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Date: August 26, 2022

Re: Draft Report Initiative 3: Assessments and Fines in Juvenile Delinquency Cases

Position: SUPPORT

To: Illinois Supreme Court Statutory Court Fees Task Force

Dear Chair Steven Pflaum and Members of the Statutory Court Fee Task Force,

I support the proposed initiative 3 because I believe ending fines and fees for minors would strengthen police-community trust and lower recidivism among minors. I am weighing in on this issue as a retired Illinois law enforcement officer and as a speaker for the Law Enforcement Action Partnership (LEAP).

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from our experience within the justice system. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working toward healing police-community relations.

As a police officer, I saw first hand that our young people needed support and positive interactions with officers and the community, not financial penalties. Every effort to positively engage with young people served to keep them out of the criminal justice system and improved community trust.

Unfortunately, when youth get into trouble, they face financial consequences. Juvenile fees and fines – costs and monetary sanctions imposed on youth and families for the youth's involvement in the juvenile delinquency system – operate as a regressive tax on the Illinois families who can least afford it. Youth and their families are charged a range of fees, including for youth detention, probation supervision, and electronic monitoring.

Juvenile fines and fees are counterproductive. They come with harsh penalties and other negative consequences for nonpayment. They fill our courtrooms with families who are unable to pay the fines. They do not actually generate net revenue, because most families with children in the justice system are low-income. As the statutory court fees report points out, often there is little attempt made to even collect the fees. Since that is the case, we should do away with harsh juvenile fees that keep children engaged with the criminal justice system, which can lead to recidivism.

Further, these fines and fees do not deter crime. In fact, they increase it by pushing families further into poverty by forcing them to make the decision between feeding their family or paying the fines and fees, which would lead to continued interactions with the justice system.

Implementing this initiative would eliminate fines and fees imposed under the Juvenile Court Act of 1987. States from every region of the country are taking similar action to eliminate juvenile fees and fines. In the past year alone, Louisiana, Virginia, Colorado, New Mexico, Texas, and New Hampshire eliminated juvenile fees and fines, following in the footsteps of California, Nevada, Maryland, and other states. Illinois has the opportunity to join them in this common-sense, bipartisan reform that will help Illinois youth and families.

I believe that this initiative will also help improve police-community trust. The police are only as strong as our relationships with the public, because we prevent and solve crime based on information from witnesses and victims. Victims won't even report crime – a recent report found that more than half of all violent crimes went unreported between 2006 and 2010 – if they don't believe in the system. When people see their family weighed down by juvenile justice debt, they blame the police, and they will not speak to us.

Please join me in supporting this initiative to protect struggling families and to improve police-community trust.

Thank you for the opportunity to share my experience in support of this bill.

Officer Brian Gaughan (Ret.)
Illinois and Iowa Police
Speaker, Law Enforcement Action Partnership