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## **OVER TWENTY GROUPS SIGN ON TO AMICUS BRIEF OPPOSING CRIMINALIZATION OF POVERTY**

### **FOR IMMEDIATE RELEASE**

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On March 1, 2017, East Bay Community Law Center filed an amicus brief in *People v. Duenas* on behalf of over twenty nonprofit and grassroots organizations in California. The brief opposes the imposition of court fines and fees when a defendant is unable to pay.

Velia Duenas is a disabled, homeless, indigent mother of two young children. Having received tickets when she was a teenager that she could not afford to pay, her driver's license was suspended for nonpayment. She is presently facing a conviction for driving with a suspended license. At a court hearing, the judge imposed \$220 in fines and fees despite Ms. Duenas's precarious financial condition.

"In a time where economic insecurity is widening, where the financial and human toll of incarceration is now known, we simply cannot turn a blind eye to the pervasive ways in which poverty is criminalized in California," said Brandon Greene, Staff Attorney at the East Bay Community Law Center.

"This brief recognizes the importance of an ability to pay hearing as fundamental to a fair criminal justice process," said Theresa Zhen, Staff Attorney at the East Bay Community Law Center. "It is irrational, unjust, and counterproductive to impose fines and fees on people like Ms. Duenas who are not capable of paying."

In the amicus brief, the public interest organizations assert that, "court fees permanently and irreversibly harm indigent defendants [by] subjecting individuals to aggressive collections methods and compounding poverty penalties, extending the period of supervision until debts are paid, imposing the threat of incarceration for nonpayment, limiting the availability of criminal records remedies, creating or exacerbating mental health problems, passing the debt burden onto family members and friends, and establishing a basis for driver's license suspension and increasing barriers to employment." The brief argues that, "in order to satisfy fundamental principles of justice and fairness, all fines and fees should contemplate a defendant's ability to pay, or at minimum consider alternatives to imposition of a fee."



The brief was co-signed by A New Way Of Life Reentry Project, American Civil Liberties Union of Southern California, All Of Us Or None - Los Angeles, All of Us or None - San Francisco, Bay Area Legal Aid, California Association of Local Conservation Corps, Civicorps, Community Coalition, Contra Costa County Public Defender, Contra Costa Racial Justice Coalition, Drug Policy Alliance, East Bay Community Law Center, Ella Baker Center, Equal Justice Society, Essie Justice Group, Hillary Blout (Former Prosecutor), Homeboy Industries, Lawyers Committee For Civil Rights Of The San Francisco Bay Area, Legal Services Of Northern California, Legal Services for Prisoners With Children, Neighborhood Legal Services of Los Angeles County, Root & Rebound, and Rubicon Programs.

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The East Bay Community Law Center (EBCLC) provides free legal services to eligible East Bay clients. Since its founding in 1988 by law students at UC Berkeley School of Law, EBCLC has become the largest provider of free legal services in the East Bay. To learn more, go to [www.ebclc.org](http://www.ebclc.org).