

# Criminal Justice Debt Program

## Town Council Business Meeting January 22, 2020

**Staff Presenter: Megan Johnson, Police Crisis Unit Supervisor**



TOWN OF CHAPEL HILL

# Recommendation

**That the Council consider establishing the Town of Chapel Hill Program for Criminal Justice Debt.**



# OVERVIEW

- **Court fees and costs have a disparate impact on the poor.**
- **Fines/fees create barriers to community members seeking to reintegrate into the community.**
- **As African-Americans are disproportionately represented in the criminal justice system due to historic and structural racism, this is a racial equity issue.**





- **Pretrial Release**
- **Adult Behavioral Health**
- **Youth Mental Health**
- **Recovery/Treatment Courts**
- **Restoration Legal Counsel**
- **Pre-Arrest Diversion Program (OC PAD)**
- **Local Reentry Council**

# Filling a Gap

- **Pre-trial: Orange County Bail/Bond Justice Project** will assist people with bail and pretrial incarceration.
- **Trial: Judges have discretion to waive or remit fees, fines, and costs.**
- **Post-conviction: Driver's License Restoration Program** assists people who are unable to pay court costs related to traffic-related violations.
- **Re-entry: Local Reentry Council** assists formerly-incarcerated individuals with transportation, housing, employment training, work-related supplies, and childcare.



# Program Benefits

- **Provides help to eligible low-income individuals who have not been able to receive other available debt relief opportunities.**
- **By recognizing this important social justice issue, the Town will be a model for other municipalities.**
- **Fills a gap that other efforts are not able to address.**
- **Will collect and document the level of need within Chapel Hill.**
- **Will enhance and offer information on other efforts that support our residents as they seek to overcome barriers and seek stability.**



# Program Overview

- **Provides criminal justice-related relief to indigent members of our community who are taking steps to successfully reintegrate but whose ability to do so is hampered by debt.**
- **Initial request is for \$20,000 for a 1-year pilot program with a 6-month report to Council.**
- **The Crisis Unit will administer the program, establish procedures and application materials, screen applications for eligibility, and facilitate Advisory Committee meetings.**
- **If Council approves, Crisis Unit staff could start immediately.**



# Program Eligibility Criteria

- **Resident of Chapel Hill**
- **Meets court indigency standards**
- **Not currently incarcerated**
- **Applications limited to once every three years**
- **Has outstanding criminal justice or traffic debt from Orange County inclusive of deferred prosecutions**





# Program Eligibility Criteria

- **Could be seeking services from CHPD Crisis Unit, CEF, IFC, CJRD or other local service provider (but not required)**
- **Other avenues for debt relief have already been pursued (e.g. court relief, Driver's License Restoration Program)**
- **Recipient has demonstrated that he or she is on the road to stability (ex. in treatment, employed, raising children, license restored)**
- **Assistance will have an immediate impact**
- **\*\*Program will not be used to relieve debt associated with a violent felony conviction**



# Advisory Committee Members

- **Community Empowerment Fund (CEF)**
- **IFC**
- **Re-entry Council Case Manager**
- **Restoration Program Legal Counsel**
- **Orange County Partnership to End Homelessness (OCPEH)**



# Advisory Committee Members

- **NAACP Legal Redress Committee or Criminal Justice Committee member**
- **El Centro Hispano**
- **An impacted community member (IFC or CEF seat?)**
- **Clerk's Office**
- **Victims advocate rep (possibly law enforcement, OCRCC, Compass Center, etc.)**



# Advisory Committee Charge & Staff Role

- Advise staff on final eligibility criteria.
- Meet quarterly to review applications and make recommendations on awards after staff have screened applications against eligibility criteria.
- Review program data and make recommendations to Council on future plans.
- Provide information to applicants about other resources for debt relief, where appropriate.



# Recommendation

**Adopt R-12 to approve initial funds, create a Criminal Justice Debt Program Advisory Committee, and seek a report on the pilot program.**

