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Senator Steven Bradford Introduces SB 586 to Abolish Unjust Fees and Pursue Debt Free Justice for All Californians

SACRAMENTO - Today, Senator Steven Bradford introduced Senate Bill 586 which will end the assessment and collection of administrative fees imposed against people in the criminal legal system.

Last session, the Governor signed [Assembly Bill 1869](#) which abolishes 23 administrative fees in the criminal system effective July 1, 2021. This new legislation would build on that work by eliminating the over 60 fees that can still be charged to millions of Californians shuffled through our criminal system each year.

According to Senator Bradford (D-Gardena), “California has made positive steps in the last few years toward providing relief to individuals and families from the burden of unnecessary fines and fees. However, there is still work to be done. I am proud to author SB # to eliminate the remaining administrative fees that people in the criminal system face so that they can focus on successfully returning home to their families and communities.”

Currently, California law permits counties to charge people administrative fees for diversion programs, drug and alcohol testing, civil assessments, record sealing, and even a fee for being put on a payment plan. These fees can quickly add up to thousands of dollars for a single person and pose significant barriers to reentry. Unpaid fees can be enforced via wage garnishment, bank levy, and tax refund intercept. People who cannot afford traffic fees can lose their licenses for not appearing in court or not paying, and can be arrested for driving on a suspended license.

For example, in criminal and traffic court, a single missed court date causes the immediate imposition of a \$300 civil assessment fee, easily doubling the amount of fines and fees owed. The fee is extremely difficult to get rid of and remains in place even if the underlying case is dismissed. Processing and other add ons often add an additional \$15 or \$20 dollars.

SB 586 builds on years of organizing, advocacy, and research by [Debt Free Justice California](#). [Research](#) by the coalition has shown that imposing fees on people in the criminal system is racist in practice, creates high pain because it leaves many with insurmountable debt, and is ultimately low gain because

counties net little, if any, revenue from these fees. More pointedly, due to over-policing and racial bias throughout the system, the burden of these fees falls disproportionately on Black and Latinx communities.

“California has taken great steps to grapple with the ways in which racism and racialized wealth extraction pervade the criminal legal system but there is more work to do. We are excited that Senator Bradford has taken up the mantle of Debt Free Justice. We look forward to continuing the work of abolishing these oppressive fees and ending their detrimental impact on Black and Brown communities,” says **Brandon Greene, Racial and Economic Justice Director with the ACLU of Northern California.**

The passage of AB 1869 has increased growing momentum towards action on fee elimination at the county level. Although AB 1869 does not go into effect until July 1, 2021, in November 2020, [Yolo County](#) decided to accelerate implementation due to low collection rates, the need to transition staff, and recognizing the benefit of relieving residents of the burden of these fees. Other counties have taken further action to end this harmful practice of racialized wealth-stripping by eliminating fees that were not included in AB 1869. This includes [Los Angeles County](#), home to over one-quarter of the state’s population, which eliminated all fees within its discretion, including fees set for elimination under SB 586.

"After over a year of organizing, we moved Los Angeles County to eliminate all discretionary criminal administrative fees. But community members in other counties throughout California still need relief and there are still select fees that require action by the Legislature to eliminate," says **Kent Mendoza, Manager of Advocacy and Community Organizing with the Anti-Recidivism Coalition (ARC).** "SB 586 would ensure alignment and further equity for communities ravaged by fines and fees across the state of California."

The state has also wrestled with the collection of fees within the last year. In March 2020, the California State Controller placed a [moratorium](#) on the Franchise Tax Board’s collection of all government-imposed debt. In December 2020, California Attorney General Xavier Becerra [issued a reply brief](#) on behalf of the State of California in *People v. Kopp*, “arguing that the imposition of unaffordable court user fees -- which primarily serve to raise money for court processes and are not tied to culpability -- on indigent criminal defendants statewide is unconstitutional.”

SB 586 provides much needed relief from the remaining unjust fees within our criminal system during a particularly vulnerable time for many Californians. COVID-19 has exposed the racialized economic and health structures of our state and our country. The same Black and Brown communities that face targeted over-policing and higher rates of fees have been disproportionately impacted by the virus and subsequent economic impacts. As communities face increased health costs and dramatic unemployment caused by COVID-19, the pain of these fees is higher than ever before and relief is needed more than ever.

Nathaniel Watkins, a resident of Alameda County with outstanding debt in Alameda and Contra Costa Counties says, “Having court-ordered debt has been a real nightmare. It feels like being chased by a boogeyman, or having a dark cloud hanging over your head, constantly storming all the time. Every time I turn around, someone’s asking me to take my money. No pre-warning, no nothing, the money is just taken. It’s like having a noose around your neck and not knowing when they’re going to hang you. It’s a helpless feeling. Being arrested has stopped me from being able to work, get jobs – and every time I get a couple dollars, they come in and take it out.”

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