



Hearing SB 422, February 2, 2021
Testimony of Anjana L. Kumar, Staff Attorney for the Criminal Justice Reform Clinic:
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- My name is Anjana Kumar, and I am a staff attorney for the Criminal Justice Reform Clinic (CJRC or the Clinic) at Lewis & Clark Law School in Portland. I specifically work in the Youth Legal Clinic (YLC), where we provide legal services to all youth incarcerated in the Oregon Youth Authority's closed correctional facilities and camps.
- I am here today in support of SB 422 and to share our insights into the devastating impacts of juvenile fees and fines on the youth and their families.
- The Criminal Justice Reform Clinic formed YLC in 2018 to ensure that all incarcerated youth in the state of Oregon had continued access to courts and legal resources, and to understand their constitutional rights while incarcerated.
- Since its inception, YLC has served over 500 incarcerated youth, providing a range of services such as presentations about their rights to challenge their adjudications or convictions through Direct Appeals, Post-Conviction Relief, and Federal Habeas Corpus, reviews and explanations to the youth about their specific legal cases, legal research assistance and help with writing and filing *pro se* motions, to name a few.
- Through our services, we have discerned that, despite their indigent status, youth are burdened with an exorbitant amount of court fees: court appointed counsel fees, probation fees, criminal fines, to name a few. We see this so much that over the last year, we started assisting youth with asking trial courts to reduce or completely waive their fees. Most youth had no idea that they were even ordered to pay these fees.
- These juvenile fees are routinely sent to collections despite the youth's incarceration, furthering their financial stress and burdens to effectively re-enter the community.
- Additionally, they disproportionately impact youth of color and low-income families, creating serious financial burdens for already struggling families.

- While assisting youth in filing *pro se* motions to waive their fees and fines, youth regularly share the impacts these fines of have had on them and their families:
 - *“I was thirteen when I was adjudicated for my crime. I had five siblings so my mom stayed at home while my stepfather worked, at minimum, three different jobs to try to support us all. I certainly couldn’t get a job; one can’t legally work at that age. When the court told me I had all these fines to pay, my heart just sunk further. I knew my family would help if they could; but they would have to choose between providing the basic necessities to my siblings or paying off these fines.”*
 - *“We didn’t understand. We told the court we couldn’t afford an attorney. I believed I had gotten a court appointed attorney – I mean, I know I did. But somehow, at the end of my case, I was still told I had to pay hundreds of dollars for this attorney. How does that make any sense?”*
 - *“I want to pay these fines back. I do. But I get paid cents on the dollar here at OYA. I try to work as many hours as I can to save up my money. But now I’m being told that in addition to these fees, I have another \$200 I have to pay because my family and I didn’t pay off the fees within 30 days, and these fines are now in collections??”*
- Many of these youth come to OYA already having faced a number of struggles, burdens, and trauma. At OYA, they begin to take advantage of the programs, treatments, and education available to them. However, to saddle these youth and their families with these financial burdens only hinders their growth and rehabilitation.

I speak on behalf of the Criminal Justice Reform Clinic and we fully support the passage of SB 422 in abolishing juvenile fees and fines. These juvenile fees continue the cycle of poverty by imposing further financial burdens on low-income families, especially families of color.

Thank you for this opportunity to testify on this bill.

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