

Juvenile Fines and Fees

2021 Statewide Listening Sessions

The justice system in Kansas imposes thousands of dollars in debt on youth and their families—debt that many Kansans can't afford to pay. The Kansas Debt Free Justice Coalition is fighting for the removal of all youth fines and fees as part of a national campaign to end debt-based systems of justice. As part of this work, the ACLU of Kansas wanted to know: **what do Kansans know about the fines and fees crisis, and what do they think about reform?**

To begin to answer these questions, in November 2021 the ACLU of Kansas sponsored virtual focus groups with Kansans from diverse demographic groups. Those groups were:

- Black, middle-class, community members
- Latino/Hispanic, urban community members
- White, rural community members
- Mixed-race/ethnicity, mixed-income community members in Shawnee County

Overall, participants agreed:

youth fines and fees must end, and Kansans want #DebtFreeJustice.

General Awareness and Opinions of Youth Fines and Fees

Most focus group participants were not aware of youth fines and fees in the Kansas court system, but those who were spoke about the exorbitant costs and financial burdens on families.

When presented with a list of fines and fees in a sample scenario, participants questioned the reasons behind the fees and had concerns with the variety of fees that can be imposed. Overall, participants resoundingly pushed back on funding our court system on the backs of young people.

What Kansans are Saying about Youth Fines and Fees

In discussing fines and fees, major themes emerged across the participants. There was strong consensus in opposing fines and fees, and reasoning often fell into one of three major objections: the (lack of) **purpose**, the extraordinary **cost**, and the devastating **consequences** fines and fees have on Kansas families and kids.

Here's an overview of their feedback in these three categories:

Purpose

Consistent themes in feedback:

- Across demographic groups, participants did not believe that these fines/fees prevent young people from committing future crimes.
- Participants discussed the need for restorative justice versus helping fund the Kansas court system on the backs of people who can least afford it.
- Participants repeatedly asked: What are the goals for these harsh consequences?

Quotes from participants:

“I don't think adding fees prevents young people from causing future crimes. Again, most of them don't even know these fees are coming, when they're doing what they're doing...I think this is a terrible way of preventing people from doing things like this in the future.”

“It can't be preventative because people don't know it until they're in the middle of it. And the other thing that they don't know is that the failure to pay these fines could ultimately end you up in jail.”

“I don't think consequences like this stop people from committing crimes.”

“I think there's a big difference between discipline and punishment. And this doesn't look like discipline, this is definitely punishment. And the thing is with punishment - it never inspires somebody to not commit crimes. Because punishment is just meant to beat you down. Discipline is meant to get you together so you can get back up and keep moving.”

Cost

Consistent themes in feedback:

- The majority of participants felt the fines/fees are unfair and exorbitant.
- Some participants volunteered that the financial burden would impact the entire family.
- Participants unanimously expressed that these fines and fees would have a negative impact on a family's overall quality of life.

Quotes from participants:

“This is an opportunity to recover costs. It’s a cost center for the municipality, or the county, or whomever to cover budget because the legislature won’t. This is how we fund our courts on the backs of young people, poor people, and that’s absolutely unfair.”

“It’s easy to see how...young people and families get stuck in the system and how it really it is a systemic problem... [W]e have whole families that have to carry the weight of this for the rest of their life.”

Consequences

Consistent themes in feedback:

- Some participants discussed the snowball effect of compounding issues due to one incident (e.g., impact to credit scores, employment, possible jail time, family stress, financial distress).
- Some participants volunteered that the financial burden to pay these fees would impact the entire family.
- Participants unanimously expressed that these fines and fees would have a negative impact on the family's overall quality of life.

Quotes from participants:

“To me it’s quite clearly unjust because it would have such a drastically different effect on a lower income family than a higher income family. There are many families for whom that \$1,000 is just an irritation, but there are families who have a hard time coming up with 20 bucks. To come up with \$1,000 would be a tremendous hardship. It’s clearly unjust to me and I doubt that it would be much of a deterrent.”

“Our youth of color are already getting the messages that statistically they’re not going to go very far. Now, if they’re going to get caught in the system, it’s just going to make them feel even worse about it. [Fines and fees are] just tracking them to stay in the system, the pipeline to prison.”

WHAT YOU CAN DO

The Kansas Debt Free Justice Coalition wants to eliminate fines and fees for youth in the criminal legal system. Learn more at www.debtfreejusticeks.org.