

NEVADA COUNTY PUBLIC DEFENDER

109 N. Pine St., Nevada City, CA 95959

Phone: (530) 265-1400 Fax: (530) 478-5626

Keri Klein
Public Defender
S.B. #178572

Susan Leff
Assistant Public Defender

Deputies

Tamara Zuromskis
Micah Pierce
Thomas Angell
Hayley Dewey
Matthew Kellegrew
Bruce Kapsack
Joanne Kapsack
Katie Finch

NEVADA COUNTY BOARD OF SUPERVISORS

Board Agenda Memo

MEETING DATE: June 1, 2021
TO: Board of Supervisors
FROM: **Keri Klein, Public Defender**
SUBJECT: Resolution rescinding Resolution 18-012, Public Defender User Fees

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: N/A

BACKGROUND:

On September 18, 2020, the Governor signed AB-1869 which rescinded numerous court-ordered fees as of July 1, 2021 and eliminated all outstanding debt incurred as a result of the previous imposition of these fees. Amongst the fees rescinded were Public Defender user fees. This long overdue legislation acknowledged that these sorts of fees inordinately impact already poverty-stricken communities.

The legislation acknowledged the following:

1. Approximately 80% of Californians in jail are indigent.
2. Incarcerated people are disproportionately Black, Indigenous, and/or People of Color.
3. People exiting jail or prison face higher rates of unemployment and homelessness.
4. The inability to meet basic needs has been found to contribute to higher rates of recidivism and can be a barrier to family reunification.
5. A national survey of formerly incarcerated people found that their families often bear the burden of the court ordered fees and that 83% of the people responsible for paying these costs are women.
6. Because these fees are often assessed to people who are already indigent, they make poor people and poor families, as well as their communities, poorer.
7. Fees imposed as a result of proceedings in the criminal courts have no formal public safety function. Instead, the opposite is true: they can limit access to employment,

housing, education and public benefits which create additional barriers to successful re-entry.

8. Research shows that these sorts of fees are difficult to collect and typically costs counties almost as much or more than they collect in revenue.

Item initiated by and Approved by: Keri Klein, Public Defender