

Making Them Pay: The Devastating Impact of Fines and Fees on Our Youth



A REPORT BY THE YOUTH 4 JUSTICE
NEW JERSEY CAMDEN YOUTH COUNCIL

150 YEARS
IS ENOUGH.



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Background

The Camden Youth Council is one of two youth councils that are part of Youth 4 Justice New Jersey. Youth 4 Justice New Jersey leads the youth advocacy portion of the New Jersey Institute for Social Justice's *150 Years is Enough* Campaign, which is working to close down New Jersey's youth prisons and invest back into community alternatives. The youth councils lead advocacy efforts in two counties (Essex and Camden) that are impacted by youth incarceration. The work of the youth councils is essential because even though New Jersey's youth justice system is expected to be unbiased, it has some of the highest racial disparities in the nation in its youth prison system. In New Jersey, Black youth are 17.5 times more likely to be detained or committed to a youth facility than white youth.¹ Our state also has the fourth-highest Latina/Latino to white youth incarceration disparity rate nationwide.² These disconcerting racial disparities persist even though Black and white youth commit most offenses at similar rates.³

Our youth are deeply aware of these racial disparities. One youth who has experience with fines and fees through the youth justice system, Aris, stated: "I find it hard to believe that if I were a white male, my situation would have ever happened. I guess I just didn't have the complexion for the protection."

The urgency of advocating for community alternatives for the Black and Latina/Latino youth disproportionately impacted by the system motivates the youth councils to work on multiple projects every year. This white paper outlines the Camden Youth Council's 2021 project: addressing fines and fees.

This project was led by six youth advocates from the Camden Youth Council: Alicia Garcia Rivas, Carmi Jackson, Eva Vanterpol, Ha Nguyen, Ja'Quan Ortiz and Tamia Hudson.

The Camden Youth Council would like to genuinely thank all the youth who participated in this project. Without their willingness to share their stories with us, we would not be able to share recommendations for change informed by lived experiences. Special thanks to community partners such as Hopeworks, Juvenile Law Center, Social Responsibility Through Me and Youth Advocate Programs, whose support throughout this project has been invaluable.

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- Aris

Introduction

Fines and fees associated with the youth justice system tie young people to the carceral state, sometimes long after any time of detention or incarceration. Indeed, an inability to pay fines and fees can haunt young people and can limit their ability to move on from any interactions with the youth justice system – preventing proper rehabilitation. To redress this harm, the Camden Youth Council has been leading an advocacy project to connect with youth from across the state of New Jersey who have experienced fines and fees through the youth justice system. Generally, fines are imposed by a court at the end of a case as a sanction or penalty for a youth's actions. Fines are always imposed in conjunction with a conviction or sentence; alternatively, fees are a charge imposed to help fund either the court system as a whole or the particular service or program at issue.⁴ Fines and fees have been imposed on youth regardless of whether they were incarcerated during or after their case.

“In situations like mine, adults don't see things the way youth do.”
- Lily-Rose

The Camden Youth Council believes that those most impacted by policies should be at the forefront of any and all policy change. Therefore, it is crucial for youths' experiences with fines and fees to be at the center of change efforts. One youth who participated in the project, Lily-Rose, said it best: “in situations like mine, adults don't see things the way youth do.”

This youth-focused approach served as the foundation of the project's outreach. Between February and September 2021, affected youth have shared their stories and the impact of fines and fees on them and their families with the Camden Youth Council, which then used these conversations to develop recommendations to improve New Jersey's youth justice system. Specifically, the Youth Council connected with 48 youth residing in eight counties across the state of New Jersey who had been impacted by fines and fees previously. Youth who participated in conversations were able to share their experiences in either small group visioning-sessions, where participants explored solutions, or during a one-on-one setting. In order to protect the safety of all youth involved during the COVID-19 pandemic, all conversations were held virtually, via phone calls or Zoom meetings. The Youth Council also wanted to ensure there were as few barriers to participation as possible, so an online survey version was created. This allowed youth who wanted to maintain more anonymity, or those whose professional and personal commitments prevented them from scheduling a phone call or Zoom session, to provide results.

The Youth Council's conversations with youth illustrated the detrimental and long-lasting impact that fines and fees have on youth and their families. Not only do fines and fees affect youths' daily lives and mental health, but also their relationships with their family members who are often financially burdened by these unjust and unnecessary costs. Youth and their families should not be required to pay fines or fees – they do not gain any positive youth development or support, nor do they learn anything from paying off a fine or fee with money they do not have.

The information gathered from conversations with youth with lived experiences with fines and fees is reflected in this white paper, with their permission. This white paper includes the following sections:

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Ultimately, the Camden Youth Council wants this project to create the space for adults, especially those who are decision makers, to learn from youth and perhaps begin to “see things the way youth do.” To do so in a meaningful way, the Camden Youth Council argues that the State of New Jersey should eliminate all fines and fees for youth across the state, and retroactively waive any and all unpaid fines and fees that New Jersey youth still owe.⁵

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Fines and Fees: Who is Most Impacted?

The Youth Sample

To connect with youth with lived experiences of fines and fees, The Youth Council utilized a convenience sampling method. We did research and outreach to organizations serving youth with a history of system involvement throughout the entire state of New Jersey. We spoke to youth who were referred to us by community organizations and leaders, most of which work to support youth who have been system-involved. This resulted in a group sample of 48 youth.

Out of the 48 youth we spoke with, 45 (94%) had received a fine or fee through the youth justice system, two reported that they had not and one was unsure whether or not they did. In order to prevent barriers to accessing participation in this project, youth were offered several ways to engage: one-on-one Zoom interviews, phone interviews or online surveys. All youth participants were asked the same questions.

Disproportionate Impact on Youth of Color

Racial disparities are evident in the New Jersey youth justice system. Black and Latina/Latino youth are disproportionately more likely to be locked up than their white peers.⁶ Our findings suggest that a significant racial disparity exists for the youth surveyed who experienced fines and fees through the youth justice system.

Out of the 45 youth who received fines and fees, the overwhelming majority of youth, 87% (39), who have experienced fines and fees identified as people of color. Black and Latina/Latino were the two racial groups from our sample group most impacted by fines and fees (See Figure 1). We found that 42% (19) of those who received fines and fees are Black and 29% (13) were Latina/Latino. While we acknowledge that we cannot draw statistical inferences from our sample size that will have statewide implications, we do note that the percentage of our participants of color impacted by fines and fees through the youth justice system was disproportionate to the percentage of youth of color living in the state of New Jersey. According to a 2019 Kids Count Report, 14% percent of New Jersey's youth are Black and 27% are Latina/Latino.⁷ It should be noted that 11% (5) of the youth who experienced fines and fees were multiracial, 9% (4) were white and 4% (2) identified as Native American. We think these racial disparities are absolutely unacceptable.

Disproportionate Impact Based on Region

Aside from racial disparities, we also saw disparities among our sample group based on where they lived. Out of all the youth who participated in this project, most youth were living in Camden County at the time they received fines and fees. Fifty-eight percent (26) percent of youth were from Camden County, 20% (9) from Gloucester County, and 7% (3) percent from Mercer County. The other youth we connected with were from Atlantic County (1), Burlington County (1), Middlesex County (1), Monmouth County (1) and Passaic County (1). Two youth preferred not to share their geographical location (See Figure 2). The Youth Council does not think it is a coincidence that many of the youth we spoke to come from counties with neighborhoods experiencing high poverty. New Jersey Future's 2020 Report "The Geography of Poverty and Race in New Jersey" illustrated the percentage of neighborhoods having high poverty rates (30% or more) by county. The Report demonstrated that the following counties had the highest percentage of high poverty neighborhoods in 2018: Passaic County (26%), Essex County (21%), Atlantic County (19%), Salem County (16%), Mercer County (12%) and Camden County (11%).⁸ Sixty-nine percent (31) of the youth who received fines and fees through the youth justice system were from these counties.

This is not surprising given that youth living in low-income communities that have "higher crime rates" are at higher risk of entering the juvenile court system.⁹ The youth we spoke with shared that fines and fees have the greatest impact on families with the least resources. One youth, MC, expressed the particular injustice that fines and fees represent to low-income families: "they are hurting people's pockets; there should be other ways than actually paying money, especially for low-income families." A theme in conversations across the youth we spoke to was that in communities facing a lack of resources, reaching out for and receiving assistance and support was neither easy nor very reliable. We believe that the experiences of the youth we spoke with mirror those of youth throughout New Jersey and across the country – with youth of color, living in low-income communities, being the most affected by being fined and being policed more heavily than higher income communities.

Disproportionate Impact on LGBTQ Youth

The findings from this project also lead the Camden Youth Council to believe that the surveyed LGBTQ and gender non-conforming youth are disproportionately impacted by the youth justice system in New Jersey. Eighteen percent (8) of youth who received fines and fees in the sample group identify as LGBTQ, including transgender, or non-binary (See Figure 3). One report estimates that 20% of all youth in juvenile facilities identify as Lesbian, Gay or Bisexual.¹⁰ The Camden Youth Council has concerns that homophobia and transphobia are resulting in the targeting of specific youth across the state, a practice which occurs on a national scale.¹¹

Additional Findings

Our conversations with New Jersey youth about their experiences with fines and fees was very illuminating – highlighting how the current system falls short on supporting youth, while simultaneously uncovering opportunities for change. Our conversations revealed that youth as young as 13 are receiving fines and fees. They also demonstrate that the lack of clear communication regarding fines and fees throughout the state is impacting youth and their families. Most of the youth the Council connected with were impacted by fines (as opposed to fees), and they faced numerous different outcomes if they were unable to pay. Several youth acquired additional fines and fees when they could not pay the initial ones, which lengthened their court cases and probation periods.

Age of Initial Impact

Thirteen percent (6) of the youth were 14 years old or younger when they received fines and fees. Not only are interactions with police traumatizing for youth,¹² but the expectation that they can be held responsible for paying fines and fees when they are not even of working age is illogical. How can youth who are not even old enough to be hired at a job pay off fines or fees? Those expectations are undoubtedly setting youth up for failure and launching them into a seemingly never-ending cycle of system involvement. Many of the surveyed youth felt the same way. One of the participants, Mia, shared: “I think the system is made to bring others down.”

Many youth we connected with (76% or 34 youth) were between the ages of 15 and 17 years old when they received their fines and fees through the youth justice system (See Figure 4). Even though these youth may be of legal age to work, several youth we spoke to expressed how challenging it was to be hired as a minor. The inability to secure employment undoubtedly affects their ability to pay. One youth, Carmine, stated, “It’s difficult for juveniles because it’s hard to get and keep a job. Often you have to be a certain age or have a certain experience level. There are barriers to receiving employment, so you can’t earn the money to pay.” We must recognize that even when youth do receive employment, they will often only be able to earn minimum wage. This can be another obstacle in earning enough money to repay the high costs of growing fines and fees.

Whether it is because a youth cannot legally be hired to work, or because youth face barriers in accessing employment and enough financial stability to consistently pay off their fines and fees, youth may need to rely on familial support.¹³ One youth, KG, stated, “If the youth is 16 or younger, their parents would have to pay their fines and fees. Sometimes they would have to choose between living expenses and fines.” Another youth, Gilberto, shared that his mother has eight kids and the additional bills presented hardship. Similarly, MC expressed, “It was a lot on (my) family’s expenses at the time.” Fines and fees cause immense financial strain on youth and their families, many of whom may be struggling to make ends meet already. AJ’s experiences reflected this idea: “the money is extorted from people who can barely afford to pay.”

Lack of Clear Communication

For the surveyed youth, there was an unmistakable lack of clear communication related to fines and fees. Conversations with youth exposed the lack of clarity surrounding expectations for youth and their families when it came to their fines and fees. Thirty-one percent (14) of the youth never received a bill breaking down the fines and fees they owed. Twenty-nine percent (13) of the youth were unsure of whether or not they or their family ever received a bill explaining what they owed. Of the youth who did receive a bill from the state, many were unsure about when their payments were due, and 13% (6) did not know who they were supposed to pay. Sixteen percent (7) of the youth were not even sure what kind of payment they owed to the state, and 27% (12) of the youth did not know what the result would be if they were not able to pay the fines or fees. The uncertainty around where and when payments were due and the result of the failure to pay suggest that the current systems of communicating with youth and families are not effective. Because the consequences of not paying fines and fees can be so dire for youth and their families, a lack of clear communication is problematic. The Youth Council also finds the failure of judges and/or court officials to speak with the surveyed youth and their families about their ability to pay the fines and fees to be alarming. Sixty percent (27) of youth indicated that they were never spoken to about whether or not they could afford to pay the fines and fees and 20% (9) were unsure if they had ever been asked. The fact that youth were not asked about their ability to afford payments indicates a disregard for the youth as a whole child, and for youth of color from low-income communities who are most impacted by the youth justice system.

Types of Payments Owed

The youth who participated in this project were expected to make numerous types of payments. Many participants received different types of fines and fees during their youth. Although one may assume that fines and fees are synonyms, they actually represent two distinct consequences for youth.¹⁴ Fines were the most popular type of payment that youth had to make; 84% (38) shared that they had been asked to pay a fine through the New Jersey youth justice system. The second most prevalent type of payment was a fee, with 38% (17) of the youth having to pay a fee. One youth, KG, shared that she had to pay a \$100 license restoration fee, even though she did not even have her license. Youth were required to pay several other types of fees: 16% (7) had to pay public defender fees, 11% (5) had to pay fees for counseling or classes and 7% (3) had to pay probation fees, 7% (3) had to pay restitution. It is notable that 16% (7) were unsure of the type of payments that they owed.

The majority of youth we spoke with owed their fines or fees to a state or county Agency (such as probation, collections, etc.) or to a court, 38% (17) and 29% (13), respectively. Sixteen percent (7) of the youth owed fees to their public defender agency and 9% (4) owed fees to private programs or facilities.

Outcome if Unable to Pay

The youth who participated in this project experienced several different outcomes if they could not pay their fines or fees. The most frequent outcome youth experienced was that a payment plan would be established; 38% (17) were given the option to establish a payment plan. Other significant consequences that youth were confronted with include having to pay additional fines or fees, their court case staying open longer and their probation period being extended. These outcomes increased the amount of time that youth remain connected to the system; they also subjected the youth to continued surveillance and created more opportunities for them to receive additional fines and fees or get into more “trouble.” Acquiring additional fines and fees proved to be an especially salient barrier for the youth we spoke with. One participant even stated: “there’s a trickling effect for sure – if you miss a payment or don’t show up in court you have more costs, more court appearances.”

Although additional fines and fees and lengthened court cases and probation periods were the most prevalent outcomes youth experienced, they were not the only ones. Youth shared a wide range of additional outcomes they experienced if they were unable to pay their fines and fees: wages being garnished, bank accounts being levied, tax refunds being intercepted, credit scores being negatively impacted and having to borrow money. The Youth Council was concerned to learn about how fines and fees impacted participants’ credit scores. One youth, Chris, stated, “it was very difficult to pay but I eventually paid it with a credit card because I had no other choice.” We are aware that a low credit score can determine so much about a youth’s future: their ability to get a car, their ability for a rental application for housing to be approved or their ability to access financial support for higher education. Unnecessary fines and fees, that do not teach youth anything, should not be the reason they are not able to own a vehicle, have housing security or afford college.

Misconceptions About Fines & Fees

Misconception #1: Fines and Fees’ Impact Will Not Follow Youth Into Adulthood

As the youth justice system presents itself as a system that maintains order and accomplishes justice, it is not uncommon for people to have confidence that the systems it puts in place are fair. However, there are many misconceptions about the fines and fees the justice system charges when people commit certain crimes – the most popular being that said fines and fees are fair. Out of the 45 youth who received fines and fees, 89% (40) of them received their fines and/or fees when they were under the age of 18. It is a common misconception that if a person commits a crime as a child, they will have the opportunity to start fresh as they venture into adulthood. However, certain charges and the fines/fees that accompany them will follow people for the remainder of their life, even if they committed them as a child. One participant, KG, exclaimed, “Once I turned 18, I believed that prior charges and fines would be dropped. It’s not fair to be a fresh adult in this world and still have your growth stunted by mistakes made in the perspective of a child.”

The participant's exclamation that "it's not fair" is a common theme among the misconceptions from these participants, specifically when it comes to communication regarding fines and fees. Youth expressed that there was a lack of clear communication regarding how much they owed, when it was due, and who they were supposed to pay. One youth, Lily-Rose, said that they "had to call up everyone to find out how much I owed, where I had to pay it, and what's going to happen if I don't."

Misconception #2: Fines and Fees Are Proportionate to the Offense Committed

Another common misconception is that the price of the fines and fees are proportionate to the offense they committed. One of the participants, DJ, stated that "the fines are disproportionate with the level of 'crime' committed or alleged." Another one of the participants expressed their discontent with this unfairness, stating, "I have never had a license, but I had to pay \$100 for a restoration fee! For something I've NEVER had!!" This is a prime example that the fines and fees that people get are not necessarily fair for the crime they committed. It is assumed that the justice system would have policies and practices in place to ensure the impartiality of the fines and fees they enforce, but that is not the case in many instances. This theme is continued with the misconception that race does not play a role in how much fines and fees people get, or who is issued fines and fees. One of the disappointed participants, Aris, mentioned, "I guess I just did not have the complexion for the protection." This powerful statement from the participant emphasizes the racial disparities plaguing the justice system. The imposition of fines and fees just intensifies existing disparities.¹⁵

We believe that the experiences of youth in New Jersey mirror data from across the United States. The misconceptions that New Jersey's youth shared expose the true unfairness within the justice system and highlight that the fines and fees system is ineffective, which is why fines and fees should be eliminated for youth in New Jersey. The state should not inflict financial hardship on youth that persists for months or even years.

Personal and Familial Impact

Fines and fees took a toll on many of the youths' lives. It changed their daily routine in life, it affected their relationships within their family (physically and mentally) and even affected their court dates. A lot of the youth that were incarcerated or on probation were worried about getting more charges and trying to pay their fines and fees off. Fines and fees continued to impact youth, even while they were experiencing incarceration.

Effect on Daily Life

Out of the 45 youth who received fines and fees across New Jersey, 33% (15) of the youth said that fines and fees caused changes in their daily routine and life. One of the youth, DW, powerfully said, "if someone is trying to get back on the right foot, they shouldn't have to pay to do it."

Imagine a child on probation having fines and fees to pay while trying to get back on their feet! It's unbelievable that a child or minor would have to pay to get back on their feet. Just think, they have daily living expenses and may even have bills to pay and on top of that they are trying to stay out of trouble.

Barriers to Accessing Employment

Youth who are trying to pay off their fines and fees face barriers when trying to find a job. Many youth expressed that they struggled to find a job to earn the money to pay off their fines and fees. Robert expressed this when he stated, "it's hard when you can't receive employment." When applying to a job, youth will often have to report or share their criminal history. Employers may be hesitant to hire a teenager with a criminal history. The challenges to accessing employment and earning money to pay off fines and fees impacts youths' daily lives, causing strain on the youth and their family. One youth, Zaneyah, expressed this exact idea during our conversation: "fines and fees take money from mother and myself; it prevents me from doing other things." During our conversation Zaneyah also emphasized the absurdity of charging youth and families additional fines and fees, when they have yet to pay off the initial fines and fees. She questioned, "if they cannot pay them, what can they do? If they were not able to pay off the initial ones, how can they suddenly afford higher fines and fees?"

**"If they were not able to pay off the initial ones, how can they suddenly afford higher fines and fees?"
- Zaneyah**

Some youth lost their jobs because of interactions with the youth justice system and then struggled to find a new job. One such youth, Aris, explained that her charge was the reason she could no longer work at the job where she was employed at the time the situation occurred. After she was suspended from work, she had a hard time finding work because she had little to no experience working in any other industry and was a full-time student with little to no time to juggle both a job and school at the same time. Thirty-eight percent (17) of the youth also shared that they, and their families, had to take time off from work or school for court hearings which had a negative impact on their personal success.

Increase in Debt

Several youth shared that their fines and fees caused them to get into a high amount of debt. One youth shared that she was forced to borrow money to repay her fees. Another youth, Lily-Rose, had a similar experience and stated, "repaying my fines and fees put me in a lot of debt at a young age, that I am actually still trying to get out of." Lily-Rose also discussed how frustrating the system is because it is not just a one-time fine or fee, because if you cannot pay them off quickly that price "doubles, triples over time." The consistent increasing of fines and fees over time not only prevents youth from getting out of the debt they already incurred but also causes the debt to increase as they are forced to rely on credit to pay recurring costs.

Lily-Rose also discussed how frustrating the system is because it is not just a one-time fine or fee, because if you cannot pay them off quickly that price “doubles, triples over time.” The consistent increasing of fines and fees over time not only prevents youth from getting out of the debt they already incurred but also causes the debt to increase as they are forced to rely on credit to pay recurring costs.

Mental and Emotional Toll

Youth also expressed the mental and emotional toll that their experience with fines and fees took on them. Sixteen percent (7) of the youth shared that their fines and fees caused their mental health and/or emotional well-being to decline. One young man, KR, expressed how much his incarceration and the corresponding fines and fees affected him stating, “you feel like – my life is gone now; sometimes you feel like you are going to be gone forever; sometimes you feel like you’re not going to ever be able to feel good about yourself.” This impact of fines and fees on feelings of self-worth was discussed by other youth as well. AJ stated that they had “general anxiety and moments of negative self-worth from the stress.” Nyaja shared that “it was extremely stressful and caused a lot of dysfunction in [her]life at the time.” Being a teenager is already stressful, so having fines and fees that need to be paid, while struggling to find a job to do so, makes it even more stressful. These experiences may also cause depression because youth are not allowed to feel like teenagers. One youth added that decision makers and those who work with and for the youth justice system need to “remember that children are children.” Youth that have been incarcerated or youth that have fines and fees, do not even feel like themselves. They do not have the opportunity to experience a teenage life or to focus on their education or goals.

**“My life is gone now; sometimes you feel like you are going to be gone forever; sometimes you feel like you’re not going to ever be able to feel good about yourself.”
-KR**

Effect on Relationships

Out of the 45 youth, 62% (28) of the youth said that fines and fees impacted their relationships with their families. Some participants shared that it changed the dynamic of their relationship with family members – that family members viewed them differently. Others expressed that their relationship with their family changed because they were not able to spend as much quality time together. KR said that his “family was disappointed about not seeing me as much, because I had to always worry about making money to pay off my fines and fees.” Most youth expressed that it was an immense financial burden on their family, to help them pay for their fines and fees. The unexpected additional strain of having to pay fines and fees frequently causes families to choose between living expenses and fines. If the youth’s family is already having trouble paying bills, how would they be able to pay their child’s fines and fees?

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Youth in the state of New Jersey are even expected to pay down fines and fees while they are incarcerated. How can an incarcerated youth be expected to pay the fines or fees? One youth, Charrnice, explained that she had a \$900 balance in fines and fees when she first got locked up, mostly from probation fees. While she was incarcerated, the little money she earned would go towards that bill. Every month she could see her account balance, and before she could take out money to buy essentials, the Juvenile Justice Commission, the agency that runs youth prisons, would take out the money she owed from what she earned.

As a result, Charrnice relied on her parents to provide financial support so she could have what she needed for daily essentials like food and soap. She stated that “what she didn’t have, her family had to spend their hard-earned money on – they had to make sure I had everything I needed to live.” Not only was Charrnice’s family supporting her by providing funds for the commissary, but also spending money on gas to travel to visit her. This situation presented Charrnice and her family with unexpected and undue financial hardship.

Support Services Our Youth Need

The impact of fines and fees are long-lasting and can cause many other obstacles which make it hard for youth to live a normal life. What the justice system fails to understand or acknowledge is that there are other ways of keeping youth from “doing wrong” or teaching them that what they did was wrong other than continuous punishment, fines and fees, detention or incarceration. Instead of resorting to these unjust and unfair means, the justice system should provide the support services youth need, such as mentoring, counseling, and positive programs for youth like after-school recreations or internships, specifically for youth employees. KR, a youth we spoke to, emphasized the need for more programs and job training opportunities for youth when they get out, to ensure they are able to find employment.

Implementing support services youth need instead of hefty fines and fees would be a great way for the justice system to successfully keep youth from doing things that could get them in trouble and prevent youth from getting incarcerated or put into detention centers. These programs would work well as alternatives to the counterproductive system the justice system currently has in place. Indeed, many of the youth who participated in this project suggested that community-based programs and support were what they most needed, not incarceration or fines and fees to pay. One youth, LL, expressed that “a more fair and effective justice system would promote community safety through substitution of incarceration.” Mentoring provides youth with good role models and people in their lives who make sure they stay on the right track. Counseling also helps in similar ways and can be even more productive for youth who need someone that understands them and someone who can give good insight into how they are feeling or should be handling their issues. Positive programs help youth by giving them something to do that is productive and showing them how to help their community instead of harming it. Before we give a youth fines and fees, we should provide support services that can help them and offer opportunities for positive youth development. Why negatively impact young lives when we could better them?

Recommendations

Through connecting with youth across the state who have experienced fines and fees, the Camden Youth Council has developed several recommendations for how New Jersey should move forward:

1. The New Jersey youth justice system should eliminate all fines and fees for youth. Fines and fees do not support youths' development, nor do they teach them anything. They have a disproportionate impact on youth of color and youth from low-income communities. The unexpected costs incurred through the youth justice system accomplish nothing but derailing youth who are trying to get back on track. Giving fines and fees to youth who most of the time are not financially stable, and face barriers in accessing employment, does not make sense. Beyond detrimentally impacting youth, fines and fees also put immense financial strain on their families. Fines and fees keep youth and their families in a cycle of debt and surveillance that is nearly impossible to escape.

2. The New Jersey youth justice system should waive all of the outstanding, unpaid fines and fees of youth in the state. Additionally, the state must make policy changes to eliminate future fines and fees for youth in New Jersey. Many youth impacted by the youth justice system experience poverty, face barriers to employment and have an unstable household. Fines and fees stack up if the youth does not pay on time and that can last for a long time. Many youth are still paying off fines and fees in their mid-twenties. Many youth do not have a stable or large enough income that can cover all of their necessities and pay the fines and fees. It's an endless cycle to exploit money from youth and their families.

3. Create community programs that divert youth from the youth justice system and allow them to earn redemption and explore interests, rather than paying fines or fees. As one of the youth, Carmine, asserted, "once you're in the system, you're in the system and there's nothing you can do and a lot of kids in the system feel like there is nothing to look forward to." To prevent youth from incurring fines and fees, New Jersey should ensure that the Restorative Justice Hubs that will be created by the Restorative and Transformative Justice for Youths and Communities Pilot Program Bill¹⁶ are effectively implemented and utilized – diverting youth away from the system altogether. This bill appropriates \$8.4 million for the creation of a two-year pilot program to create enhanced reentry wraparound services and restorative justice hubs in directly impacted communities. Diversion programs connected to the Restorative Justice Hubs should include mentorship, access to counseling, information about the youth justice system, peer leadership and programs that appeal to youths' interests. By investing in this and other community programs, youth can earn redemption, explore their interests and work towards their goals. Youth can be positively developed without a financial burden. Such programs would offer youth an experience to learn and grow from their previous choices, so they will not make the same choices again. They also would allow youth to dedicate time to their personal and professional development, and explore what they are interested in. It would not be detrimental to the youth's record so later on they will not face barriers to accessing careers or higher education. This is a positive outcome for teenagers rather than a conviction on their record that will follow them forever.

4. Provide resources that will be helpful to teenagers to get jobs and teach basic living skills. Many youth struggle to pay off fines and be financially stable. Many continue to struggle into their mid-twenties because the fines and fees keep following them. By providing youth with job training and preparation resources, youth will be better able to secure a job. Youth should also be provided with the skills needed to navigate the adult world, such as balancing finances and building good credit.

5. Provide more diverse mentors, counselors and judges. Having more diverse mentors, counselors and judges will give youth less stress and anxiety because they will be more comfortable with them. These individuals should also be trained in trauma-informed practices and in supporting LGBTQ youth. These youth are still children, and they deserve to be guided by people who understand them and are prepared to support them fully.

6. After COVID-19, the court should continue to offer flexible ways and timeframes for youth and their families to appear in court. Many families do not have the privilege to take many days off from work and school to attend court appearances. Most of the time waiting for a court appearance takes most of the day, resulting in the loss of a full day's pay or the disruption of schoolwork.

Conclusion

We believe that the way the current fines and fees system operates is racist and unjust. It exploits youth and their families, many of whom are already experiencing poverty and do not have the means to pay. As one youth, BB, poignantly stated, “[Currently it is] one mistake and as a young adult you could be paying for years or involved with the court system for a long time.” The Youth Council believes that the state cannot allow this current system to persist. We urge the state of New Jersey to eliminate all fines and fees for youth and waive any outstanding fines and fees, in addition to our other recommendations.

Graphs

Figure 1: Racial Breakdown of Participants

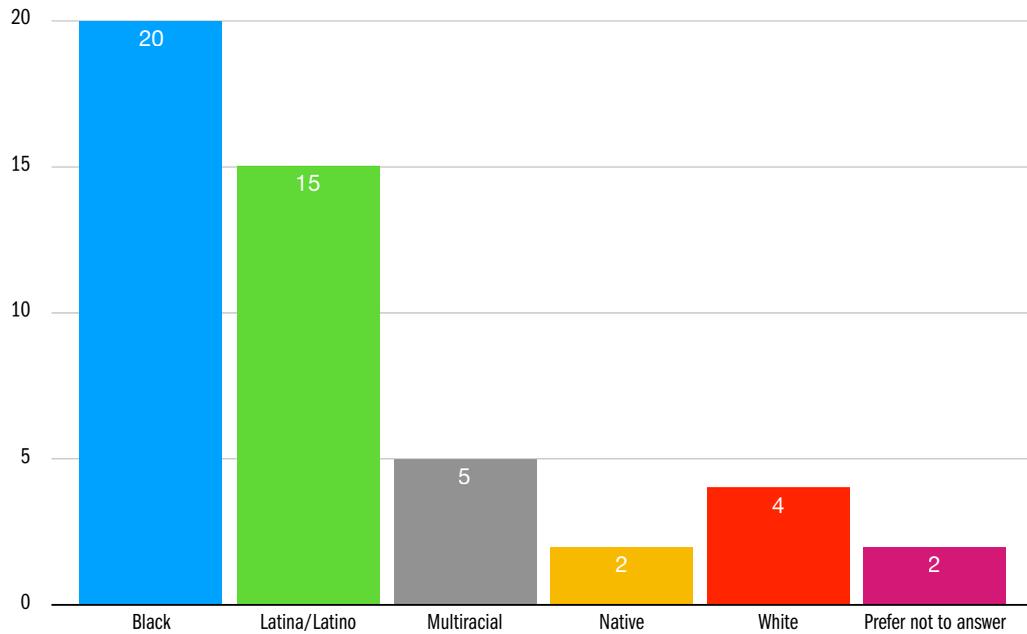


Figure 2: County Where Youth Received Fines/Fees

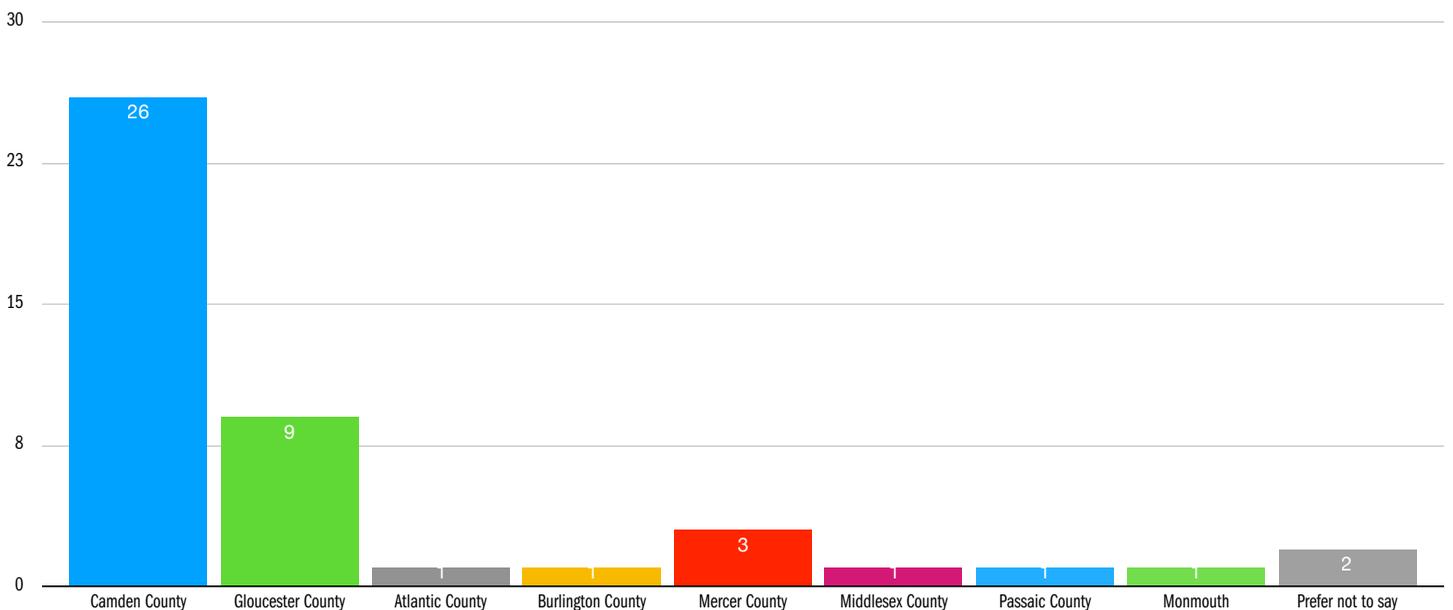


Figure 3: Gender Identity of Participants

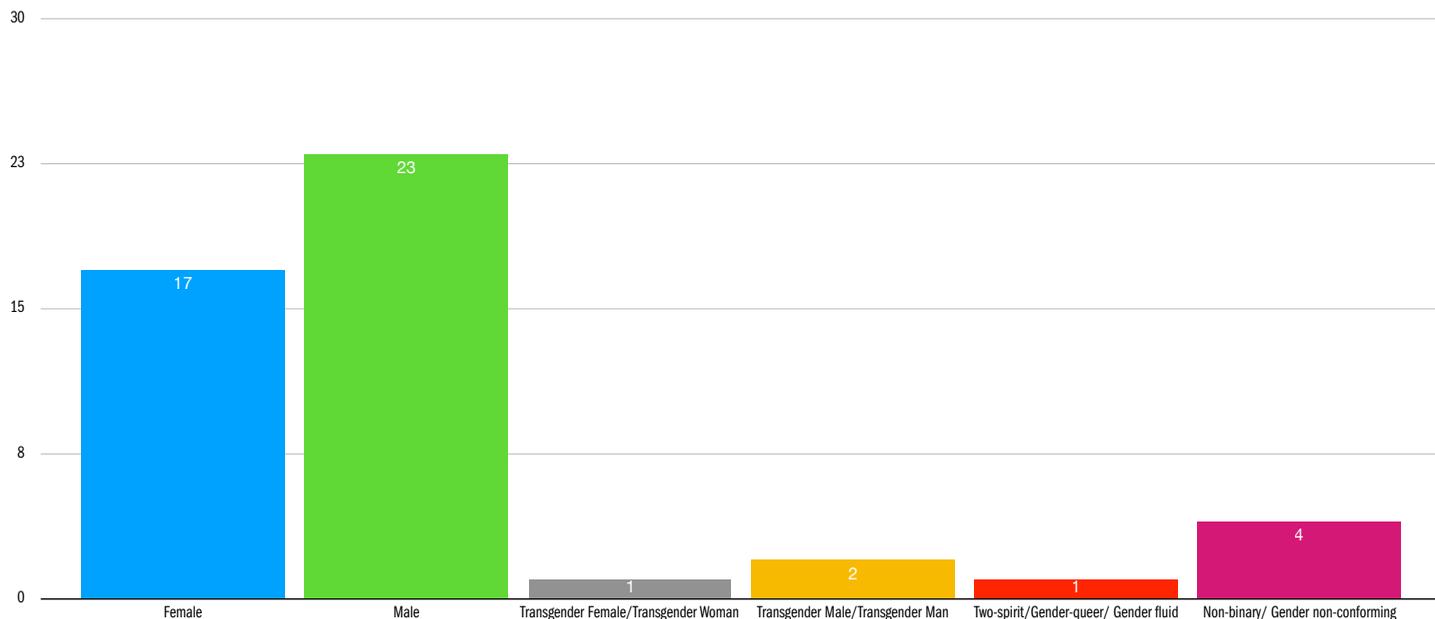
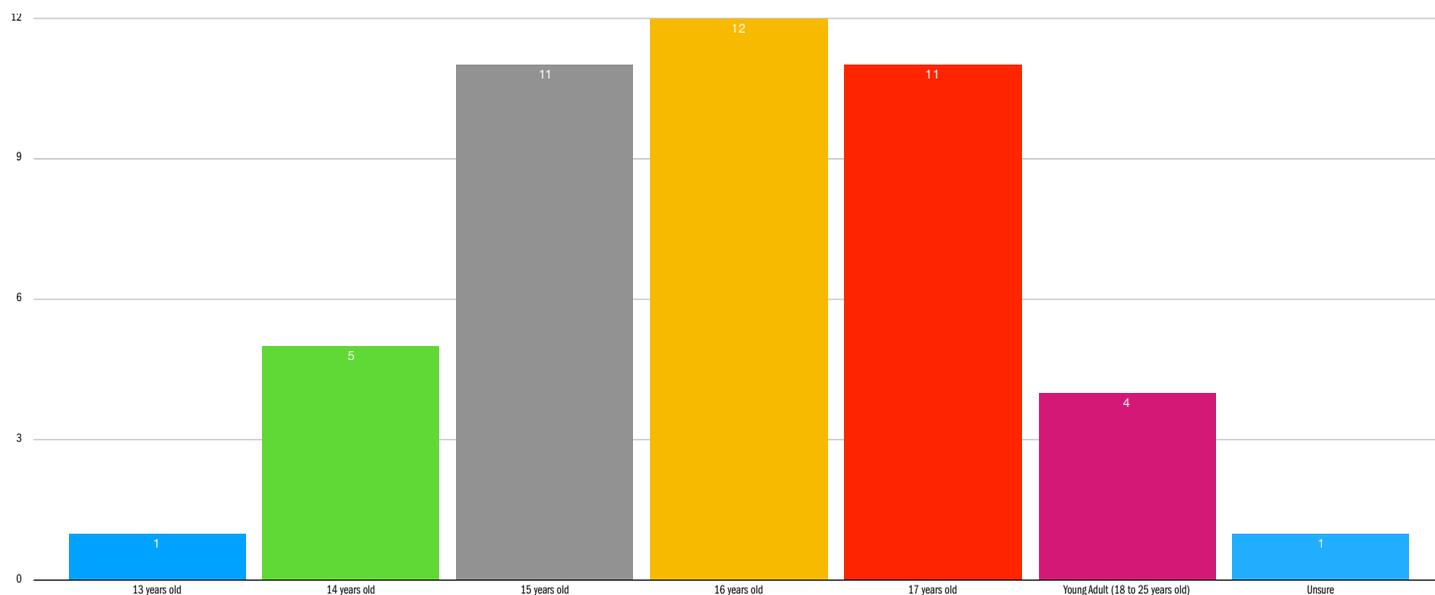


Figure 4: Age Breakdown of When Participants Received Their Fines and Fees



Endnotes

- ¹ JOSH ROVNER, THE SENT'G PROJECT, BLACK DISPARITIES IN YOUTH INCARCERATION (2021) <https://www.sentencingproject.org/publications/black-disparities-youth-incarceration/>.
- ² JOSH ROVNER, LATINX DISPARITIES IN YOUTH INCARCERATION (2021) <https://www.sentencingproject.org/publications/latino-disparities-youth-incarceration/>.
- ³ JOSH ROVNER, THE SENT'G PROJECT, RACIAL DISPARITIES IN YOUTH COMMITMENTS AND ARRESTS (2016), <https://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests/>.
- ⁴ Michael Crowley, *The Steep Costs of Criminal Justice Fees and Fines*, BRENNAN CTR. FOR JUST. (Nov. 21, 2019), <https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines>.
- ⁵ Senate Bill 48, sponsored by Senators Nellie Pou and Shirley Turner, and signed into law on January 20, 2020 effectively eliminated fines in cases where a youth is adjudicated as delinquent by removing fines as a sanction that a court can impose. S. 48, 218th Leg. (N.J. 2020). This law is forward-looking and does not eliminate fines and fees that have already been imposed. S3319, a pending bill also sponsored by Senator's Pou and Turner, seeks to eliminate all outstanding fines, fees and costs.
- ⁶ ROVNER, THE SENT'G PROJECT, *supra* note 1.
- ⁷ 2019 NJ County Kids Count: Outcomes in Child Well-Being Vary by Race and Region, ADVOC. FOR CHILD. OF N.J. (Nov. 22, 2019), <https://acnj.salsalabs.org/news-release-nj-kids-count-2019>.
- ⁸ WILLIAM STOCOVAZ, THE GEOGRAPHY OF POVERTY AND RACE IN NEW JERSEY (2020), <https://www.njfuture.org/wp-content/uploads/2020/10/The-Geography-of-Poverty-and-Race-in-New-Jersey-Oct-2020.pdf>.
- ⁹ Christopher A. Mallett, *The School-to-Prison Pipeline: Disproportionate Impact on Vulnerable Children and Adolescents*, 49 Educ. & Urb. Soc'y, 563, 572 (2017).
- ¹⁰ CTR. FOR AM. PROGRESS, MOVEMENT ADVANCEMENT PROJECT & YOUTH FIRST, UNJUST: LGBTQ YOUTH INCARCERATED IN THE JUVENILE JUSTICE SYSTEM 6 (2017), <https://www.lgbtmap.org/file/lgbtq-incarcerated-youth.pdf>.
- ¹¹ See KATAYOON MAJD ET AL., HIDDEN JUSTICE: LESBIAN, GAY, BISEXUAL AND TRANSGENDER YOUTH IN JUVENILE COURTS 3 (2009), https://www.nclrights.org/wp-content/uploads/2014/06/hidden_injustice.pdf.
- ¹² Dylan B. Jackson et al., *Police Stops Among At-Risk Youth: Repercussions for Mental Health*, 65 J. ADOLESCENT HEALTH 627, 632 (2019).
- ¹³ Leigh R. Shapiro, *The Crippling Costs of the Juvenile Justice System: A Legal and Policy Argument for Eliminating Fines and Fees for Youth Offenders*, 69 EMORY L.J., 1305, 1346 (2020), <https://scholarlycommons.law.emory.edu/elj/vol69/iss6/4/>.
- ¹⁴ Crowley, *supra* note 4, at 6.
- ¹⁵ JESSICA FEIERMAN ET AL., DEBTORS' PRISON FOR KIDS? THE HIGH COST OF FINES AND FEES IN THE JUVENILE JUSTICE SYSTEM 6 (2016), <http://debtorsprison.jlc.org/documents/jlc-debtors-prison.pdf>.
- ¹⁶ P.L. 2021, ch. 196, S. 2924 (N.J. 2021), https://www.njleg.state.nj.us/2020/Bills/AL21/196_.HTM.