



**Debt Free Justice California**  
**Families Over Fees/SB 144 (Mitchell) UPDATE**  
**July 2019**

After careful consideration and consultation with impacted communities, advocates, and the Debt Free Justice California (DFJC) coalition, Senator Holly J. Mitchell (D - LA) has made the groundbreaking Families Over Fees Act a two-year bill. Senator Mitchell and the Coalition believe this path will give stakeholders an opportunity to map out a more just way to fund our budget, ultimately ensuring the most impactful version of the bill is passed and greater racial and economic justice comes to California.

The first of its kind in the nation, the Families Over Fees Act would end the assessment and collection of specified administrative fees imposed against people in the criminal justice system, and discharge all previous related debt. The bill will end the unjust practice of balancing government budgets off the backs of people of color and low-income communities.

To date, the Families Over Fees Act has gained significant momentum in the legislature, having passed the Senate with a clear majority vote. We heard passionate arguments from our legislators on why this bill is important, timely and a must pass. We are also winning in the [court of public opinion](#), seeing tremendous support from communities rallying behind our bill, and garnering national [media coverage](#) highlighting SB 144 as a response to our current broken criminal justice system.

Even organizations who oppose SB 144 agree that the status quo harms low-income Californians and is just bad policy. For example, the California State Association of Counties, Chief Probation Officers of California, Urban Counties of California, and Rural County Representatives of California acknowledged the unfairness of the current system in their opposition letter:

“We recognize that today’s system of assessing criminal fees is overly complex, and its financial and legal implications are often crippling for those who can least afford them. The associated debt often works as a considerable impediment to successful reintegration and full participation in family, community, and work responsibilities... Our organizations’ opposition is not based on the underlying policy conversation regarding lessening the financial burden associated with fines and fees levied on adults in the criminal justice system.”

The quote above confirms what we all know: there is no moral ground for such an unjust system. While we believe that the moral- and values-driven argument should be persuasive on its own in our progressive state, we also recognize the importance of giving stakeholders

an opportunity to fully discuss the logistics of shifting to a more equitable and less divisive way of funding government programs.

Building on existing research and data gathered by DFJC, we will work together with counties and the state to have better transparency about the fees they actually collect and the costs of collection of the designated fees under SB 144. We encourage counties to use these next six months to engage in this data collection process so we can all have a comprehensive understanding when the bill resumes its path to victory in January 2020.

“When a person gets arrested and churns through our criminal justice system, they accrue debt. They have to pay for their public defender and their trial. They have to pay to be locked up and then they have to pay to be released. They even have to pay to get their records cleared. It’s too much,” said Senator Holly J. Mitchell (D-LA). “This bill will relieve families from the kind of debt that impedes financial stability and true rehabilitation. I look forward to working with the stakeholders and the governor’s office in identifying the true costs related to these fees and moving the bill in 2020.”

We know the current system is wrong and must end. As aptly stated by Angelique Evans, Policy Fellow from bill co-sponsor and DFJC member, A New Way of Life, "We look forward to continue working with Senator Mitchell on SB 144 and ending the practice of stripping wealth from low-income communities and communities of color so we can focus on rebuilding our families and lives.”

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