



February 2, 2021

**Re: Support for SB422 Eliminating Juvenile Administrative Fees**

Dear Chair Prozanski, Vice-Chair Thatcher, and members of the Committee.

Thank you for the opportunity to testify today. The Justice Action Network is the nation's largest bipartisan criminal justice reform organization. We work to pass bipartisan reforms that makes our criminal justice system smarter, fairer, more efficient, and more effective. The Justice Action Network is testifying in support of [Senate Bill 422](#) – a bill that makes the juvenile justice system fairer, our communities safer, and saves Oregonians money as the state recovers from the COVID-19 pandemic.

Protecting public safety and holding people accountable is the cornerstone of a fair and just criminal justice system. This is true in the juvenile justice system as well, where youths are held accountable for their actions and, in instances where an individual has been harmed, provide restitution to their victims. However, the juvenile justice system should not charge children and their families for accessing the juvenile justice system. Senate Bill 422 moves Oregon in the right direction, eliminating user fees for children and their parents. We urge you to also consider eliminating juvenile delinquency fines in addition to fees as well as making the bill retroactive. This will give children and their families the best chance to succeed and avoid entering adulthood with court debt that will hinder them in becoming productive members of society.

Oregon currently authorizes fines and fees at every step of the process – potentially saddling children and their families with thousands of dollars of court debt. And while Oregon statutes allows for the waiving of some of these fines and fees for indigent youth, the process is cumbersome and does not allow for the elimination of all fines and fees. A recent [analysis](#) found that Oregon court officials believe over 90% of delinquency proceedings to involve indigent families. Trying to extract money from families struggling to house and feed themselves will only further stress children and negatively impact the goal of the juvenile justice system: to rehabilitate youth. Spending court time on assessing indigency when nearly all families are indigent and then trying to obtain fines and fees from them is a poor use of taxpayer resources.



Eliminating this practice would save money and staff time, time better spent on providing supervision and support to children and their families.

And Oregon is paying for the privilege of levying fines and fees on children. Others have testified to this same point, but it's worth repeating: Oregon spends more money to collect juvenile fees than it collects. If this had a positive impact on youths' futures or reduced recidivism in some capacity, this might make sense. But that is not the case: [research](#) has found the higher debt loads to be correlated with higher rates of recidivism. **Oregon is now paying for more crime and less stable families.** By eliminating these harmful practices of levying fines and fees on youth, Oregon will reduce crime and save money.

We also urge you to consider making this bill retroactive. It does not impact restitution, so individuals who had suffered property loss or bodily harm would still need to be repaid, but the significant court debt for both fines and fees is a burden on families and children that keeps them from fully rejoining society. [Over](#) 60% of existing fees from the past 32 years remains uncollected, and over 30% of existing fines from that same period remain uncollected. This is millions of dollars that are hanging over children's heads – money that will be garnished from wages or result in other detrimental action towards youth potentially years after their crimes.

We owe it to Oregon's children and their families to help them be successful – through holding them accountable and helping them become productive members of society. The levying of onerous fines and fees on youth accomplishes neither of those tasks. That is why we ask you to support Senate Bill 422 and make it even better by expanding to include juvenile fines and support those children that currently have been unable to pay past fines and fees. Thank you for your time and please do not hesitate to contact us if you should have any questions about the information presented in this testimony.

Sincerely,

Carl Filler  
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Justice Action Network