Statement on Abolishing Youth Fines & Fees

Each year approximately $800,000 young people appear in court. In the majority of cases, young people and their families are required to pay fines and fees for this system involvement. Because of structural racism and the over-policing of communities of color, these penalties disproportionately harm Black, Latinx, and Indigenous youth and families. Instead of providing support or meeting the goals of rehabilitation, these punitive measures put an unnecessary and added financial burden on the young people and families who are also most at risk of being unemployed/underemployed or living in poverty, which then pushes them further into the legal system when they are unable to pay.

Young people cannot afford to pay these fees. Some are legally too young to hold a job and most are enrolled full-time in school. Those who do seek employment typically find limited job opportunities and non-living wages. This reality then shifts the financial burden to family members who are often struggling themselves, causing economic strain and exacerbating tension in family relationships.

Inability to pay leads to serious harmful consequences. Unpaid court fees can allow for young people to remain on probation longer, face additional court visits, and sometimes, being placed in a youth correctional facility or removed from their home. Inability to pay can also prevent youth from expunging records or holding a drivers’ license and can lead to civil judgments levied against them. These cascading consequences, in turn, often create barriers to education and employment and impact credit scores, causing devastating long-term financial impact. In addition, many families go into debt to pay youth justice system fees or find themselves choosing between basic necessities like rent or food and these legal obligations.

Fines and fees also undermine public safety. Research has shown a link between fines and fees and recidivism, likely because fines and fees lighten family tensions and direct youth attention away from positive social and emotional learning opportunities.
Fines and fees also disproportionately impact poor communities and widen existing racial disparities. Young people with financial resources to pay are more likely to be diverted out of the justice system. Even among those better-resourced youths who remain in the justice system for further case processing, they are more likely to remain in their communities, receiving community-based services and treatment. Youth living in poverty are more likely to face separation from their families and incarceration. Moreover, because structural inequity and disparate treatment leads to more Black, Latinx and Indigenous youth in the justice system, the burden of these financial obligations falls disproportionately on families of color.

Many of us have witnessed firsthand how obligations to collect fines and fees can warp the relationship between our staff and youth and families, turning our staff, as one researcher put it, from “social workers” into “bill collectors.” It is vital for youth justice agencies to increase the justice system’s legitimacy by forming supportive bonds with youth and families, a process that charging and collecting fines and fees is antithetical to.

As current and former leaders of youth justice agencies around the country, we believe that the time has come to end the practice of charging fines and fees to young people and their families for youth justice system involvement. We oppose these punitive and ineffective practices that exacerbate racial and economic inequity and create barriers to opportunity for youth, families, and communities.

Fortunately, efforts to advance equity and pursue social and racial justice have already led to positive change. In the last six years, eight states have passed legislation eliminating fines, fees, or both from their youth justice codes; at least 11 others are now considering such legislation. And many more jurisdictions have instituted local change. But it is not enough.

Each state must protect its youngest and most vulnerable residents and their families from unnecessary burdens and harms, and offer them rehabilitation, hope, and the opportunity for growth and success. Abolishing fines and fees is consistent with this duty and is aligned with YCLJ’s core values, and we urge every jurisdiction across the country to do so.