

No. 25–246

In the Supreme Court of the United States

KENNETH JOHN JOUPPI,
Petitioner,

v.

ALASKA,
Respondent.

**ON WRIT OF CERTIORARI
TO THE SUPREME COURT OF ALASKA**

**BRIEF OF JUVENILE LAW CENTER,
UBUNTU VILLAGE, AND THE YOUTH SENTENCING
AND REENTRY PROJECT, AS *AMICI CURIAE*
IN SUPPORT OF PETITIONER**

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INTEREST OF *AMICI CURIAE*¹

Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the child welfare and justice systems through litigation, appellate advocacy and submission of amicus briefs, policy reform, public education, training, consulting, and strategic communications. Founded in 1975, Juvenile Law Center is the first non-profit public interest law firm for children in the country. Juvenile Law Center strives to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children's unique developmental characteristics, and reflective of international human rights values.

Ubuntu Village is a Black-led, multi-racial organization working to protect the community from violence, systemic racism, and mass incarceration while building the supportive, thriving village communities deserve.

The Youth Sentencing and Reentry Project's goal is to reduce the imposition, duration, and impact of adult criminal sentences on children and families. The Youth Sentencing and Reentry Project works to keep children out of adult jails/prisons and to bring home people who were sentenced as children to life without the possibility of parole.

¹ Pursuant to S. Ct. R. 37.6, no counsel for a party authored this brief in whole or in part. No person or entity, other than *amici curiae*, their members, or their counsel, made a monetary contribution for the preparation or submission of this brief.

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Amici work on behalf of youth who have had contact with the juvenile and criminal justice systems. *Amici* support young people through litigation, direct representation, policy advocacy, education, and training. *Amici* also work to stem the punitive effects of justice system involvement and to promote opportunities for growth and reintegration for young people who enter these systems.

Amici share a deep concern that the monetary sanctions faced by youth in the juvenile and criminal justice systems will follow them for the rest of their lives and create overwhelming obstacles to success. *Amici* urge this Court to establish standards for the Eighth Amendment’s prohibition against excessive fines that allow for the consideration of individual circumstances and culpability—in this case, the developmental characteristics of children and the unique harms of monetary sanctions on youth.

SUMMARY OF THE ARGUMENTS

This case has broad and serious implications for the thousands of young people across the country facing fines in the juvenile and criminal justice systems. An Eighth Amendment excessive fines standard that requires courts to consider a specific offender’s circumstances will align with this Court’s jurisprudence on youth and protect young people from fines disproportionate to their diminished culpability.

This Court has previously established that a fine is unconstitutionally excessive if it is “grossly disproportionate” to the gravity of a defendant’s offense. *United States v. Bajakajian*, 524 U. S. 321, 334 (1998).

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It must now determine how courts should assess whether the fine is proportional. Although this case does not specifically concern youth under 18, the approach the Court sets forth must allow for a recognition of the legally relevant differences between youth and adults.

This Court has already held that determining proportionality in an Eighth Amendment context requires consideration of the characteristics of the offender, particularly their young age, as well as their specific offense, rather than an abstract view of the violation. See *Graham v. Florida*, 560 U.S. 48, 67 (2010) (“The judicial exercise of independent judgment requires consideration of the culpability of the offenders at issue in light of their crimes and characteristics, along with the severity of the punishment in question.”) This reasoning has led this Court to hold repeatedly that the Eighth Amendment’s proportionality principles require courts to consider the diminished culpability of youth when assessing punishments. See, e.g., *Roper v. Simmons*, 543 U.S. 551, 571 (2005) (explaining that “[r]etribution is not proportional if the law’s most severe penalty [—the death penalty—] is imposed on one whose culpability or blameworthiness is diminished, to a substantial degree, by reason of youth and immaturity”); *Graham*, 560 U.S., at 68–69 (striking life without parole sentences in nonhomicide cases as unconstitutional for youth under 18 in recognition of adolescents’ diminished capacity); *Miller v. Alabama*, 567 U.S. 460, 465 (2012) (holding that the Eighth Amendment forbids mandatory life in prison without the possibility of

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parole of youth under 18 because such a sentence “prevents those meting out punishment from considering a juvenile’s ‘lessened culpability’ and greater ‘capacity for change.’”)

The recognition that youth matters for criminal punishment is not new. Hundreds of years before this Court’s youth sentencing jurisprudence, the common law infancy defense similarly recognized that criminal law must treat youth differently because children are not as culpable as adults. Andrew Walkover, *The Infancy Defense in the New Juvenile Court*, 31 UCLA L. Rev. 503, 509–510 (1984). This Court also has long articulated that differences between children and adults are relevant to youth’s constitutional rights in a wide array of contexts. See, e.g., *Haley v. Ohio*, 332 U.S. 596, 599 (1948) (invalidating the confession of a 15-year-old boy as coerced due to his age).

Similarly, the Eighth Amendment’s excessive fines standard must allow for individual consideration of an offender’s characteristics, including the diminished culpability of youth. A blanket rule that allows courts to look at a crime only in the abstract rather than considering the specific violation in the context of the circumstances of the offender goes against the Supreme Court’s Eighth Amendment jurisprudence.

Considering youthful characteristics is especially important in Eighth Amendment excessive fines cases given the widespread practice of fining youth involved in the juvenile and criminal justice systems and the unique harms of fining children. Thirty-one states impose juvenile justice system fines on children and

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their families. They include traditional monetary sanctions or fines imposed solely as punishment for a young person's conduct, as well as penalties that ostensibly serve a remedial purpose, at least in part. Regardless of their form, juvenile fines can have devastating consequences for children and their families, including deprivation of liberty, interference with family property, and infringement on family unity. In addition, children in the criminal justice system face the same fines as their adult counterparts, regardless of limits on their earning capacity.

Against this backdrop, *amici* respectfully urge this Court to establish a standard for analyzing the Eighth Amendment's Excessive Fines Clause that requires consideration of an offender's specific case and characteristics, including their youth.

ARGUMENTS

This Court has made clear that the “touchstone of the constitutional inquiry under the Excessive Fines Clause is the principle of proportionality.” *Bajakajian*, 524 U.S., at 334. A fine is unconstitutionally excessive if it is “grossly disproportionate to the gravity of a defendant's offense.” *Ibid.* Today, this Court has the opportunity to clarify how courts should engage in this analysis. If the approach fails to adequately account for consideration of the defendant's individual circumstances and culpability, it will fly in the face of a long history of legal recognition that the law must account for a defendant's childhood. While Jouppi's case does not involve a child under 18, the holding will impact the young people in almost every

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State facing harmful fines despite their obviously reduced culpability and the unique harms they face from monetary sanctions.

I. The Eighth Amendment Analysis Must Take Into Account the Characteristics of Youth

Since common law, our jurisprudence has recognized that key differences between youth and adults matter for purposes of determining culpability and sentencing.

This Court has repeatedly held that the Constitution requires consideration of youth in assessing the proportionality of sentences under the Eighth Amendment. See *Roper*, 543 U.S., at 570; *Graham*, 560 U.S., at 68–69; *Miller*, 567 U.S., at 480. This Court’s recognition of the importance of youth is not new; in fact, the practice of treating youth differently from adults dates back to common law, see, *e.g.*, Andrew Walkover, *The Infancy Defense in the New Juvenile Court*, 31 UCLA L. Rev. 503, 509–10 (1984), and has been consistently reinforced over time. See, *e.g.*, *Lee v. Weisman*, 505 U.S. 577, 593 (1992).

The excessive fines standard must therefore permit an assessment of individual culpability that will allow courts to account for youth.

A. The Eighth Amendment Requires Consideration of Developmental Differences Between Youths and Adults

This Court has long held that “[y]outh is more than a chronological fact,” and therefore that children are

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“constitutionally different” from adults for sentencing purposes under the Eighth Amendment. See *Roper*, 543 U. S., at 569; *Miller*, 567 U. S., at 471, 476. In *Roper*, the Court explained that “capital punishment must be limited to those offenders whose extreme culpability makes them the most deserving of execution,” and that the differences between youth and adults demonstrate that youth cannot be classified among the worst offenders. *Roper*, 543 U. S., at 568.

The Court underscored what “every parent knows” about the differences between youth and adults. *Roper*, 543 U. S., at 569–570. First, youth immaturity can lead to impetuous decisions. *Id.*, at 569. Second, youth are more vulnerable to negative influences, in part because they have less control over their environments. *Ibid.* Third, the character of a young person under 18 is not as well formed as that of an adult. *Id.*, at 570.

The Court further recognized that the penological justifications for punishment bear less weight for adolescents. “[T]he case for retribution is not as strong with a minor as with an adult. Retribution is not proportional if the law’s most severe penalty is imposed on one whose culpability or blameworthiness is diminished, to a substantial degree, by reason of youth and immaturity.” *Roper*, 543 U. S., at 571. Moreover, “the same characteristics that render juveniles less culpable than adults suggest as well that juveniles will be less susceptible to deterrence” because teenagers will not engage in the same cost-benefit analysis as adults. *Ibid.*

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This Court has not limited its recognition of the salience of youth to the death penalty context. Indeed, after *Roper*, this Court repeatedly confirmed that youth matters for the Eighth Amendment. In *Graham*, for example, the Court struck as unconstitutional life without parole sentences for nonhomicide offenses by adolescents because “when compared to an adult murderer, a juvenile offender who did not kill or intend to kill has a twice diminished moral culpability,” and a greater capacity for change. 560 U. S., at 69–70, 82 (explaining that the age of the offender and the nature of the crime each bear on an Eighth Amendment analysis). The *Graham* Court echoed the *Roper* Court’s analysis of the key distinctions between youth and adults. *Id.*, at 68. It also highlighted emerging brain science, noting that the parts of the brain involved in behavior control continue to mature through late adolescence. *Ibid.*

In *Miller*, this Court further extended the analysis, striking as unconstitutional mandatory life without parole sentences for youth who commit homicide because such mandatory sentences prevent courts from considering the mitigating qualities of youth. 567 U. S., at 475 (clarifying that the differences between children and adults counsel against irrevocably sentencing them to a lifetime in prison).

This Court’s Eighth Amendment jurisprudence highlights that courts must consider the characteristics of youth in the punishment context, and reinforces the broader principle that “criminal procedure laws that fail to take defendants’ youthfulness into account

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at all would be flawed.” *Miller*, 567 U. S., at 467; *Graham*, 560 U. S., at 76.

B. This Nation’s Long History of Requiring Consideration of Youth Dates Back to the Common Law

Although this Court based the youth sentencing decisions in part on modern scientific and sociological studies on youth development, the unique treatment of youth in the eyes of the law predates these decisions by hundreds of years.

1. The Common Law Infancy Defense Accounted for Youth

Societal acknowledgement of the legal relevance of the immaturity of children dates back to English common law. The common law recognized that children were less culpable than adults because they were less able to establish the necessary intent to commit a crime. Andrew Walkover, *The Infancy Defense in the New Juvenile Court*, 31 UCLA L. Rev. 503, 509–510 (1984). The common law infancy defense included presumptions that “embodied largely intuitive judgements concerning a child’s capacity to take responsibility for individual tasks.” *Id.*, at 510.

The precise age of adult criminal responsibility depended on the type of offense. For many criminal offenses, the law presumed that children under seven were incapable of taking responsibility for their actions, and presumed those over fourteen capable of committing crimes, treating them as adults. *Id.*, at 510–512. If a child between the ages of seven and

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fourteen came before the court, the State had to prove that the child knew the wrongfulness of his act to find him guilty. *Ibid.*

For misdemeanors, common law in some cases would “privilege an infant, under the age of twenty-one” meaning that the infancy defense was sometimes available even for older adolescents and young adults. 4 William Blackstone, *Commentaries*, 23–24. See also 1 Matthew Hale, *The History of the Pleas of the Crown*, 24–29 (Sollom Emlyn ed. 1736) (“As to misdemeanors and offenses that are not capital: in some cases an infant is privileged by his non-age, and herein the privilege is all one whether he be above the age of fourteen years or under, if he be under one and twenty years.”); Craig Lerner, *Originalism and the Common Law Defense*, 67 *Am. U. L. Rev.* 1577, 1588 (2018).

2. This Court’s Consideration of Youth Also Predates *Roper*, *Miller*, and *Graham*

This Court also has a long history of recognizing the salience of youth to the criminal law and to legal analysis more broadly. As early as 1948, this Court held that children are particularly vulnerable to police questioning and that courts must therefore consider youth when analyzing whether a confession is voluntary. *Haley v. Ohio*, 332 U.S. 596, 599–600 (1948). The Court explained that “age 15 is a tender and difficult age” for children, highlighting the difference between youth and adults: “that which would leave a man cold and unimpressed can overawe and

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overwhelm a lad in his early teens.” *Ibid.*; see also *Gallegos v. Colorado*, 370 U. S. 49 (1962) (invalidating the confession of a 14-year-old boy and explaining he cannot be compared with an adult regarding his understanding of the consequences of an admission).

Similarly, Justice White, concurring in *McKeiver v. Pennsylvania*, explained, in holding that jury trials are not constitutionally required in state juvenile delinquency proceedings, that “reprehensible acts by juveniles are not deemed the consequence of mature and malevolent choice but of environmental pressure or of other forces beyond their control.” 403 U. S. 528, 551–552 (1971) (White, J., concurring).

This Court has similarly recognized that youthfulness matters to the constitutional analysis outside of the criminal justice context. For example, in *Lee v. Weisman*, this Court held that the Establishment Clause forbade public prayers at a public school graduation ceremony, because “adolescents are often susceptible to peer pressure, especially in matters of social convention” and may feel coerced to participate. 505 U. S. 577, 578 (1992); see also *Santa Fe Independent School Dist. v. Doe*, 530 U. S. 290, 312 (2000) (holding that where a prayer was delivered before school football games, the school created a coercive situation in which students were unconstitutionally forced to choose between ignoring the pressure to attend the game or facing a personally offensive religious ritual).

An excessive fines analysis that precludes courts from taking individual circumstances into account would fail to allow for the consideration of youth

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required by this Court under the Eighth Amendment and broadly accepted since common law.

II. Youth Are Exposed to Harmful Fines

An excessive fines standard that requires courts to consider youthfulness is vital to protect the thousands of children who face fines in the juvenile and criminal justice systems each year. These justice system fines impose financial obligations impossible for young people to meet and create unique harms for children.

As this Court has recognized in its youth justice jurisprudence, punishments typically applied to adults may be more severe when inflicted on children. *Graham*, 560 U. S., at 70–71; *Miller*, 567 U. S., at 475. For example, sentencing a child to life without parole is an “especially harsh punishment for a juvenile,’ because he will almost inevitably serve ‘more years and a greater percentage of his life in prison than an adult offender.’” *Miller*, 567 U. S., at 475 (quoting *Graham*, 560 U. S., at 70). Adult penalties are “the same . . . in name only” when applied to young people. *Ibid.* Fines have a uniquely damaging effect when imposed on adolescents; the excessive fines analysis must therefore allow courts to take the individual characteristics of youth into account.

A. Almost Every State’s Juvenile Justice System Authorizes Fines

Almost every State authorizes juvenile courts to impose financial obligations on young people adjudicated, or sometimes even merely accused, of offenses in the juvenile justice system. See generally Jessica

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Feierman et al., Debtors’ Prison for Kids? The High Cost of Fines and Fees in the Juvenile Justice System (2016) (Debtors’ Prison for Kids); see also Juvenile Law Center, National Map, Debtors’ Prison for Kids: The High Cost of Fines and Fees in the Juvenile Justice System, online at <https://debtorsprison.jlc.org/-#!/map> (as visited Sep. 1, 2026).² These laws include provisions explicitly authorizing fines, as well those authorizing a host of other monetary penalties that also qualify as fines for Eighth Amendment purposes.

At least thirty-one States explicitly authorize the assessment of fines against youth found delinquent in the juvenile justice system.³ See App. to Br. of JLC, et al. 1–3 (Monetary Penalties Labeled as Fines). Many States mandate that juvenile courts assess fines regardless of the young person’s financial circumstances. See, e.g., Ala. Code §12–15–215(c)(5) (2025); Idaho Code Ann. §20–549 (West 2015). Fines can be substantial; some state statutes authorize fines up to, or exceeding, a thousand dollars for a single offense. Kan. Stat. Ann. §38–2361(a)(8), (e) (West 2026); Ohio Rev. Code Ann. §2152.20(A)(1)(i) (West 2023); S. D. Codified Laws §26–8C–7(2) (2026). Indeed, some States authorize fines no different from

² The Debtor’s Prison For Kids website contains a national map displaying the current state statutes authorizing juvenile system fees and fines and includes changes since Juvenile Law Center released “Debtor’s Prison For Kids? The High Cost of Fines and Fees in the Juvenile Justice System” in 2016.

³ States may also burden parents with the cost of supervision, or other monetary sanctions, because of their child’s juvenile justice system involvement. See, e.g., Conn. Gen. Stat. Ann. §46b–141c.

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those imposed on adults in the criminal justice system. See, *e. g.*, Cal. Welf. & Inst. Code § 730.5 (West 1988); Ga. Code Ann. §§ 15–11–601(a)(8) (West 2023), 15–11–630(g)(4) (West 2015); N. C. Gen. Stat. Ann. § 7B–2506(5) (West 2024); Okla. Stat. Ann. § 10A–2–2–503(A)(7)(d) (West 2016); Wis. Stat. Ann. § 938.34(8) (West 2026); Wyo. Stat. Ann. § 14–6–247(a)(vi) (West 2024).

States also impose a host of other monetary sanctions on youth that may be considered fines under an Eighth Amendment analysis. For example, juvenile justice-involved children and their families face probation costs in many States. See, *e. g.*, Ark. Code § 9–35–423(a)(5) (authorizing assessment of probation fee not to exceed \$20 per month); Ind. Code § 31–40–2–1(a) (authorizing assessment of initial probation user’s fee of between \$25 and \$100 plus additional monthly fee of between \$10 and \$25, assessed against a child or their parent, guardian, or custodian); Okla. Stat. Ann. § 10A–2–2–503(A)(1) (authorizing \$25 monthly fee assessed against child, parent, or guardian). Probation costs frequently accumulate over time: many States assess them on a monthly basis. See, *e. g.*, Ga. Code Ann. § 5–11–37(b)(1)(B) (West 2014). Still, others charge them *each day* a child is on probation. See, *e. g.*, Fla. Stat. Ann. §§ 985.514(2) (West 2017), 985.039 (West 2014). Youth in the juvenile justice system in many States are also required to pay individual assessment or evaluation costs, diversion fees, restitution, and other financial obligations. See generally Debtors’ Prison for Kids. In addition, children in adult court will typically face all the same fines as

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adults, regardless of how their age impacts their capacity to pay.

B. Youth Are Uniquely Vulnerable to Harms from Fines.

1. Children Cannot Pay Fines

Fines are distinctly problematic when imposed on young people too young to have any real earning capacity. Some youth in the juvenile justice system are not old enough to work at all, or at least cannot work full time under federal law.⁴ Most are also of compulsory school age.⁵ Those who are old enough to work under state or federal laws are often shut out of the labor market; employment firms predict that 2026 will have had the lowest summer hiring since the Bureau of Labor Statistics began tracking the data in 1948.⁶ The challenges are particularly acute for

⁴ The Fair Labor Standards Act sets 14 as the minimum age for most non-agricultural work. 29 C.F.R. §570.2 (2012); see also U.S. Dept. Labor, Fact Sheet # 43: Child Labor Provisions of the Fair Labor Standards Act (FLSA) for Nonagricultural Occupations (2016), online at <https://tinyurl.com/m6uf566f> (as visited Sep. 6, 2026, and archived on the Internet Archive).

⁵ See National Center for Education Statistics, Table 5.1: Compulsory School Attendance Laws, Minimum and Maximum Age Limits for Required Free Education, by State: 2017, online at <https://tinyurl.com/35d8hvsf> (as visited Sep. 6, 2026, and archived on the Internet Archive).

⁶ Emma Burleigh, Teenagers are Shooting Out Over 50 Applications and Getting Ghosted Even for Volunteer Jobs: 'I'll Take Anything at This Point.' *Fortune* (Aug. 9, 2026), online at <https://tinyurl.com/ypcentu3x> (as visited Sep. 6, 2026, and archived on the Internet Archive).

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youth living in poverty, who tend to face even greater difficulties than their peers in finding employment.⁷

This was the case for Priscilla Amao, who entered the juvenile system because of truancy. Priscilla Amao, Debt Free Justice, online at <https://tinyurl.com/bdh9yssw> (as visited Sep. 1, 2026, and archived on the Internet Archive). She missed many days of school to help her parents take care of her siblings and to make sure they were fed and cared for. *Ibid.* The court required her to pay fees for her truancy adjudication, but she did not have the money to pay. *Ibid.* Her parents used the money they earned from being migrant workers to pay for their basic necessities like food, shelter, and clothing. *Ibid.* There was no money left to pay fees and fines. *Ibid.*

Even for the few youths who do obtain employment, pushing youth to work too much and too soon may lead to long-term negative consequences including worse academic performance and increased school drop-out rates,⁸ directly undermining the stated rehabilitative goals of the juvenile justice system.

⁷ According to a report from the Center for Labor Market Studies at Northeastern University, only 21% of teenagers from low-income families worked at all, while 38% of wealthier teens had jobs. Andrew Sum et al., The Dismal State of the Nation's Teen Summer Job Market, 2008–2012, and the Employment Outlook for the Summer of 2013, 4 (2013), online at <https://tinyurl.com/-2wbtdrst> (as visited Sep. 6, 2026, and archived on the Internet Archive).

⁸ According to one study, youth who work more than 20 hours a week “devote fewer hours to homework and extracurricular activities, have higher absenteeism, achieve lower grade point averages and standardized test scores, and have lower rates of high

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2. Fines Lead to Increased Justice System Involvement

Too often, inability to pay a fine pushes children deeper into the juvenile justice system. Youth may be forced to remain on probation while bills are outstanding. Arrianna Jentink-Bristol, for example, remained on probation for two extra years after entering the juvenile justice system at age 13 because she could not clear her juvenile justice debt. Lauren Gill, *How Michigan Stopped Saddling Children with Millions in Court Debt* (Dec. 18, 2024), online at <https://tinyurl.com/46wbm66e> (as visited Sep. 6, 2026, and archived on the Internet Archive). Arrianna made only \$10 an hour working six hours a week at an ice cream shop. *Ibid.* She felt anxious, depressed, and confused. *Ibid.* She explains “I had my mom yelling at me to pay these fines and fees. I had the court yelling at me to pay these fines and fees. As a kid, you don’t know what the heck is going on.” *Ibid.* (While Michigan has since eliminated most juvenile fees and fines in recent years, similar problems persist across the country.)

Young people who cannot pay may also be precluded from participation in programs that allow them to avoid further justice system involvement. See, e.g., Okla. Stat. Ann. §10A–2–2–104(D)–(F) (West 2013) (“The informal adjustment is an agreement whereby

school . . . and college completion than youth who do not work or who work at lower intensity.” Jeremy Staff et al., *Adolescent Work Intensity, School Performance, and Academic Engagement*, 83 *Sociol Educ.* 183, 183–184 (2010).

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the child agrees to fulfill certain conditions in exchange for not having a petition filed against the child . . . The informal adjustment agreement may require the child to pay a fee.”); 42 Pa. Cons. Stat. Ann. §6323(f) (“The terms and conditions of an informal adjustment may include payment by the child of reasonable amounts of money as costs, fees or restitution, including a supervision fee.”).

Juvenile fines can also lead to youth incarceration. See, e.g., 15 Me. Rev. Stat. Ann. §3314(7) (2018) (explaining court may enforce dispositional order through confinement).

Dante Bristow first became involved in the juvenile justice system for stealing when he was 13; his family did not have any food at home and he was hungry. Dante Bristow, Debt Free Justice, online at <https://tinyurl.com/peha9edj> (as visited Sep. 6, 2026, and archived on the Internet Archive). He was released from placement with an electronic ankle monitor, but because he could not pay for the monitor, he returned to jail. *Ibid.*

Criminology research also shows that juvenile fines are associated with increased recidivism, even when controlling for relevant demographic and case characteristics. A 2023 study of more than 1,000 cases in Florida found that youth who owed fines and fees had higher recidivism rates than those who did not, even when controlling for age, race, gender, and type of offense—and the more they owed, the larger the increase. Alex R. Piquero et al., A Statewide Analysis of the Impact of Restitution and Fees on Juvenile Recidivism in Florida Across Race & Ethnicity, 21 Youth

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Violence & Juv. Just. 279 (2023). More than 13.3% of youth surveyed in that study reported they would resort to criminal activity to pay fees or fines. *Id.*, at 31; see also Alex R. Piquero & Wesley G. Jennings, Research Note: Justice System-Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders, 15 Youth Violence & Juv. Just. 1, 1 (2016) (also available online at <https://tinyurl.com/h8kmctx> as visited Sep. 6, 2026, and archived on the Internet Archive).

3. The Harmful Effects of Juvenile Fines Follow Young People into Adulthood

The punitive repercussions of juvenile fines do not vanish with dismissal of a delinquency proceeding. The effects follow youth into adulthood.

In a number of jurisdictions, juvenile courts may retain jurisdiction over children into adulthood for the sole purpose of collecting payment on juvenile fines. See, e.g., Ala. Code §12–15–117(c); Okla. Stat. Ann. §10A–2–7–504(D). In many jurisdictions, juvenile fines can become a civil judgment, sometimes subject to payment through wage garnishment, property lien, bank levy, or tax intercept. See generally Debtors’ Prison for Kids, *supra*, at 23–24; see also, e.g., Fla. Stat. Ann. §938.29(2)(a)(2) (West 2010); S. D. Codified Laws §26–7A–32 (2002).

These policies risk harming a young person’s successful transition to adulthood. Young people with civil judgments may be precluded from obtaining or keeping a driver’s license or registering a vehicle.

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See Mass. Gen. Laws Ann. ch. 211D, §2A(h) (West 2018); Tenn. Code Ann. §40–24–105(b)(1) (West 2022). Civil judgments can interfere with the ability of young people to get loans for higher education or housing. Debtors’ Prison for Kids, at 23. Individuals may be unable to seek expungement of their records while these debts are outstanding. See generally Debtors’ Prison for Kids, at 23–24; see also, *e.g.*, Kan. Stat. Ann. §38–2312(e)(2) (West 2019). These records, in turn, can lead to devastating collateral consequences for young people including the denial of secondary education, housing, gainful employment, military service, and certain government benefits. Riya Saha Shah & Andrew Keats, Failed Policies, Forfeited Futures: Revisiting a National Scorecard on Juvenile Records, 2 (2020), online at <https://tinyurl.com/3eu-sttw2> (as visited Sep. 6, 2026, and archived on the Internet Archive). Thus even when fines are imposed for minor adolescent behavior, they may expose a child to years of punishment.

4. Fines Imposed on Youth Harm Family Relationships

When youth lack the resources to pay their fees and fines, the burden often falls to their parents or guardians, creating economic instability and family tensions that further punish the young person. Youth fees and fines can lead to increased conflicts between parents and children and can cause tension in sibling relationships. Leslie Paik & Chiara Packard, Impact of Juvenile Justice Fines and Fees on Family Life: Case Study in Dane County, WI, 10–14 (2019), online

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at <https://tinyurl.com/4sjm6p66> (as visited Sep. 6, 2026, and archived on the Internet Archive).

These fines also create significant stress, frustration, and economic strain for families. *Ibid.* Parents have even reported having to choose between paying fees and fines or paying for necessities such as groceries. Debtors’ Prison for Kids, at 12. Evidence shows that fees and fines increase the “financial and social instability of members of the debtor’s family’ in addition to the instability of the individual.” Eileen Funnell, Debt-Free Delinquency: Clearing the Path for Debt-Imprisoned Juveniles, 52 Seton Hall L. Rev. 1183, 1187 (2022) (citing Beth A. Colgan, The Excessive Fines Clause: Challenging the Modern Debtors’ Prison, 65 UCLA L. Rev. 2, 66 (2018)). Youth involved in the juvenile justice system need the emotional and financial support of their parents, but the strain of monetary sanctions may hamper efforts to support positive outcomes for youth and families. Stephanie Campos-Bui et al., Making Families Pay: The Harmful, Unlawful, and Costly Practice of Charging Juvenile Administrative Fees in California, 19–22 (2017).

Given the unique harms of fines to young people, precluding courts from considering individual characteristics such as youth would create vastly disproportionate penalties for children.

* * *

This Court has the opportunity to clarify what it means for justice system fines to be proportional. A long history of this Court’s jurisprudence, reinforced by common law, establishes that the analysis must be

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sufficiently individualized to account for the distinctive characteristics of youth.

CONCLUSION

Wherefore, this Court should reverse the judgment of the Supreme Court of Alaska and recognize that an Eighth Amendment standard must allow for individualized determinations based on the characteristics of the offender.

Respectfully submitted.

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*Appendix A***Monetary Penalties Labeled as Fines in State
Juvenile Justice Codes**

Alabama	Ala. Code §12–15–215(c)(5) (authorizing assessment of fine not to exceed \$250)
Arizona	Ariz. Rev. Stat. Ann. §8–341(N) (mandating assessment of fine between \$300 and \$1,000 for enumerated offenses)
Arkansas	Ark. Code §9–35–438(a)(4) (authorizing fine of up to \$500)
California	Cal. Welf. & Inst. Code §730.5 (authorizing fine up to the amount that would be imposed on adult upon criminal conviction of same offense)
Colorado	Colo. Rev. Stat. Ann. §19–2.5–1105 (authorizing fine up to \$300 for aggravated juvenile offender)
Florida	Fla. Stat. Ann. §806.13(9) (mandating assessment of fine between \$250 and \$1,000 against youth adjudicated delinquent for criminal mischief)
Georgia	Ga. Code Ann. §§15–11–601(a)(8), 15–11–630(g)(4) (authorizing fine up to the amount that would be imposed on an adult for a like offense)
Hawaii	Haw. Rev. Stat. §571–48(1)(D) (authorizing fine for violation which would be theft in the third degree if committed by an adult)
Idaho	Idaho Code Ann. §20–549 (mandating \$150 fine for curfew violation by a juvenile offender)
Kansas	Kan. Stat. Ann. §38–2361(a)(8), (e) (authorizing fine up to \$1,000 for each offense)
Kentucky	Ky. Rev. Stat. §635.085(1) (authorizing fine between \$100 and \$500 in lieu of detention)

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Louisiana	La. Stat. § 14.95.8(B) (mandating fine between \$100 and \$1,000 for illegal possession of handgun by juvenile)
Maine	Me. Rev. Stat. Ann. tit. 15, § 3314(1)(G) (authorizing fine up to \$1,000)
Massachusetts	Mass. Gen. Laws ch. 119, § 58B (authorizing fine for violation of motor vehicle code that results in delinquency adjudication)
Minnesota	Minn. Stat. § 260B.198, subd. 1(6) (authorizing fine up to \$1,000)
Mississippi	Miss. Code Ann. § 43–21–605(1)(e) (authorizing fine up to \$500)
Missouri	Mo. Ann. Stat. § 211.181(3)(9) (authorizing fine up to \$25 for act that would be a misdemeanor if committed by an adult and up to \$50 for act that would be a felony if committed by an adult)
Nevada	Nev. Rev. Stat. § 62E.730(1) (authorizing imposition of fine against youth and parent or guardian)
New Hampshire	N. H. Rev. Stat. § 169–B:19(I)(b) (authorizing fine up to \$250)
North Carolina	N. C. Gen. Stat. § 7B–2506(5) (authorizing fine in an amount not to exceed the maximum that could be imposed on adult convicted of criminal offense)
Ohio	Ohio Rev. Code Ann. § 2152.20(A)(1) (authorizing fine between \$50 and \$2,000, depending on the offense)
Oklahoma	Okla. Stat. Ann. tit. 10A, § 2–2–503(A)(7)(d) (authorizing fine in an amount not to exceed the maximum that could be imposed on adult convicted of criminal offense)
Pennsylvania	42 Pa. Cons. Stat. Ann. § 6352(a)(5) (authorizing assessment of fine)
Rhode Island	R. I. Gen. Laws § 14–1–4 (mandating fine of up to \$500 for “idleness”)

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South Carolina	S. C. Code §63–19–1410(A)(3) (authorizing fine of up to \$200 as a condition of probation)
South Dakota	S. D. Codified Laws §26–8C–7(2) (authorizing fine up to \$1,000)
Utah	Utah Code §80–6–304(1)(a) (authorizing fine up to \$250 as condition of nonjudicial adjustment)
Virginia	Va. Code §16.1–278.8(A)(8) (authorizing fine up to \$500)
West Virginia	W. Va. Code §49–4–715(a)(1) (authorizing fine up to \$100)
Wisconsin	Wis. Stat. Ann. §938.34(8) (authorizing fine in an amount not to exceed the maximum that could be imposed on adult convicted of criminal offense, or up to \$100 if the violation is applicable only to a person under 18 years of age)
Wyoming	Wyo. Stat. Ann. §14–6–247(a)(vi) (authorizing fine in an amount not to exceed the maximum that could be imposed on adult convicted of criminal offense)