

August 26, 2022

To: Gabriela Conley at [gconley@illinoiscourts.gov](mailto:gconley@illinoiscourts.gov)  
Supreme Court Statutory Court Fee Task Force of Illinois

Re: Written Comments for Virtual Public Hearing on the Supreme Court Statutory Court Fee Task Force Draft Report

Dear Supreme Court Statutory Court Fee Task Force of Illinois,

We are writing to express our appreciation for the thorough analysis you have performed to prepare the [Supreme Court Statutory Court Fee Task Force draft report for 2022](#) (“2022 Draft Report”) and share our support for, and perspective on, certain draft recommendations to the General Assembly included in the 2022 Draft Report.

[CEO Action for Racial Equity](#) is a Fellowship of over 100 organizations from across America, many of whom have significant presence in Illinois. Ranging from manufacturers to accountants, retailers and other suppliers, we mobilize business leaders with diverse expertise to advance public policy in four key areas – healthcare, education, economic empowerment and public safety. Its mission is to identify, develop and promote scalable and sustainable public policies and corporate engagement strategies that will help address systemic racism, social injustice and improve societal well-being.

One of our key priorities is decriminalizing poverty. Simply, this means confronting the aspects of our justice system that hurt low-income and working-class communities, not because they have committed a crime, but because they may lack the means to afford judicial costs. **We believe that a person’s inability to pay fines, fees or bail should never be the sole reason for incarceration, and justice system fines and fees should not disproportionately punish those experiencing poverty.** Many policies around fines and fees impact all races, but exacerbate challenges already faced by low-income families, a category of people data consistently shows is over-represented by Black Americans.

We applaud the dedication and cooperation across all branches of the Illinois government in recent years to prioritize meaningful criminal justice reforms in Illinois that promote equity and public safety. We especially thank you for your efforts on this Supreme Court Statutory Court Fee Task Force (“Task Force”) to reflect and improve upon the progress made from the reforms of the 2016 Task Force report and the implementation of the Criminal and Traffic Assessment Act of 2019.

We appreciate that the 2022 Draft Report highlights the negative economic and public safety impact of certain policies. We are sharing this testimony because these policies on fines and fees also impact the business community. As Illinois companies seek to build a sustainable and diverse workforce, court debt inhibits countless people, especially young people, from fully participating in the workforce and exacerbates the labor shortage. The lingering court debt impacts the educational opportunities, credit scores, and mental well-being of affected people<sup>1</sup>, which can hamper their ability to be productive members of the workforce. Furthermore, the 2022 Draft Report discloses that a disproportionately higher

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<sup>1</sup> Atasi Uppal. [The High Cost of “Justice”: A Snapshot of Juvenile Court Fines and Fees in Michigan](#). August 2020. National Center for Youth Law, 9-10, <https://youthlaw.org/sites/default/files/attachments/2022-02/2020.08.13-MI-Fines-Fees-1.pdf>.

percentage of people of color, compared to white people, are impacted by the justice system, and therefore may experience these barriers to full economic participation. As a result, reforming court fees could help improve the racial income and wealth gaps, which in turn would contribute billions of dollars to Illinois's economy.<sup>2</sup>

We generally support recommendations that assess fines based on an ability to pay (at a minimum), eliminate court-imposed fees, and improve data collection practices to include age, race, and gender. Specifically, we strongly support the Task Force's recommendations that eliminate fees including:

- New Initiative 2 – eliminate the \$25 fee for reports by guardians of disabled adults and children
- New Initiative 3 – pass Senate Bill 3621, which abolishes assessments and fines in juvenile delinquency cases
- New Initiative 4 – repeal of additional fees charged on delinquent court debt

As a data-driven Fellowship, we are in favor of increased frequency of reports on assessments and waivers from clerks of court. However, we encourage the Task Force to add to its recommendation data collection requirements commensurate with those found in the Safety, Accountability, Fairness and Equity Today (SAFE-T) Act of 2021,<sup>3</sup> which include age, race, gender, and other pertinent characteristics that are invaluable when monitoring disparities and tracking the progress made in making the Illinois traffic and court fee system equitable.

CEO Action for Racial Equity is committed to working with policymakers to enact policies that bring equity, transparency, and accountability to our justice system. We hope this testimony highlights perspectives from the business community for the Task Force's consideration. Illinois has the opportunity to change policies that prevent barriers to full economic participation and have created a cycle of debt and stress for families who are already struggling financially. Our justice system policies should not bring punishment that, for many, may last decades and should instead give all Illinois' residents a better chance of success in life and opportunities to contribute to the workforce.

Thank you for your leadership.

Sincerely,

CEO Action for Racial Equity

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<sup>2</sup> Federal Reserve Community Development Staff. [How much could US states gain by closing racial and gender gaps in the labor market?](#) - Fed Communities. [Federal Reserve](#). June 21, 2021. Data for race gap for Illinois. <https://fedcommunities.org/data/closethegaps/>.

<sup>3</sup> See "[Pretrial Data Collection](#)," 20 ILCS 3930/7.7, <https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=397&ChapterID=5>.