

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/people-need-relief-from-court-fines-and-fees-even-beyond-the-current-recession>

Public Facing Advocacy Writing

The COVID-19 pandemic has cost millions of Americans their jobs and made clear just how many people struggle to afford their basic needs. At the height of COVID-19 closures this past spring, some courts, recognizing the extraordinary economic challenges facing Americans caught in the criminal legal system, made changes to their [use of fines and fees](#). They extended payment due dates, ended late fees and interest, and suspended the enforcement of outstanding warrants for nonpayment. For the many who were suddenly unemployed or facing reduced work hours or wages, this was small, but important, relief. Yet even in normal economic times, millions of people struggle to pay criminal justice fines and fees that routinely total hundreds or even thousands of dollars, even for minor offenses.

Vera's new [research briefs](#) show that in Florida and New York, the typical cost of fines and fees on a misdemeanor charge can easily surpass a month's pay for someone making minimum wage. Yet these revenues are relatively modest to the governments that collect them, typically accounting for 1 percent or less of city and county budgets.

We know that people have always struggled to pay these costs, and they face additional penalties if they can't pay. Both Florida and New York suspend drivers licenses of people who can't pay their fines and fees; even in New York, as soon as 30 days after a missed payment. For many people, especially those who live in areas with limited public transportation, the loss of a driver's license means they can't work or participate in everyday life. Some people continue to drive out of necessity, but they risk being stopped and arrested for driving on a suspended license. In Florida, this is a misdemeanor offense, punishable with a fine of up to \$500 for the first incident. Someone who is arrested three times for driving on a suspended license faces a minimum of 10 days in jail. Yet despite the immense incentives for people to have their licenses reinstated, many people simply can't pay the fines and fees they owe to do so.

Moreover, fines and fees are notoriously difficult to collect. Because the people who are charged fines and fees tend to be the most economically disadvantaged, governments receive only a small fraction of the amounts they assess. [Florida courts collect](#) just 21 percent of the fines and fees they charge on felony cases. The state itself considers the rest of this money to be uncollectible because people are poor, incarcerated in jail or prison, or both. As the COVID-19 recession has made things even worse for economically fragile people, fines and fees debt will likely only increase. In Florida, revenue from criminal, traffic, and civil court fines and fees in fiscal year 2020 was [9 percent lower](#) than the pre-pandemic projection, a total drop of \$20 million. Although this decline may be partially attributed to fewer traffic tickets and closed courtrooms during that period, it's also true that low-income Floridians are having increased difficulty paying for their basic needs, much less fines and fees. In fact, the [number of Floridians receiving SNAP](#) benefits has increased 44 percent since February 2020.

Courts' moves to defer payments and suspend punishments were a welcome acknowledgment that the COVID-19 recession was hitting the people who owe fines and fees the hardest. Yet by now, many of these temporary measures have expired, and courts around the country have returned to charging fines and fees as usual. The high cost fines and fees, even before the current recession, was never reasonable. A new way forward requires policy changes: substantial reforms to court costs, including eliminating fees and strictly limiting fines for people who are indigent. These changes would allow people to keep more of their money where it's needed most: in their pockets.

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