

ing toward the date of eligibility for parole, does not deny the prisoners incarcerated in local jails equal protection. The distinction is rationally justified by the fact that good-time credit is designed to encourage prisoners to engage in rehabilitation courses and activities that exist only in state prisons and not in local jails.<sup>1583</sup>

The Equal Protection Clause does, however, render invalid a statute requiring the sterilization of persons convicted of various offenses when the statute draws a line between like offenses, such as between larceny by fraud and embezzlement.<sup>1584</sup> A statute that provided that convicted defendants sentenced to imprisonment must reimburse the state for the furnishing of free transcripts of their trial by having amounts deducted from prison pay denied such persons equal protection when it did not require reimbursement of those fined, given suspended sentences, or placed on probation.<sup>1585</sup> Similarly, a statute enabling the state to recover the costs of such transcripts and other legal defense fees by a civil action violated equal protection because indigent defendants against whom judgment was entered under the statute did not have the benefit of exemptions and benefits afforded other civil judgment debtors.<sup>1586</sup> But a bail reform statute that provided for liberalized forms of release and that imposed the costs of operating the system upon one category of released defendants, generally those most indigent, was not invalid because the classification was rational and because the measure was in any event a substantial improvement upon the old bail system.<sup>1587</sup> The Court has applied the clause strictly to prohibit numerous *de jure* and *de facto* distinctions based on wealth or indigency.<sup>1588</sup>

## EQUAL PROTECTION AND RACE

### Overview

The Fourteenth Amendment “is one of a series of constitutional provisions having a common purpose; namely, securing to a race recently emancipated, a race that through many generations had been held in slavery, all the civil rights that the superior race enjoy. The true spirit and meaning of the amendments . . . cannot be under-

<sup>1583</sup> *McGinnis v. Royster*, 410 U.S. 263 (1973). *Cf.* *Hurtado v. United States*, 410 U.S. 578 (1973).

<sup>1584</sup> *Skinner v. Oklahoma ex rel. Williamson*, 316 U.S. 535 (1942).

<sup>1585</sup> *Rinaldi v. Yeager*, 384 U.S. 305 (1966). *But see* *Fuller v. Oregon*, 417 U.S. 40 (1974) (imposition of reimbursement obligation for state-provided defense assistance upon convicted defendants but not upon those acquitted or whose convictions are reversed is objectively rational).

<sup>1586</sup> *James v. Strange*, 407 U.S. 128 (1972).

<sup>1587</sup> *Schilb v. Kuebel*, 404 U.S. 357 (1971).

<sup>1588</sup> *See* “Poverty and Fundamental Interests: The Intersection of Due Process and Equal Protection—Generally,” *supra*.