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Center on Juvenile
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THE W. HAYWOOD BURNS INSTITUTE
FOR JUVENILE JUSTICE FAIRNESS AND EQUITY



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COALITION HAILS GOVERNOR FOR SIGNING HISTORIC JUVENILE JUSTICE REFORM BILL, AND CALLS FOR AN IMMEDIATE END TO ALL JUVENILE FEE ASSESSMENTS AND COLLECTIONS

SACRAMENTO—Yesterday, Governor Jerry Brown signed [Senate Bill 190](#), a major, bipartisan juvenile justice reform bill that will improve youth rehabilitation and increase public safety. Effective January 1, 2018, SB 190 ends the harmful, unlawful and costly practice of charging administrative fees to families with youth in the juvenile system.

More specifically, SB 190 repeals state law authorizing counties to charge administrative fees to parents and guardians for their children's detention, legal representation, probation supervision, electronic monitoring and drug testing in the juvenile system.

SB 190 was co-authored by Senators Holly Mitchell (D-Los Angeles) and Ricardo Lara (D-Bell Garden) as part of their Equity and Justice reform package. The bill was co-sponsored by a dozen community groups working to end fees imposed on youth and their families and, more broadly, to reduce the negative impact of juvenile justice system involvement.

“We are thrilled about the Governor’s signature and applaud the lawmakers from both parties who worked to get the bill to him. Hopefully, lawmakers in other states will follow California’s lead,” said Jessica Bartholow of the Western Center on Law & Poverty. “This historic step to end the crushing and counterproductive debt that counties have been imposing on vulnerable families would not have been possible without the families and youth who have been organizing for years to shed light on these unjust fees.”

[Research](#) by the Policy Advocacy Clinic at the U.C. Berkeley School of Law documented how such fees undermine both the rehabilitative and public safety purposes of the juvenile system. Because of discrimination in the juvenile system, even after controlling for underlying offense, researchers found that families of black and brown youth are liable for higher fees than families of white youth. Moreover, criminologists have found that the imposition of juvenile fees correlates with higher youth recidivism.

Since 2009, seven counties have reduced or ended juvenile fees, including Alameda, Contra Costa, Los Angeles, Sacramento, Santa Clara, Solano and Sonoma (San Francisco has never charged fees). But 51 counties still charge one or more juvenile fees, which can add up to thousands of dollars per family.

SB 190 will halt all new county charges as of January 1, 2018, but the bill does not end collection activity on prior charges, nor does it undo the harm caused by court judgments against families who have been unable to pay off outstanding debt or address unlawfully collected fees.

Kim McGill of the Youth Justice Coalition observed the ongoing harm families experienced even after the YJC pushed Los Angeles to suspend the assessment of most juvenile fees in 2009, but saw the County continue collecting debt from low-income families in many ways: “We should learn from L.A.’s experience—the state must enact clear, consistent laws across California to end all fees and fines, cease punitive collection practices, and free youth and their families from this relentless, unjust debt.”

Elisa Della-Piana of the Lawyers Committee for Civil Rights of San Francisco Bay Area notes the importance of a clean slate: “Unless counties stop collecting old fees, families who can least afford it will continue to labor under this regressive and racially discriminatory debt.”

“Counties should act in accordance with the sound public policy that motivated the Governor and the Legislature to enact SB 190 by immediately suspending all new assessments. There’s no reason to keep charging families one day longer,” said the East Bay Community Law Center’s Kate Weisburd, who represents youth in Alameda County’s juvenile system. “But they shouldn’t stop there. They should discharge existing debt, most of which is uncollectible anyway, and they should reimburse families for all unlawfully collected fees.”

The Coalition will continue to work diligently on the implementation of SB 190 to ensure that families with youth in the juvenile system are relieved from onerous fee debt that undermines rehabilitation and public safety.

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