



RACIAL JUSTICE &
EQUAL ECONOMIC
OPPORTUNITY PROJECT

NATIONAL CONSUMER LAW CENTER

CRIMINAL JUSTICE
POLICY PROGRAM

HARVARD LAW SCHOOL

Introduction to Harvard's Criminal Justice Policy Program's 50-State Criminal Justice Debt Law Web Tool

March 1st, 2018

Ranit Patel, Criminal Justice Policy Program at Harvard
Law School

With Moderator

Brian Highsmith, National Consumer Law Center

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Webinar Tips

- If you joined with a headset or through your computer speakers, please be sure your **device volume settings** are properly adjusted
- If your headset is not working, please try **unplugging and re-plugging** in your device
- Everyone will be muted during this presentation
- This training is being recorded



Webinar Tips

- If you are having technical problems, please use the Q&A function for help and I will assist you
- You can access the PPT for this webinar by opening the “materials” drop down. We will also post it on line and will send instructions on how to obtain a certificate of attendance.

Questions?

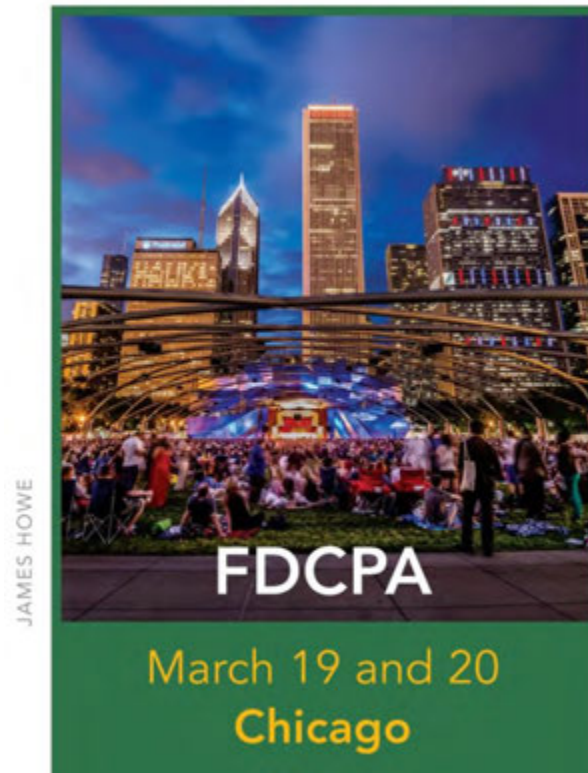
- All questions, whether related to audio visual problems, or are of a substantive nature, can be typed in the Q&A box.
- Speaker will break periodically during tutorial and at the end for Q&A

Since this session includes a tutorial, you can feel free to type specific questions and inquiries into the Q&A box and they will be answered as soon as possible.



Please join us in Chicago this March for NCLC's annual Fair Debt Collections Conference

March 19th and 20th, 2018



For more details, please visit our [Conferences Webpage](#).





Moderator – Brian Highsmith

National Consumer Law Center

Brian Highsmith is a Skadden Fellow at the National Consumer Law Center, working on criminal justice debt and the criminalization of poverty in various consumer law contexts. Prior to joining NCLC, Brian worked on domestic economic policy with a focus on income support programs and fiscal policy—including as an advisor at President Obama's National Economic Council, the Center on Budget and Policy Priorities, and the office of Senator Cory Booker. During law school he practiced consumer litigation at the New York Legal Assistance Group and Gupta Wessler PLLC and was a law clerk in the civil rights office of Maryland's Attorney General. Brian is a graduate of Yale Law School and Furman University.



Other Webinars

Below is a partial list of past webinars sponsored by NCLC's Racial Justice & Equal Economic Opportunity Project.

Find these and other webinars at: <https://www.nclc.org/eventbooking>

- The Color of Debt: Racial Disparity in Debt Collection Lawsuits
- Debt and Democracy: How the Collection of Civil Fees and Fines Contributed to the Unrest in Ferguson
- Weblining and Other Racial Justice Concerns in the Era of Big Data
- Holding Wall Street Accountable for the Subprime Mortgage Crisis in Urban America
- Toxic Transactions: How Land Installment Contracts Once Again Threaten Communities of Color
- Minding the Gap: Using the New Racial Wealth Audit to Measure the Impact of State and National Policies on the Racial Wealth Gap



Upcoming Webinars

Affirmative Litigation of Criminal Justice Debt Abuses - Theory and Practice.

March 16, 2018 ♦ 2:00 p.m. - 3:30 p.m. EST

Registration Live: 3/2/18

Presenters: Claudia Wilner, National Center for Law and Economic Justice; Premal Dharia, Civil Rights Corps; Nusrat Choudhury, ACLU; Sara Zampierin, Southern Poverty Law Center
Moderator: Abby Shafroth, Attorney, National Consumer Law Center

Ensuring that People Are Not Jailed Due to Poverty: Reforming Policies and Representing Clients in Criminal Justice Debt Ability to Pay” Proceedings

Details: TBD



Resources:

Litigation Guide

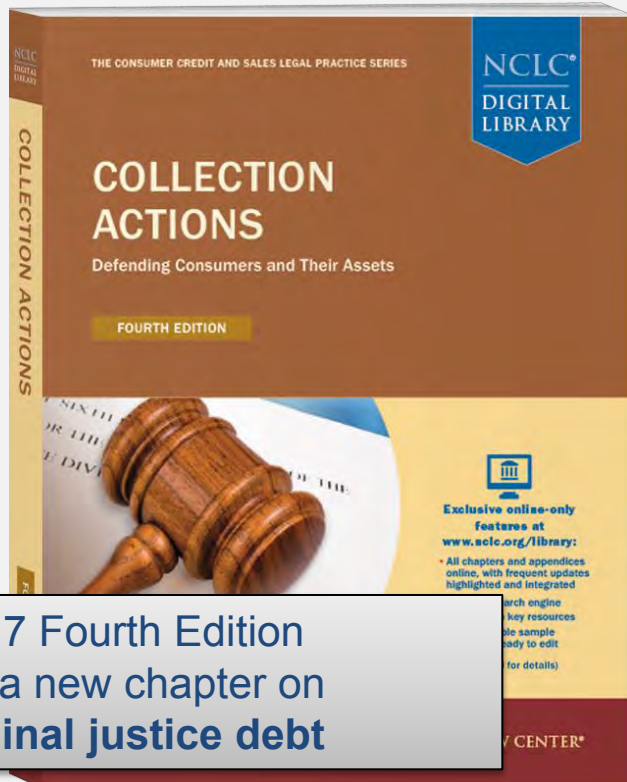


- Aimed at civil and criminal litigators/practitioners
- Primarily focused on individual representation
- Includes practice checklists

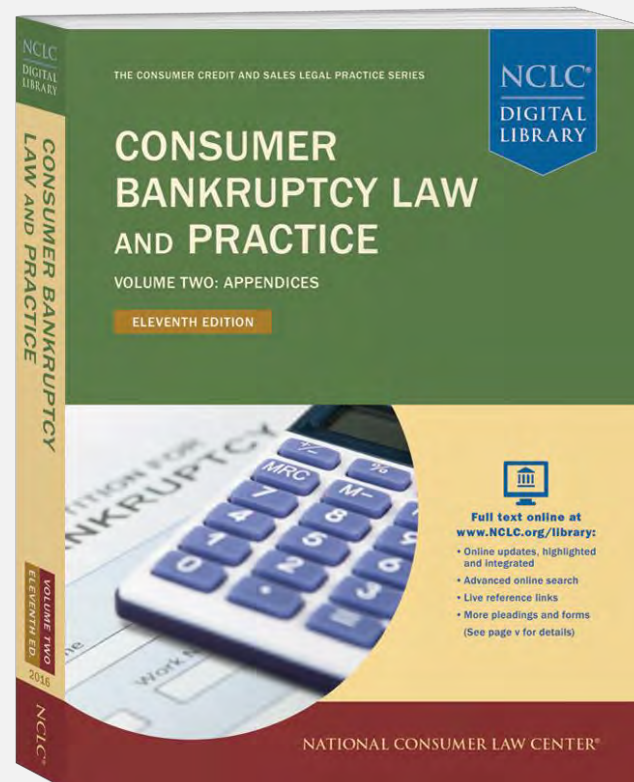
Topics in Litigation Guide



- Constitutional backdrop
- Defending against imposition of fines and fees
- Seeking modification of debt after imposition
- Defending against collection
- **Bankruptcy**
- Protections against garnishment
- Affirmative claims



2017 Fourth Edition
with a new chapter on
criminal justice debt



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Ranit Patel

Criminal Justice Policy Program at Harvard University Law School

Ranit Patel joins the Criminal Justice Program after receiving her J.D. from New York University School of Law in 2017. As a student in the Racial Equities Clinic she worked with the Legal Defense Fund on its school desegregation docket. She represented indigent clients through the Criminal Defense and Reentry Clinic and through her summer internship with the Federal Defenders of New York. Throughout law school, she represented students suspended from New York City public schools as a case manager and advisor for the Suspension Representation Project. During her second law school summer, she interned with the Center for Constitutional Rights on their Racial Justice and Government Misconduct docket. Prior to law school, Ranit worked as a paralegal in the ACLU's Racial Justice Program. After working for CJPP, she will clerk for Judge Alvin Thompson of the District Court of Connecticut.

Just a Reminder

- Tomorrow you will receive an email with:
 - The recording and materials for this webinar
 - A survey
 - Instructions for receiving a certificate of attendance.
- Thank you to our speaker!



Criminal Justice Debt Reform Builder: A 50-State Web Resource

Agenda

- Why create a web tool?
- Disclaimers!
- CJPP Policy Guide
- Walk through using the web tool
- Questions

Why create a web resource?

Why?

- Growing momentum of reform: Over 100 pieces of LFO legislation filed in more than twenty states
- Place to compare legislative reforms
- Laws relating to LFOs are scattered throughout codes
- Where should you direct your energy for reform?

Disclaimers

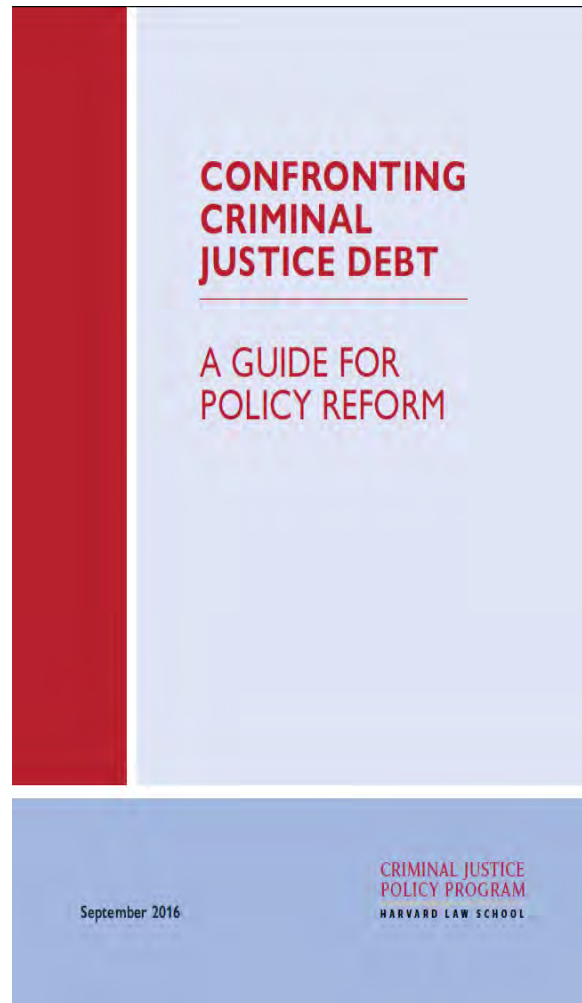
Disclaimers!

- This is a beta version
- THIS IS A STARTING POINT
- Does not include traffic code, civil court fees or penalties, local laws, or on-the-ground practice
- Data is coded over-inclusively
- Mandatory comes with a possible ability-to-pay caveat

Please let us know if you find any inaccuracies!

Confronting Criminal Justice Debt: A Guide to Policy Reform

Web tool integrates the CJPP Policy Guide: Topics and Policy Suggestions




September 2016

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CJPP Policy Guide: 4 Areas of Concern

- Ability-to-Pay Determination
- Poverty Penalties and Poverty Traps
- Conflicts of Interest
 - Revenue Flow
 - Structure of Courts
 - Collections Infrastructure
- Transparency and Accountability

Web Resource: cjdebtreform.org



Criminal Justice Policy Program at Harvard Law School
50-State Criminal Justice Debt Reform Builder Bringing transparency to areas of significant legal complexity.

[Home](#) | [National Comparison](#) | [State Analysis](#) | [Law Explorer](#) | [Reform Builder](#) | [Definitions / Methodology](#) | [Contact Us](#) [Log in](#)

Overview

Criminal justice debt – the system of fees and fines in the criminal justice system – has serious consequences. The Criminal Justice Debt Reform Builder brings transparency to this area of significant legal complexity: it gives easier access to state laws that govern criminal justice debt and suggests policy solutions through the Criminal Justice Policy Program's [Confronting Criminal Justice Debt: A Guide for Policy Reform](#).

The Reform Builder and Policy Guide are organized into the following reform areas:

Ability to Pay

Individuals face dozens of fees and surcharges on top of high fine amounts, much of which is often imposed without regard for an individual's ability to pay.

Conflicts of Interest

The negative impact of criminal justice debt is community wide: jurisdictions rely on fees and fines to fund basic operations, distorting the administration of justice and eroding trust. Racial disparities permeate the system.

Poverty Penalties and Poverty Traps

Financial obligations are structured in a way that impose the harshest effects on the poorest defendants, leading to vicious cycles of ballooning debt, loss of driver's licenses, jail time, and other harms for non-payment of that debt.

Transparency

Additional data collection, analysis, and reporting of system-wide practices will shine light on these practices.

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Questions?