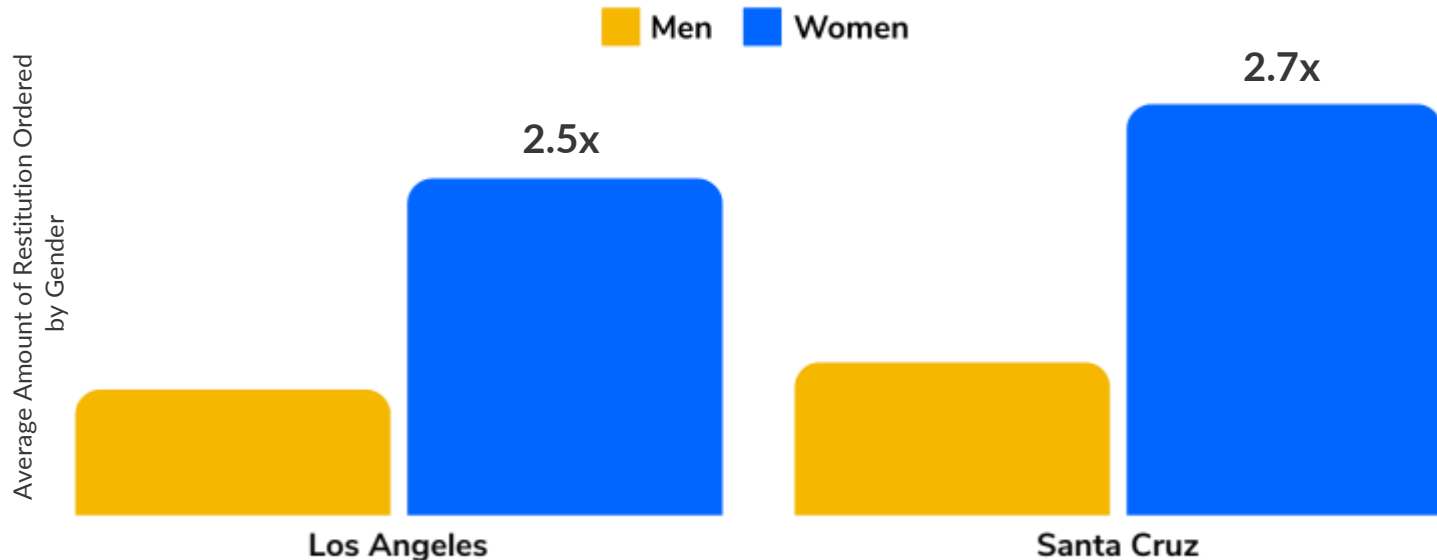
| Race and Ethnicity | Total Fee Liability | Average Probation Conditions | | | |
|--------------------|---------------------|------------------------------|--------------------------------|------------------------------|----------------------|
| | | Juvenile Hall (days) | Probation Supervision (months) | Electronic Monitoring (days) | Drug Testing (tests) |
| | | \$25.29/day | \$90.00/mo. | \$15.00/day | \$28.68/test |
| Black | \$3,438 | 25 | 22 | 34 | 11 |
| Latino | \$2,563 | 24 | 14 | 33 | 7 |
| Asian | \$2,269 | 7 | 12 | 56 | 6 |
| White | \$1,637 | 11 | 10 | 21 | 5 |
| Other | \$1,192 | 4 | 6 | 31 | 3 |

Fines and Fees in Utah
Racial and Ethnic Disparity



Disproportionate Impact by Gender

- **83%** of family members who were responsible for paying for a loved ones' court-related costs were women
- Women also face higher dollar amounts in fines, fees, and restitution than their male counterparts.





“Officers appear to see some residents, especially those who live in Ferguson’s predominantly African-American neighborhoods, less as constituents to be protected than as potential offenders and sources of revenue.”

FERGUSON POLICE DEPARTMENT REPORT

Department of Justice



Nadia Mozaffar

Senior Attorney

Juvenile
Law Center



Status of Youth Fee & Fine Elimination (2015)

Full Abolition: Legislation repealed all youth fees AND all youth fines.

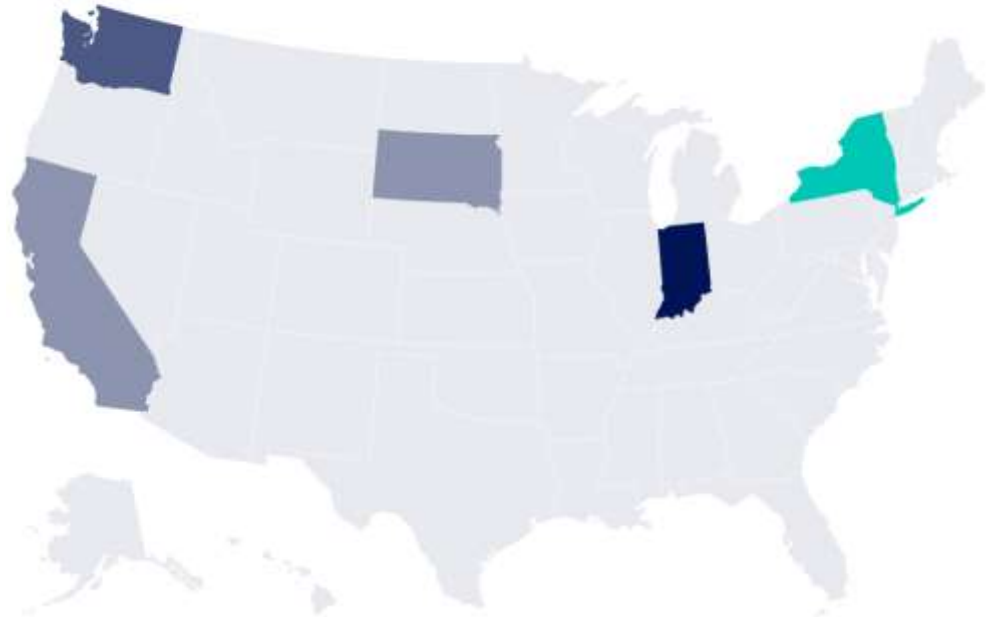
Substantial Elimination: Legislation repealed all youth fees OR all youth fines.

Partial Elimination: Legislation repealed at least one youth fee and/or fine.

Local or Other Reform: Locality repealed at least one youth fee and/or fine or some other non-legislative repeal was enacted.

No Reform Enacted: No reform enacted at the state or local level to repeal youth fees or fines.

■ Full Abolition
 ■ Substantial Elimination
 ■ Partial Elimination
 ■ Local or Other Reform
 ■ No Reform Enacted



Source: Debt Free Justice Campaign - Created with Datawrapper



2023

Status of Youth Fee & Fine Elimination (2023)

Full Abolition: Legislation repealed all youth fees AND all youth fines.

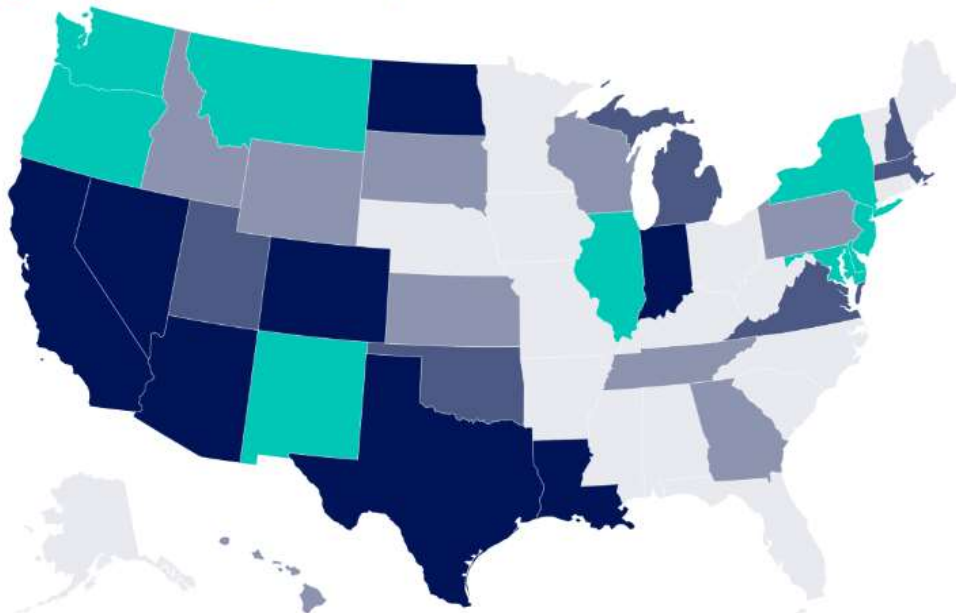
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 ■ No Reform Enacted



Last Updated January 24, 2024.

Source: Debt Free Justice Campaign • Created with Datawrapper



Status of Youth Fee & Fine Elimination (2024)

Full Abolition: Legislation repealed all youth fees AND all youth fines.

Substantial Elimination: Legislation repealed all youth fees OR all youth fines.

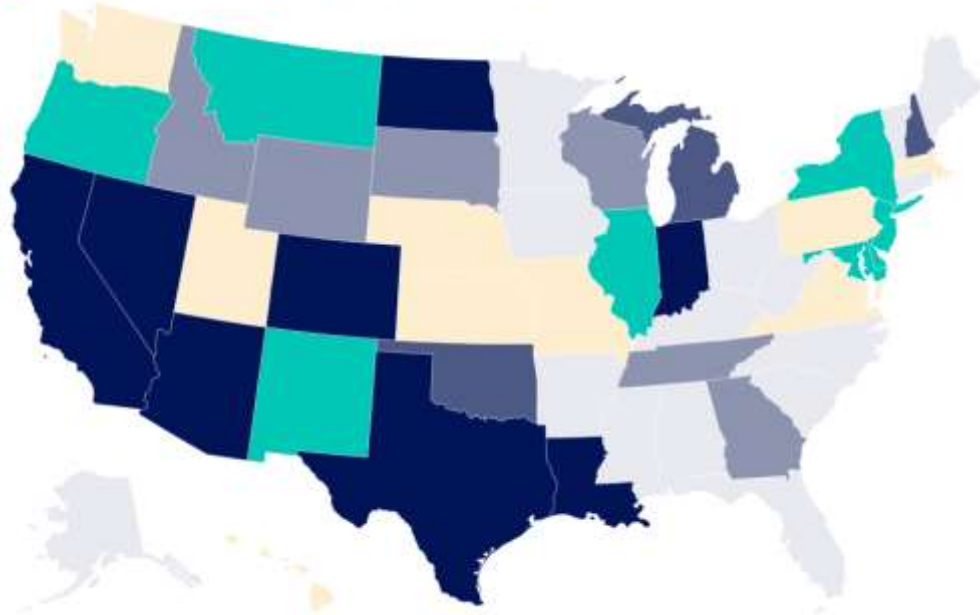
Partial Elimination: Legislation repealed at least one youth fee and/or fine.

Pending Legislation: A repeal bill was introduced and is currently pending in the legislature.

Local or Other Reform: Locality repealed at least one youth fee and/or fine or some other non-legislative repeal was enacted.

No Reform Enacted: No reform enacted at the state or local level to repeal youth fees or fines.

■ Full Abolition ■ Substantial Elimination ■ Partial Elimination ■ Pending Legislation ■ Local or Other Reform ■ No Reform Enacted



Last Updated: January 29, 2024

Source: Debt Free Justice Campaign - Derived with Geowaggle

2024



Impact on Youth and Families

- More than **\$700 million** debt discharged in reform states.
- More than **\$25 million** that families don't need to pay each year
- Almost **200,000** families relieved of this debt each year

