



1785 NE Sandy Blvd #300
Portland, OR 97232
youthrightsjustice.org
(503) 232-2540

February 1, 2021

To: Senate Committee On Judiciary and Ballot Measure 110 Implementation
From: Amy Miller, Executive Director

Re: Support for SB 422: Eliminating juvenile administrative fees

Dear Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee,

Youth, Rights & Justice is Oregon's only non-profit juvenile public defense firm. Every year, YRJ represents over 1200 children and parents in Oregon's juvenile court system. All of our clients come from low-income families. Most have suffered significant trauma and many have physical, mental health and/or substance abuse issues. Approximately 45% are children of color. Because of our unique position handling court-appointed juvenile cases, we often see the same systemic problems and we work to change the policies that contribute to these problems.

Juvenile justice system involvement creates consequences that can last a lifetime. Even after a youth has matured and has been rehabilitated, youth and their families may be burdened by fees incurred through participation in the system. **Our goal is to remove barriers that limit a youth's ability to achieve successful adulthood. Therefore, we urge your support of SB 422.**

This bill eliminates juvenile administrative fees and brings Oregon in line with CA, NV, WA, and several other states. We are grateful to Senator Manning and Representative Sollman for sponsoring the bill and to Senator Manning for convening a stakeholder workgroup last fall to discuss this concept.

Administrative fees are common in Oregon's juvenile justice system. They are not designed to serve rehabilitative or community safety goals, and they are distinct from restitution assessed for victim compensation. Although practices appear to vary by county, juvenile departments and circuit courts regularly charge administrative fees in delinquency cases and aggressively collect unpaid fees from youth when they turn 18 and their families. In addition, the Child Support Division collects "child support" fees for youth in OYA custody.

Juvenile fees (including court appointed counsel, supervision and monitoring fees, testing fees, and support fees for youth in OYA custody) are racially discriminatory. Across the state, juvenile

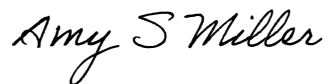
fee practices appear to vary considerably, falling more heavily on rural, Black, and Indigenous Oregonians who are overrepresented in the juvenile system as a whole.

Furthermore, the cost of collecting juvenile fees is increasing while the revenue generated is decreasing. Circuit courts assess far more in fees than they collect each year, and revenue is minimal. For example, in 2019, circuit courts imposed approximately \$260,000 in juvenile administrative fees and collected just under \$61,000.¹ For “child support” fees, in 2019, the state of Oregon spent approximately \$866,000 to collect just over \$864,000 in OYA fees.²

Elimination of juvenile fees will help youth and their families find financial stability. Too often, the inability to pay pushes youth deeper into the juvenile justice system and exacerbates the family’s economic distress. There are significant consequences for failure to pay, ranging from collections, garnishment, and civil judgments to extending detention or probation. Research shows that fees also undermine trust in the juvenile justice system, are correlated with increased recidivism, and can have adverse impacts on mental and emotional health.³

Thank you for your consideration of this important issue.

Sincerely,



Amy Miller
Executive Director

¹ UC Berkeley Policy Advocacy Clinic, Total Oregon Circuit Court Juvenile Fees & Fees Assessed and Collected (July 2020), <https://berkeley.box.com/s/4eg724oy5xhbmicwvrlv8n8fmyofwgxe> (view "Fees" tab).

² See OREGON DEPARTMENT OF JUSTICE, OREGON CHILD SUPPORT PROGRAM, CHILD SUPPORT INFORMATION RELATED TO OREGON YOUTH AUTHORITY (OYA) (2020), <https://berkeley.box.com/s/oprz08vy7q4wcq7rumku7wgg10cjyjmj>. Note that of the \$866,268 spent to collect the fees, \$541,941 of the cost was eligible for IV-D federal match (66% fed/34% state funds).

³ JESSICA FEIERMAN ET AL., JUVENILE LAW CENTER, DEBTORS’ PRISON FOR KIDS? THE HIGH COST OF FINES AND FEES IN THE JUVENILE SYSTEM (2016), <https://debtorsprison.jlc.org/documents/JLC-Debtors-Prison.pdf>. Alex R. Piquero & Wesley G. Jennings, Research Note, *Justice System-Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders*, 15 YOUTH VIOLENCE & JUV. JUST. 325 (2016), <https://debtorsprison.jlc.org/documents/JLC-Debtors-Prison-criminology-study-2016.pdf>. LESLIE PAIK & CHIARA PACKARD, IMPACT OF JUVENILE JUSTICE FINES AND FEES ON FAMILY LIFE: CASE STUDY IN DANE COUNTY, WI (2019), <https://debtorsprison.jlc.org/documents/JLC-Debtors-Prison-dane-county.pdf>.