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Issue #6

The STAR Project's **Mission** is to provide the guidance and support that will successfully re-integrate ex-offenders into the community as contributing members of society.

Our **Vision** is to increase community safety and reduce recidivism by assisting persons to successfully transition from incarceration to the community.

## Legal Financial Obligations Leave a Lasting Mark on STAR Clients

*By Glenna Awbrey, Executive Director*

Legal Financial Obligations (LFOs) have a direct and sometimes lifelong impact on many people - including STAR clients. Because LFOs impact anyone who has been convicted of a crime, this newsletter is dedicated to describing some of these issues - as well as a promising new decision by the Washington Supreme Court in *State v. Blazina* in March of 2015.

LFOs include the fees, fines, costs, and restitution imposed by the court on top of a criminal sentence of incarceration and/or supervision under Department of Corrections. The monetary amount of LFOs handed down occurs at sentencing and is meant as a way for courts and when appropriate, victims to be compensated for crimes. Neither of which is inappropriate or unreasonable.

The issue is when LFOs exceed the person's ability to pay them, which is often the case if they are on disability. For many individuals, LFOs represent the only reason they remain in the criminal justice system, long after they have completed all other court ordered requirements.

The implications of this debt can be devastating for someone trying to turn their life around, as shown by a young man named Mike. Just over a month ago, Mike was brought to STAR's office by staff from another local agency, hoping STAR might be able to help him, as his needs far exceeded their capabilities. At intake, it became evident that Mike suffers from serious untreated mental health issues. Asked about his mental health, he stated he has schizophrenia but was not taking his medication as he had lost his disability coverage when he became homeless.

Mike had been living in Seattle, where he had gotten into a fight and spent a night in jail. Instead of being released back to Seattle where he had a support network, he was transported to Walla Walla on a warrant for unpaid LFOs from years ago. He spent two days in jail and was then released onto the street in Walla Walla, not knowing anyone, homeless and without resources. He had spent several nights sleeping outside in the rain before making his way to a local social service agency, which is how he ended up at STAR.

The issue of LFOs is complex, so it can't be fully addressed here. However, Mike's situation demonstrates the impact discretionary LFOs can have, years after a sentencing hearing.

## Goldmark Intern Ingrid Zerpa helps STAR Clients and Local Legal System Address Legal Financial Obligations

*By Lenel Parish*

Ms. Zerpa, a recent graduate of the Seattle University School of Law, joined the STAR Project this summer as the 2015 Goldmark Equal Justice Intern, sponsored by the Legal Foundation of Washington. The foundation awards an internship to a Washington nonprofit each year, with the award to STAR marking the first time an internship was awarded to an agency that is not dedicated to legal aid.

Ms. Zerpa's internship has been committed to aiding low-income STAR clients (particularly those who receive SSI or SSD benefits) in getting discretionary fines and fees amended by the courts, to increase their chances of becoming successful members of community. She has also looked into ways to solve the problem of how to establish reasonable restitution payments for clients seeking employment but who are held back by suspension on their driver's license due to unpaid LFOs.

Having spoken with local attorneys and judges, Ms. Zerpa has been heartened by their receptiveness to implementing the recent Washington State Supreme Court ruling in *State v. Blazina*. In *Blazina*, the Supreme Court chronicled the problems with LFOs in our judicial system and held the record must reflect that the trial court make an individualized inquiry into the defendant's current and future ability to pay LFOs prior to issuing discretionary fines and fees.

Having worked directly with STAR client's struggling to deal with large LFO debts they cannot pay, Ms. Zerpa said that her experiences at STAR this summer were memorable and insightful. "I learned things I never would have known about," she said. The effects that LFOs have on low-income men and women attempting to reenter society will stay with her long after the internship ends 21 August.

Ms. Zerpa's dedication to this issue is reflected in her eagerness to return to Walla Walla on Oct. 16 when STAR Project will host a Continuing Legal Education (CLE) class, in which "best practices" for attorneys and judges will be discussed. Legal professionals will address appropriate and correct lines of inquiry judges or attorneys must conduct when assessing a defendant's ability to pay LFOs. Education will further ensure they have the information needed to serve low income individuals appropriately.

*The Goldmark Equal Justice Internship was named for attorney Charles A. Goldmark, second president of the Legal Foundation of Washington. Goldmark was known for his firm belief in and advocacy for equal access by everyone to the justice system. The internship was created as a tribute to him that is intended to encourage young lawyers like Ms. Zerpa to emulate his strong commitment.*

## Client Profile: *Lisa - One Woman's Experience with LFOs*

By Aubrey Hill

Legal Financial Obligations (LFOs) can send clients on a downward spiral, causing them great difficulty to reenter society, as financial problems become too difficult to handle. The STAR Project has one client where this is *not* the case, and with her success, will set the precedent for LFO reduction to realistic amounts. Since the *Blazina* decision in March of 2015, Lisa has been working with public defender John Hartzell under a new law that allows her to avoid interest altogether, and only pay off restitution payments. Over time, she will be able to repay her debts in amounts that are practical for her budget. This is an exciting new course of action because in other cases, individuals who do not pay the full amount initially required are deemed "willfully negligent", and sent to jail; further increasing LFOs, leading to more monies being requested, and creating cycle of debt that not everyone can escape. This new process is still in an experimental phase, requiring: lots of paperwork, time, and patience with the legal system - but it could be a solution to the system of billing offenders into a lifetime of poverty and incarceration. Lisa is hopeful that things will work out for her, and sincerely hopes that her experience can be used to help others and improve the system.

## Be a STAR at Gentlemen of the Road!

*A Message from the Board of Directors*

You may not be a rock star, but you can still be a STAR at the Gentlemen of the Road concert series. We are encouraging people to sign up to work a shift at the Gentlemen of the Road Walla Walla Stopover and donate their earnings to the STAR Project. Experience the excitement of the event and help your community, too! For more information, go to the Work Exchange Team (WET) website at: <https://goo.gl/T7H9WN>.

WET participants typically work one 6 hour shift (some work more, some work less), and will be paid \$9.47 per hour. Working through the WET program allows workers to purchase discounted worker tickets for the concert at a deeply discounted rate of only \$40.

The Gentlemen of the Road Walla Walla Stopover is August 14th and 15th.

## Get Involved!

There are a number of ways to help The STAR Project:

- Donate to STAR online at <http://goo.gl/hsmR1f>
- Prepare Wednesday night group dinner
- Contact us if you are interested in renting to our clients
- Follow us on Facebook at [www.facebook.com/TheSTARProjectWW](http://www.facebook.com/TheSTARProjectWW)
- Follow us on Twitter at [www.twitter.com/TheSTARProjWW](http://www.twitter.com/TheSTARProjWW)
- Sign up for our newsletter online at <http://goo.gl/QkG8PA>

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