

SUBJECT: Discharging fines accrued by foster youth through community service

COMMITTEE: Juvenile Justice and Family Issues — committee substitute recommended

VOTE: 7 ayes — Neave, Swanson, Cook, Frank, Ramos, Talarico, Vasut
0 nays
2 absent — Leach, Wu

WITNESSES: For — Deborah Fowler, Texas Appleseed; (*Registered, but did not testify*: M Paige Williams, Dallas Criminal District Attorney John Creuzot; Ender Reed, Harris County Commissioners Court; Charmet Findley, Harris County Youth Collective; Andrew Homer, Texas CASA; Rachana Chhin, Texas Catholic Conference of Bishops; Alycia Castillo, Texas Criminal Justice Coalition; Amelia Casas, Texas Fair Defense Project; Molly Weiner, United Ways of Texas; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Tiffany Roper, Department of Family and Protective Services)

DIGEST: CSHB 80 would prohibit a justice or judge from requiring a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of a fine and costs imposed by the court. In lieu of a fine and costs, the justice or judge could require the defendant to perform community service.

The bill would take effect September 1, 2021, and would apply to a sentencing proceeding that commences before, on, or after that date.

SUPPORTERS SAY: CSHB 80 would prohibit judges from requiring youth in foster care to pay fines and costs imposed by a court, helping to prevent foster youth from accruing justice-related debt. Instead, the bill would allow judges to require these youths to perform community service, offering them an

opportunity to participate in meaningful service and engage with their communities.

Youth under the conservatorship of the Department of Family and Protective Services or in extended foster care are unlikely to have jobs or other means to pay fines or court fees, which can lead them to accrue justice-related debt. If fines and fees are paid at all, the payment is likely to be made by an adult, with little meaning to or rehabilitative effect on the youth. Moreover, the collection of fees from youth takes up significant county resources for a small return, and research has shown that young people who accrue justice-related debt are more likely to reoffend compared to their debt-free peers. Youths with court debt also may be jailed for nonpayment when they turn 17, a harmful and costly outcome for both the child and the state.

CSHB 80 would prevent youth in foster care from having to pay court fines and costs or accruing related debt and instead would allow judges to require these youths to perform community service, which would be more impactful for youths and help connect them to their communities.

CRITICS
SAY:

No concerns identified.