

SB 144 (Mitchell) -

Please submit your letter by (1) Faxing to: [\(916\) 445-4688](tel:9164454688); (2) You may also mail your letter to: Senate Public Safety Committee, State Capitol, Room 2031, Sacramento, CA 95814; or (3) [Uploading Here](#). Please also send a copy of your letter to: Bridget.Kolakosky@sen.ca.gov; dharati@homeboyindustries.org; enunez@antirecivism.org; and mgalindo@anewwayoflife.org.

Honorable Nancy Skinner
Chairperson, Public Safety Committee
California State Senate
State Capitol, Sacramento, CA 95814

RE: Urge Support for SB 144 (Mitchell) – End Criminal Justice Fees

Dear Chairperson Skinner,

I am writing to support Senate Bill 144, introduced by Senator Holly J. Mitchell, which will end the assessment and collection of administrative fees imposed against people in the criminal justice system, and expunge all previously assessed related debt.

My son was one of the thousands of young people that became addicted to opioids in his late teens. The last five years have been a struggle not only for him, but for his father and I. Matty's addiction to opioids led him using and eventually dealing heroin to support his own habit.

His father refused to see Matty's problem as more than "pot" although I plead with both of them that Matty's looks and behavior signaled it wasn't just marijuana and he needed help. It wasn't until his first arrest and incarceration in June of 2017 that we finally were able to get our son to admit how badly he was addicted.

I would like to add here, that my ex husband is a cancer researcher with a master's degree and has worked for both the University of Michigan and UCSD. I am a degreed professional person as well. We are both Caucasian.

I have an African American friend and colleague who has told me if this happened to her son, the sentencing would most likely be 5x as long. As disturbing as this is to know, the debts that pile up because of our criminal justice system are, well, criminal in themselves. Howard and I both have incomes that cannot support a \$20,000-per-month drug rehab, which is about what most in-patient centers cost. Three years ago, bail alone was \$10K, not to mention the attorney costs.

Adding the administrative fees...OMG! It's hard enough to have a son with a drug problem and trying to figure out how to help him...then adding all the fees to his incarceration periods – yes – it took a couple short stints in jail for him to commit to staying clean. Suboxone has helped. He's out now, but the bills following him will make it very difficult to get his life on track. Because of COVID-19, it's been difficult for him to even attain a driver's license or get a real job.

Before discovering opioids with his high school "friends", Matt was a Gate/Seminar student in Mira Mesa, played honors violin, the bass guitar in a band call "Surburban Boredom," can solve a Rubik's cube in under a minute. Drug addiction tore his life apart and broke my heart. I hope and pray that at 23 he still has a chance for a good life.

Now, back to the fees...at every point in the criminal legal process – booking and arrest to representation by a public defender and probation supervision, he faced a host of fees...and he was 19 and had never held a job! How does a young person cope with getting clean, mounting bills and having never been employed? There are even fees charged for the collection of fees!

Although state law authorizes these fees, local jurisdictions decide which fees to impose and in what amounts. While some counties have ended the collection of fees and others are contemplating ending collections, 56 of 58 California counties currently charge one or more administrative fees.

The fee types, amounts, and burdens on individuals vary widely by county and even courtroom, **resulting in a very uneven application of justice.** If an individual fails to repay their debt in full or make payments on time, a county can refer the debt to the state Franchise Tax Board which can intercept tax credits, garnish wages or levy bank accounts to secure the debt owed. Often times, the collection of this debt is in direct conflict with payment of restitution and child support, and it is always in conflict with meeting the basic needs of the people subjected to the fees and their families.

Years of research on fines and fees in California, including a review of state law, county policies and practices, state and local data, and the experiences of individuals in the criminal justice system, have found that these fees are unjust, high pain, and low gain.

Because low-income people of color are overrepresented at every stage in the criminal legal system, even when controlling for alleged criminal behavior, these fees have a disparate impact on communities of color and contribute to the racial wealth gap that undermines our economy and our democracy.

What's more, studies have found that even though these fees are considered largely uncollectable by counties, the debt they cause correlates with a greater likelihood of recidivism, even after controlling for case characteristics and demographics. **These negative outcomes only make reentry harder and do not support improved public safety.**

Eliminating administrative fees will allow people who are formerly incarcerated to devote their already limited resources to critical needs like food, education, housing, and health insurance for themselves and their families.

Repealing criminal fees will result in improved employment prospects for formerly incarcerated people and put more money in the pockets of economically insecure families, aiding successful reentry and reducing California's recidivism rate. For these reasons, I support SB 144 and urge your "Aye" vote.

Sincerely,

Joelyn D. Brickner

CC: Honorable Holly J. Mitchell, California State Senate (Author)