



Criminal Justice

Eliminating administrative fees in the criminal justice system

[SB 144 \(Mitchell\)](#)

Background

The United States criminal justice system is laden with economic and racial discrimination. Low-income people of color are overrepresented at every stage in the system, even when controlling for alleged criminal behavior. These inequities are compounded by state and local laws that impose additional financial burdens on impacted individuals. Due to over policing and targeted policing in communities of color, people of color are punished more frequently and harshly at a variety of discretion points. They are more likely to be arrested, incarcerated, and put on probation, and they serve longer jail and probation terms. Current California law allows counties to charge administrative fees to people in the criminal justice system. These administrative fees—which can quickly add up to thousands of dollars for a single person—are not supposed to be punitive or restorative. They are supposed to help counties recoup costs without being excessive or unfair. Yet people experience them as another form of punishment after already having served time, paid fines, or faced other consequences. Eliminating administrative fees will allow formerly incarcerated people to devote their already limited resources to critical needs like food, education, housing and health insurance, resulting 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.¹

Legislative Summary

SB 144 would end the assessment and collection of administrative fees imposed on people in the criminal justice system. By doing so, it would dramatically reduce the suffering caused by court ordered debt and enhance the economic security of system-involved populations, taking the first step towards ushering in

¹Senator Holly J. Mitchell SB 144 Families Over Fees Act (Fact Sheet)

an era of more just criminal justice policy that does not rely on stripping wealth from communities of color and low-income communities.

Jewish Values

It is our moral imperative to fight for compassionate and equitable practices at every level of our criminal justice system. Deuteronomy (16:20) teaches, “*Tzedek, tzedek tirdof* – Justice, justice you shall pursue.” As Jews, we are instructed to seek justice and ensure that the means we use to reach justice are just in themselves. A criminal justice system that punishes unjustly and discriminatorily violates this command. We are also guided by the words of Leviticus (19:15), “You shall do no unrighteousness in judgement; you shalt not respect the person of the poor, nor favor the person of the mighty; but in righteousness shall you judge your neighbor.” In the Jewish tradition, the sanctity of all human life is a primary value. Our definitive goal should be rehabilitation—not punishment. Our criminal justice system should adequately assess individuals who violate the law and ultimately prepare them to reenter society.