

May 2023

Debt Sentence:

How Fines and Fees Hurt Working Families

A report by the Wilson Center for Science and Justice
and the Fines and Fees Justice Center



About Us

FFJC:

The Fines and Fees Justice Center (FFJC) is catalyzing a movement to eliminate the fines and fees that distort justice. Our goal is to create a justice system that treats individuals fairly, ensures public safety and community prosperity, and is funded equitably. We work together with affected communities and justice system stakeholders to eliminate fees in the justice system, ensure that fines are equitably imposed and enforced, and end abusive collection practices. Visit ffjc.us and follow [@FinesandFeesJC](https://twitter.com/FinesandFeesJC) on Twitter to get the latest updates on local, state and national fines and fees reforms.

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WCSJ:

The Wilson Center for Science and Justice at Duke Law seeks to advance criminal justice reform and equity through science and law. We engage with academics, policy makers, and community stakeholders to translate interdisciplinary research into effective and practical policy. Our work focuses on three key areas: improving the accuracy of the evidence used in criminal cases, promoting fair and equitable outcomes in the criminal legal system, and improving outcomes for persons with mental illness and substance use disorders who encounter, or are at risk for encountering, the criminal legal system. Learn more about the Center at wcsj.law.duke.edu.

Executive Summary

Food, healthcare, and shelter are essential for basic survival. Beyond mere survival, we all have other fundamental needs, such as employment, access to transportation, or education. No one would choose to forgo any of these necessities, unless there was a greater danger threatening their well-being. For millions of families across the United States, court fines and fees threaten these basic building blocks of survival and stability.

Across the United States, courts impose fines as a punishment for minor traffic infractions, municipal code violations, misdemeanors, and felonies. State and local governments then tax people with fees, surcharges, and other costs used to fund the justice system and other government services. The entire fee system is designed for one purpose: raising revenue for governments.

We know the impact of court fines and fees is not just limited to those families living in or close to poverty; it is felt by working families across economic, racial, and political demographic groups. Court-related debt can often be in the hundreds—if not thousands or even tens of thousands—of dollars, which makes paying it off a struggle for many. The Federal Reserve Board found that nearly one in four adults in the United States were just one unexpected \$400 bill away from severe financial hardship (U.S. Fed. Reserve, 2022). A report by the lending industry also found that in 2022 “[t]he share of those earning less than \$50,000 who live paycheck to paycheck rose to 82%” (PYMNTS.com & Lending Club, 2022).

Despite the breadth of data showing how much U.S. families are struggling financially, there has been a lack of consistent and reliable data on the impact of monetary sanctions on those same families. This study is the first to present a comprehensive, national overview of how court-imposed fines and fees are affecting people across the country. Using data from a nationally representative survey, we examine the impacts of court-imposed debt on peoples’ daily lives.

Our findings reveal a disturbing trend unfolding among working families impacted by fines and fees: money needed for necessities like food, housing, and healthcare is often being redirected to pay off court debt. Advocates for fines and fees reform have collected thousands of stories of families sacrificing basic necessities for fear of being jailed and arrested on account of outstanding court debt. But for the first time, with this survey, we have national data documenting the extent to which fines and fees are destabilizing families and jeopardizing their ability to access the building blocks that support survival, stability, and a chance at success.

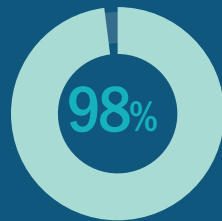
Key Findings

The impacts of fines and fees are felt nationwide:

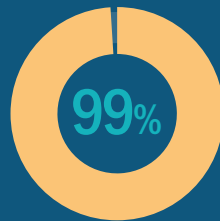
1 in 3 Americans have been directly impacted by fines or fees related to traffic, criminal, juvenile, or municipal court in the past ten years.



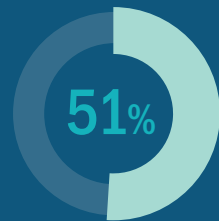
People ordered to pay fines and fees experience severe, destabilizing impacts:



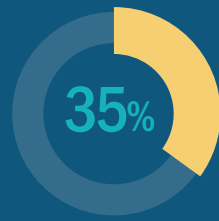
reported that court debt affected their daily lives



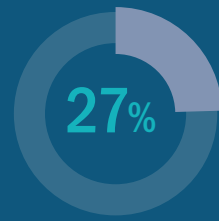
parents had to cut back on at least one essential daily need



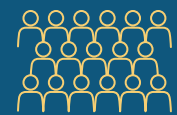
of impacted people had to cut back on two or more essentials



of impacted people had challenges simply obtaining food



reported housing hardship



Estimated
17M

households with children likely experienced shortfalls in food, housing, healthcare, or other essentials because a parent was saddled with court debt.

There is a shocking lack of access to payment plans, bill notices, and counsel:



Only one third reported having an attorney representing them at any point in the court or administrative process in which fines and fees were imposed.



Only a quarter of people receiving fines and fees reported being offered a payment plan as a way of paying in more affordable installments.



Nearly 1 out of every 5 people reported they never received clear notice explaining why they owed fines and fees, and 22% did not know how to pay.

Those unable to immediately pay fine and fee debts face prolonged and ever-deepening contact with the courts, including being subjected to supervision or court-monitored payment plans, with strict reporting requirements and monitoring restrictions that invade their daily lives. Many who are unable to pay are also subjected to additional fees and other punitive measures such as the suspension of their drivers' license, warrants, arrest, and jail (Crozier & Garrett, 2019; Link et al., 2020; Powell, 2021). They can also lose access to fundamental rights, such as voting, gun ownership, and basic privacy rights (Restoration of Rights Project, 2021).

The financial consequences of court debt can multiply and persist. Indeed, in our survey, about 30% of people were contacted by a collection agency regarding their outstanding fines or fees. And 28% of respondents reported their credit score suffered because other bills went unpaid.

At every step of the process, counterproductive enforcement tactics focused on making money can push people into a cycle of punishment, debt, and poverty that can lead to people losing their jobs, their homes, and even their children (Foster, 2020; Pattillo et al., 2022). Lower-income people and people of color are disproportionately affected by government efforts to raise revenue through the courts (Singla et al., 2020; Smercina et al., 2022).

The data from this national survey demonstrate that the problem of fines and fees is not simply occurring in a few jurisdictions. It is ubiquitous throughout the entire country, particularly among working class communities and communities of color. If these counterproductive policies are allowed to continue unchecked, we expect to see the further degradation of working families' stability, with collateral effects that may negatively impact the growth of state and local economies (Fines and Fees Justice Center, 2023). Jurisdictions must take immediate action to end all fees and ensure that fines are equitably imposed and enforced in order to safeguard the future.



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Introduction

People in traffic, criminal, municipal, and juvenile legal systems across the United States are being charged exorbitant amounts of money to fill budget holes left when state and local governments refuse to fund government directly and equitably. But little is known about the impact of these extraordinary costs on average people who struggle to get by. There are a lot of assumptions. Some people assume that punishing people who are incapable of paying will somehow incentivize them to produce the money. Some assume that financial burdens are creating a sense of accountability for people who have violated a law or civil ordinance. Some simply believe that those who don't pay fines or fees are trying to get one over on the government, rather than facing real financial pain on a daily basis. Others simply believe everyone can afford to pay the amounts imposed.

To examine these assumptions, the Fines and Fees Justice Center and the Wilson Center for Science and Justice at Duke University School of Law embarked on a first-of-its-kind national survey to understand who is receiving fines and fees and how this debt truly affects their lives. Our findings revealed that these assumptions are both unfounded and harmful. We discovered widespread and significant hardship affecting basic human needs such as food, housing, and healthcare. We learned that fines and fees are significantly impacting the daily lives of not only those who may have violated a law, but untold millions of children and families, and by extension, their communities. We also

uncovered that what a person owes, why they owe it, and how to pay it is not always clear, raising serious fundamental concerns about transparency and fairness.

The United States' legal system is supposed to operate with integrity—providing equal justice for all. Yet, in far too many places, court fines and fees have put an exorbitant price tag on justice. Across the country, courts impose fines as a punishment for minor traffic infractions, municipal code violations, misdemeanors, and felonies (U.S. Department of Justice, 2015; Harris, 2016). Courts then tax people with additional fees, assessments, surcharges, and other costs used to fund the court system and other government services. The entire system is built on raising revenue for the government, which often places those within the legal system into a vicious cycle of debt and on-going court involvement that can be difficult to break (Hendricks & Harvey, 2017; Sances & You, 2017). For those with the financial means, fines and fees may be an inconvenience they can pay off quickly, leaving them with little or no additional legal system interaction. Yet, those who cannot immediately pay these costs face prolonged and ever-deepening contact with the courts and a host of harmful collateral consequences (Garrett, 2022).

We know that the impact of fines and fees is also not limited to just the extremely poor. It affects working families across demographic groups. Yet, we do not know the full scope of this national problem. There has long been a lack of consistent and reliable federal,

state, and local data on monetary sanctions (Martin et al., 2018; Hammond, 2020; Friedman et al., 2022).

To investigate the impact of fines and fees, the Fines and Fees Justice Center and the Wilson Center for Science and Justice at Duke University School of Law

embarked on a national survey to see how court-imposed fines and fees are affecting people across the country. This is the first study to use a nationally representative sample in examining the personal impacts court-imposed debt has on people unable to immediately pay off their fines and fees.



Methodology

To understand the scope and impacts of fines and fees in the United States, we conducted a survey with more than 5,600 adults. Using Qualtrics, a web-based survey tool, the team gathered information about a range of issues related to court fines and fees, including the types of fines or fees, the amounts owed, the daily impacts of court debt, people’s experiences paying this debt, and people’s perceptions of the criminal legal system.

First, respondents completed a demographic questionnaire to provide information about age, race, ethnicity, gender, employment status, household income, education, marital status, children, political leaning, and state and region of residence. This section concluded with the following screener questions: “Have you ever been told to pay a fine/fee to the courts for a traffic citation or criminal conviction?” and “Did you incur this fine or fee in the past 10 years?” People who responded affirmatively to both questions were allowed to complete the entire survey. The final impacted sample comprised 2,007 respondents who reported having fines and/or fees within the last 10 years.¹

Our overall study sample closely reflected the racial,

ethnic, and gender compositions of the general U.S. population (U.S. Census Bureau, 2021).

Notably, the median household income in our impacted sample (\$60,000) is lower than the national median income (\$70,784).

Our impacted sample diverged somewhat from national statistics with respect to education: more than half of our respondents (52%) had a college degree—which is slightly higher than the national average—and fewer than 2% had less than a high school education, which is significantly fewer than the general population.²

Our survey method, which required reliable access to the internet and a comfort with fairly long surveys of a personal nature may have contributed to our sample being slightly more educated than the overall court-involved population, which research indicates has a significantly higher percentage of those without a high school diploma than the general adult population.³

Given these limitations, our findings are likely conservative. The broader court-involved population may face more serious consequences than those who responded to our survey.

¹ Several restrictions were made to arrive at the final analytic sample. We excluded all cases with invalid responses (n = 1,053). Reasons for being invalid included: speedy responses, duplicate responses, and responses containing false information. Then, we excluded all cases with respondents who reported not having had fines or fees in the past ten years (n = 3,616). Sociodemographic information about respondents with fines or fees is shown in Appendix Table A1 and for those without fines or fees in Appendix Table A2.

² U.S. Census Bureau finds that 48.4% of U.S. residents have an Associate Degree or higher, while 8.9% had less than a high school diploma or its equivalent (U.S. Census Bureau, 2022).

³ Before being incarcerated, only 38% of people in state prisons had high school diplomas or the equivalent, compared with almost 90% of adults in the United States (Wang et al., 2022). Compare with other research suggesting that education is positively associated with having legal debt, using data from 2006 in three states (Link, 2019).

I The Scale of Fines and Fees

How common is court-imposed debt?

We found 2,007 respondents—approximately 36%, or *more than one out of every three people* of our nationally-representative sample—reported receiving a court-related fine or fee in the past ten years.⁴ Of those 2,007 impacted respondents, 26% reported still owing on that debt and nearly three out of ten of those said they don’t anticipate ever paying it off fully.

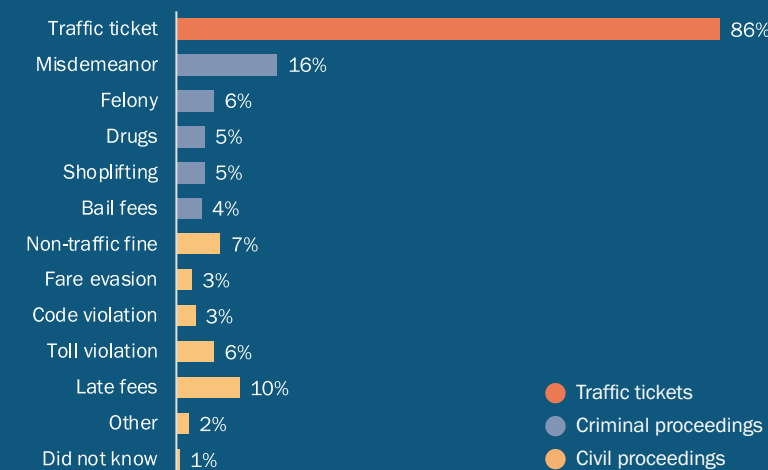
For the remainder of this report, we focus our findings on this subset of 2,007 impacted respondents who had fines and fees in the last ten years, which were the only respondents that received the entire survey regarding impacts of these costs. Any discussion of “all respondents” hereafter is centered on this subset, unless otherwise expressly stated.

Why are people receiving fines or fees?

Fines and fees are assessed for a variety of reasons. The most common reason was a traffic ticket (86% of respondents). In fact, for 58% of impacted respondents, traffic tickets were the sole reason for being assessed fines and fees. More than 36% of impacted respondents reported receiving fines and fees tied to a criminal proceeding,⁵ with approximately 20% having their costs tied to other civil infractions, city code violations, or some other court process.⁶

About 10% received late fees because they were unable to pay on time.

Figure 1. Sources of Receiving Fines or Fees



Notes: N = 2,007 total respondents. Total percentage does not equal 100 because respondents could select multiple options. 58% (1,157 of 2,007) respondents reported just traffic tickets. 5% (104 of 2,007) respondents received warrant fees, but it was unclear whether they were civil or criminal warrants. 32% (651 of 2,007) received fines or fees from multiple types of charges.

⁴ Among people with fines or fees, 95% reported receiving a fine, 81% reported receiving a fee, and 77% reported receiving both.

⁵ The criminal proceedings category included: 4.5% for shoplifting, 5% for drug-related cases, 16% for other misdemeanor charges; 6% for other felony charges; 4% incurring fees associated with bail.

⁶ The civil proceedings category included: 7% non-traffic fines; 2.5% non-criminal fare evasion; 3% code violations; 6% toll evasion; and 2% other.

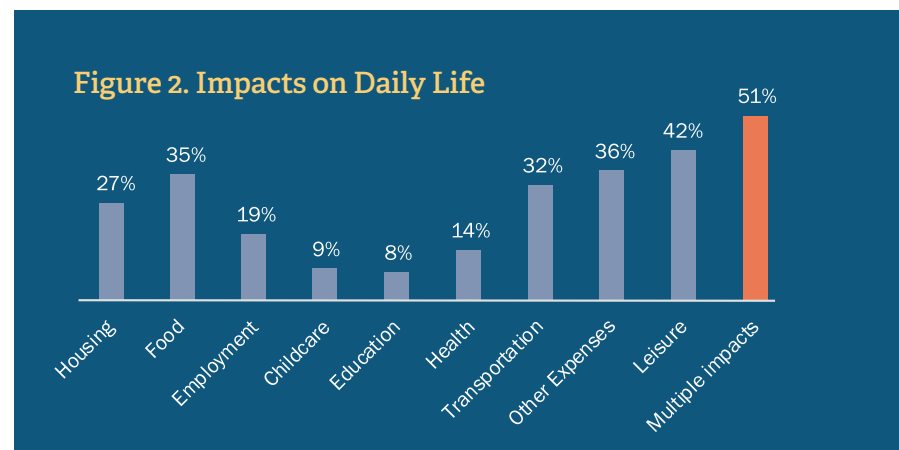
II The Impacts of Fines and Fees

What are the daily impacts of court-imposed debt?

Research finds that people struggle to pay their court fines and fees, which can make it difficult to afford expenses such as housing, food, childcare, and transportation (Garrett, 2022; Pattillo et al., 2022). To understand the ways in which fines and fees impact people's daily lives, we asked, "which of the following aspects of your life have the fines or fees impacted?" The response options included housing, food, employment, childcare, education, health, transportation, bills or other expenses, and leisurely activities. We considered someone as having a "serious hardship" if they indicated impacts in three or more categories.

Almost all respondents (98.5%) reported that their fines or fees impacted at least one aspect of daily life. About half of respondents (48%) were affected in just one aspect of daily life. More than half (51%) reported experiencing multiple impacts. The most common combination of hardships was housing and food, for which 19% of people reported experiencing both. One-in-three people (33%) met the criteria for having serious hardship.

We considered both *essential* and *nonessential* hardships as a way to understand the scale of the impact. We classified hardships related to housing, food, employment, health, childcare, and transportation as essential hardships. Nonessential hardships impacted education, other bills or expenses, and leisure. **About 61% of people experienced at least one essential hardship and 70% experienced at least one nonessential hardship.**



Notes: N = 2,007 total respondents. The "multiple impacts" category refers to respondents who selected more than one impacted domain of daily life.

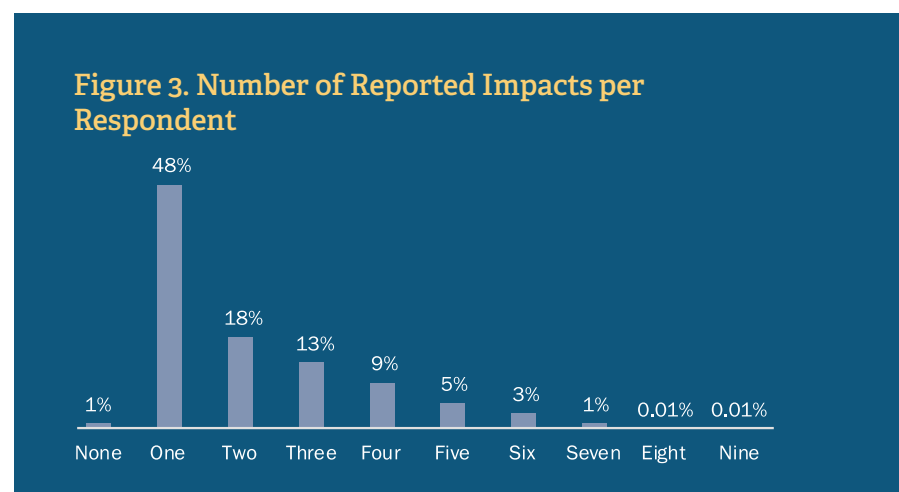
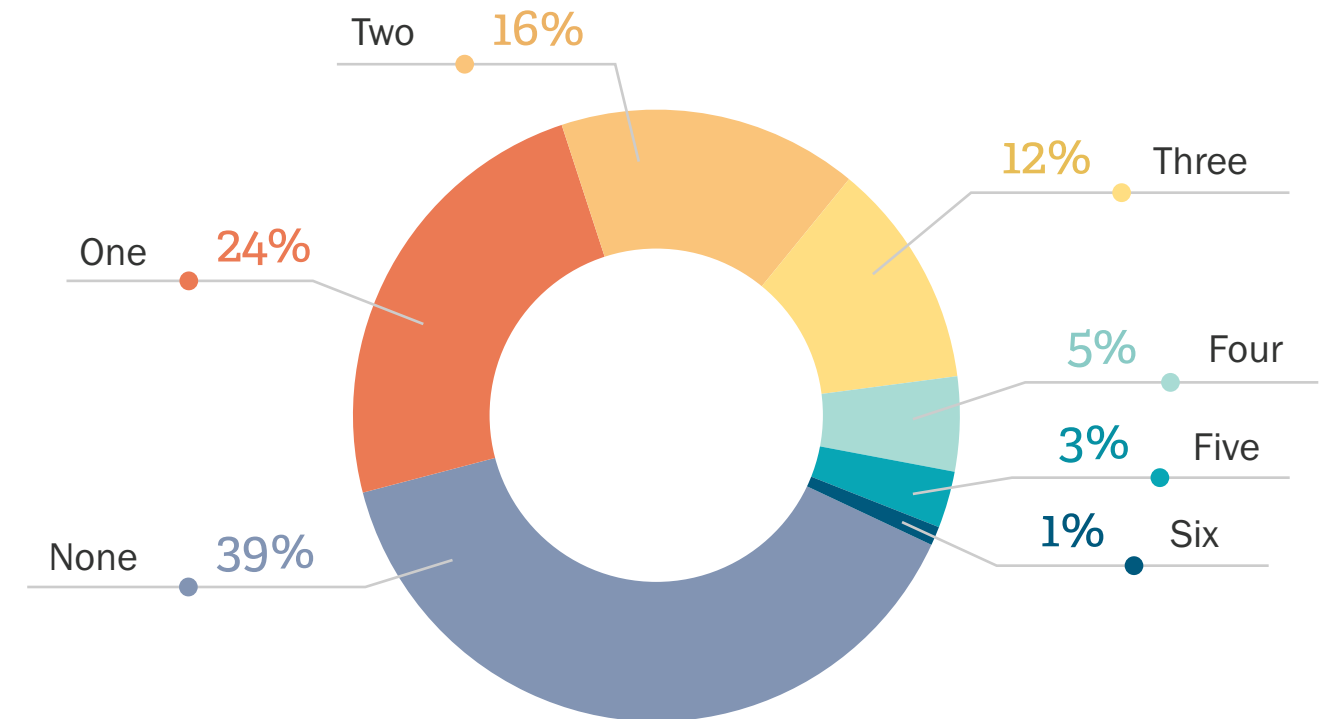
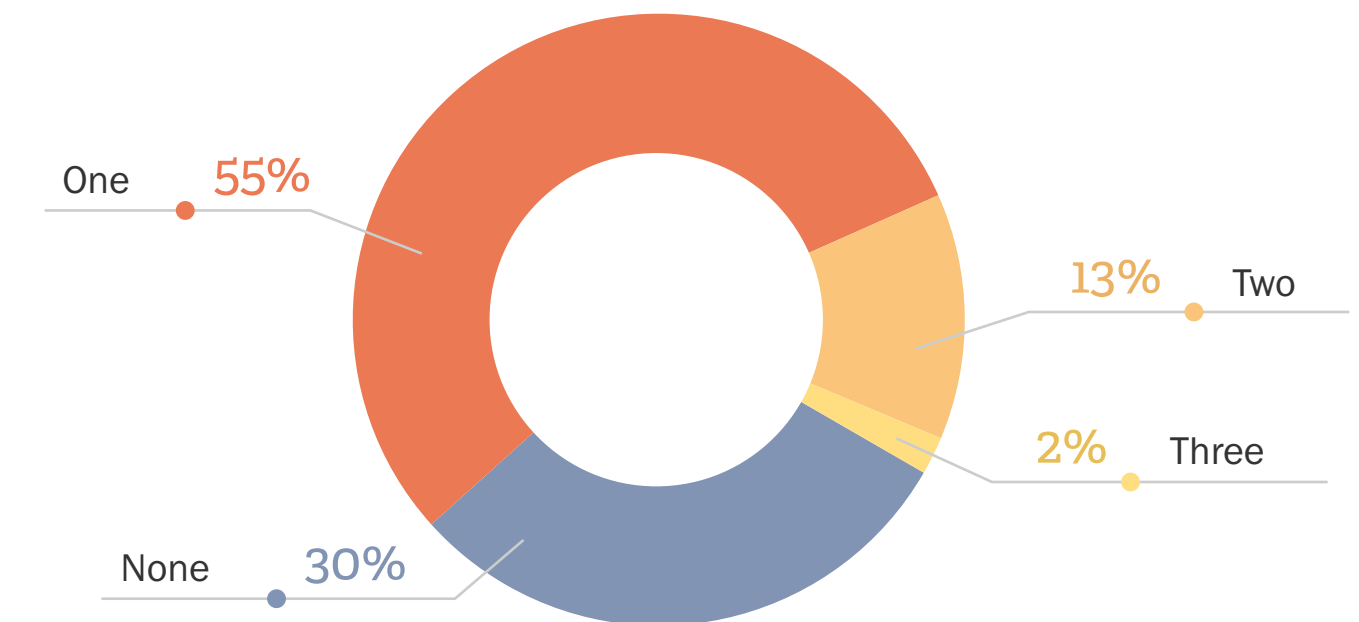


Figure 4a. Number of Reported Impacts per Respondent, *Essential* Hardships



Notes: Essential hardships include housing, food, employment, childcare, health, and transportation.

Figure 4b. Number of Reported Impacts per Respondent, *Nonessential* Hardships



Notes: Nonessential hardships include education, other bills or expenses, and leisure.

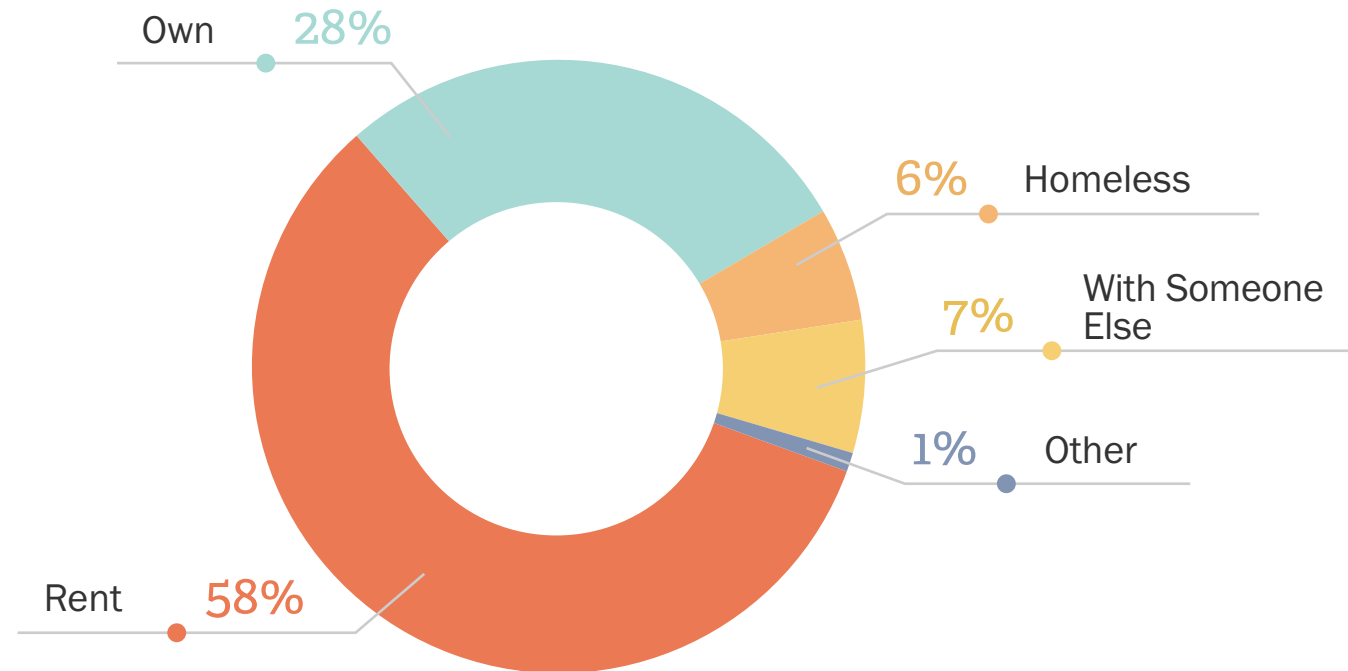
How are fines and fees creating essential hardships?

We identified six areas of daily life impacted by fines and fees that we deemed as essential to a person's overall wellbeing: housing, food security, employment, childcare, health, and transportation.

1. Housing

We found that **27% of people with court debt reported housing hardship**. This is more than twice that found by some previous research looking at similar metrics (Kaushal et al., 2021⁷). When looking specifically at people who are already experiencing housing instability, previous research found that fines and fees create even deeper financial strain (Pattillo et al, 2022). Our findings support this. More than half of our respondents who had experienced housing hardship due to fines and fees were renters (58%) at the time the costs were imposed and about 6% were already homeless.

Figure 5. Living Situation before Incurring Fines or Fees



Notes: N = 539 respondents.

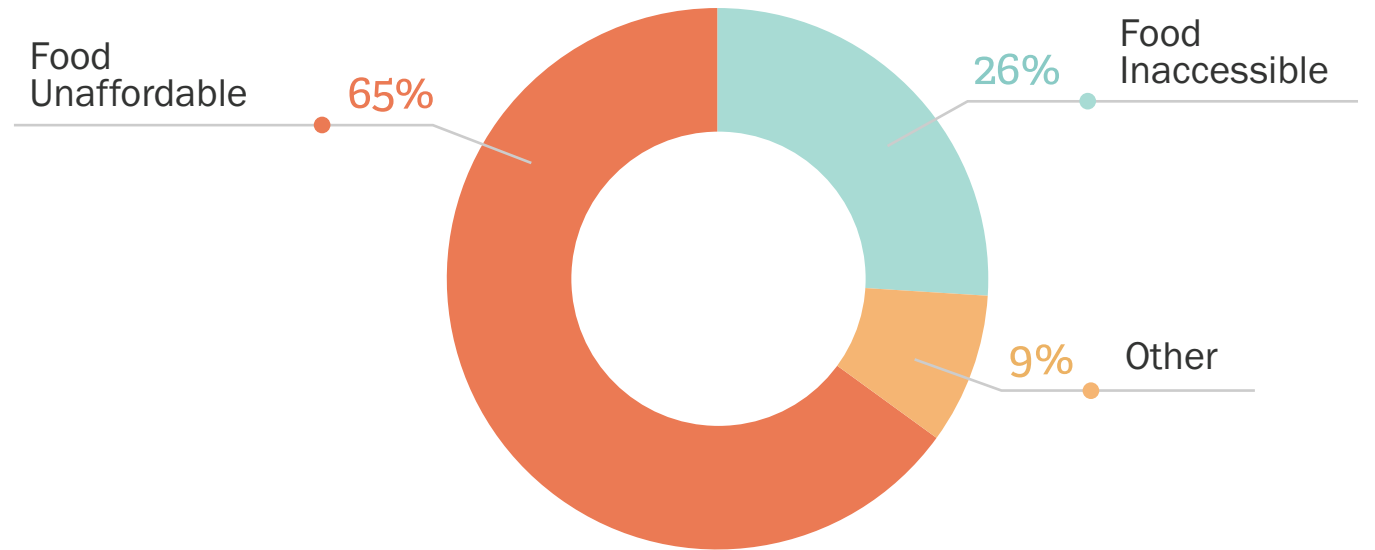
Of the people who reported a housing hardship, about two-thirds (67%) fell behind on rent or mortgage payments, about 37% had their utilities shut off, and about 34% needed to move to a different living situation⁸ (See Appendix Table A4).

⁷ Finding that 11% of their smaller sample reported delaying rent, mortgage, or utility payments due to court debt.

⁸ This includes those who reported becoming unhoused.

2. Food Security

In our survey, **35% of people reported that court debt impacted their ability to obtain food**. Of these, more than two-thirds (65%) could not afford the food they typically bought, either going without or changing the types of food they could buy. Physical access was also impacted, with 26% reporting that losing their drivers' license made it hard to access food.⁹ Our findings help to quantify previous research showing such debt affects both the amount and quality of food people are able to access (Harris et al., 2010; Alabama Appleseed et al., 2018; Couture, 2022).



3. Employment

Nearly 19% of people reported court debt impacted their employment. The most common impacts respondents cited included being unable to work, lacking transportation to or from work, and having to seek additional employment or more hours. Additionally, 68% reported having to miss work to attend court dates related to their fines and fees. This mirrors prior research on how court debt and the need to attend court hearings can negatively impact employment (Cadigan & Kirk, 2020).

4. Childcare

Of the respondents who identified as having children under 18 years of age, 12% indicated that fine and fee debt created childcare hardship. Common explanations of what that hardship looked like included being unable to pay for childcare services or transportation to alternate caregivers. Many said that they had to simply stay home with the children or rely on family or friends to care for them. Overall, 45% of respondents reported they did not have children under 18, making childcare an issue where hardship was unlikely to be felt for them.

⁹ The remaining 9% simply classified their challenges with getting food as "other."

5. Health

In our survey, **14% of people identified healthcare as worsening due to unpaid court debt.** Of this group, half reported that their debt prevented them from paying for at least one medication and 47% reported it as an obstacle to seeing a doctor, either requiring them to miss appointments or avoid scheduling them altogether.

When asked to provide details of the health impacts, many respondents shared that beyond the access challenges, unpaid court debt created feelings of anxiety and stress. Moreover, whether it was a result of these feelings, or an inability to access other medication, 18 people in our study volunteered in open responses that they turned to illegal substances as a form of self-medication.

These findings are consistent with research showing that people in households with court debt tend to be less healthy, work less because of their health, and are less likely to receive healthcare services because of cost (Harris & Smith, 2022). Relatedly, having unpaid fines and fees has previously been linked to people being forced to cut back on essential healthcare in order to pay off the debt (Harris et al., 2010; Alabama Appleseed et al., 2018).

6. Transportation

We find that **32% of people reported court debt impacted access to transportation.** When asked to describe the impact, the most common responses included losing their drivers' license due to unpaid fines and fees, being unable to afford car payments or gas, and a fear of future traffic stops. To adapt to this, respondents reported reducing time on the road or turning to other modes of transportation, such as relying on other people to take them places, taking public transportation, or limiting their travels to places to which they could walk.

The relationship between fines and fees and challenges with transportation is widely recognized, particularly when one's driver's license can be suspended as a sanction for nonpayment of court debt (Carnegie, 2007; Crozier & Garrett, 2019; Cadigan & Kirk, 2020). Given that 84% of Americans drive to work (U.S. Census Bureau, 2020), lack of transportation can seriously impact, not only people's lives, but their ability to earn money to pay court debts.



How are fines and fees creating nonessential hardships?

The three nonessential hardships we explored in this survey are those related to education, other bills or financial obligations, and leisure spending. Although not classified as essential, they have wide-ranging personal, economic, and societal implications.

1. Educational Impacts

Of those with fine and fee debt in the past ten year, **8% reported the debt impacted educational opportunities for themselves or for someone in their family.** Common explanations included being unable to attend or afford college, having to cut back on course loads due to the cost, or having to transition to an online program to save money.

Education impacts a person's earning potential, which also has spillover effects for local economies (Rothwell, 2015; Broady & Hershbein, 2020). We are unaware of previous research that has examined the link between court debt and educational impacts, so our findings may be the first foray into this topic.

2. Other bills and financial obligations

We found **36% of respondents reported having difficulty paying other bills as a result of their fines and fees.** When asked to provide examples of other bills, many cited expenses related to housing or vehicles, so there may be some overlap with those essential categories as well. Still, 16% of those who noted this as a hardship said that their court debt made it hard to keep up with "all" other bills.

Although credit bureaus reportedly do not draw their information from public records, like court documents, if an unpaid court debt is transferred to a collection agency, it may be reported to a credit bureau (Axelton, 2021). Moreover, even if a person pays their court fines and fees, failure to pay other bills as a result can negatively affect credit (DeNicola, 2019; Gollen, 2021).

Of the 724 respondents who reported difficulty with other bills, 28% reported that their credit score suffered because other bills went unpaid. Another 24% were unsure of an effect on their credit. Of the 28% who attributed their poorer credit to having other unpaid bills, nearly two-thirds (63%) said the bad credit had negative impacts on other areas of their life, like housing or employment. These findings support the idea that even nonessential hardships resulting from fine and fee debt can have ripple effects across people's lives that many policymakers may not be considering.

3. Leisure

Among those in our impacted sample, **41.5% reported that owing fines and fees affected their leisure spending.** We intentionally did not define "leisure," so that individuals could reflect on what that meant for them and their families. For instance, in choosing leisure, some respondents commented that they could no longer go shopping or traveling. Other respondents commented on being unable to visit friends or relatives or not being able to allow their children to participate in extracurricular activities. Collectively, the most common responses revolved around reductions in shopping, dining, spending time with children and family, and traveling or vacations.

These kinds of cutbacks may be what some policymakers specifically intended when imposing costs, because they may be significant enough to create hardship that might act as a future deterrent, while not implicating essential areas of life. However, there is no evidence that these costs have any deterrent effect. Research into the deterrent effects of fines indicates that they do not impact recidivism rates, even though they burden individuals (Critelli & Crawford, 1980; Moffat & Poynton, 2007; Goncalves & Mello, 2021). Moreover, research suggests that prosocial leisure activities can actually reduce involvement in future offending behavior (National Research Council, 2013; Wooditch et al, 2014; Link & Williams, 2016).

Our findings also raise important questions about the overall impact fines and fees may have on the consumer economy. In 2021, the average U.S. household spent 5.3% of its budget on “entertainment,” which the federal government defines as spending on tickets and admissions; audio and visual technology and services; pets, toys, and hobbies; and other entertainment supplies and services (U.S. Bureau of Labor Statistics, 2021). Our respondents’ definition of leisure regularly went beyond this narrower definition of entertainment. Although the broader economic impact of court debt is beyond the scope of this report, our findings raise questions about how restricting this leisure spending from communities, by imposing fines and fees, might harm local economies in the long run.



III Impacts Across Sociodemographic Groups

In this section, we focus on patterns across race, income, the presence of children, marital status, and political leanings.¹⁰

Race

We found that across all types of fines and fees—traffic, municipal, juvenile, and criminal—similar percentages of white and Black people incurred a fine or fee in the past ten years (36% and 35%, respectively). However, rates were higher for people who identified as Asian (43%), Native American (46%), and Hispanic (46%). The prevalence of fines and fees across racial groups were less stark in our study than those shown in many prior studies (Sances & You, 2017; Stevenson & Mayson, 2018; Shannon, 2020; Morse, 2021; Garrett, 2022; Smercina et al, 2022; Stewart et al., 2022; Piquero et al., 2023).

Our findings may reflect the fact that we included not just criminal cases, but also civil, municipal and traffic cases. Additionally, research showing that white people and those with higher incomes are more likely to have access to computers and broadband internet at home (Atske & Perrin, 2021; Vogels, 2021) suggests that the online nature of our survey may also have affected the pool of respondents.

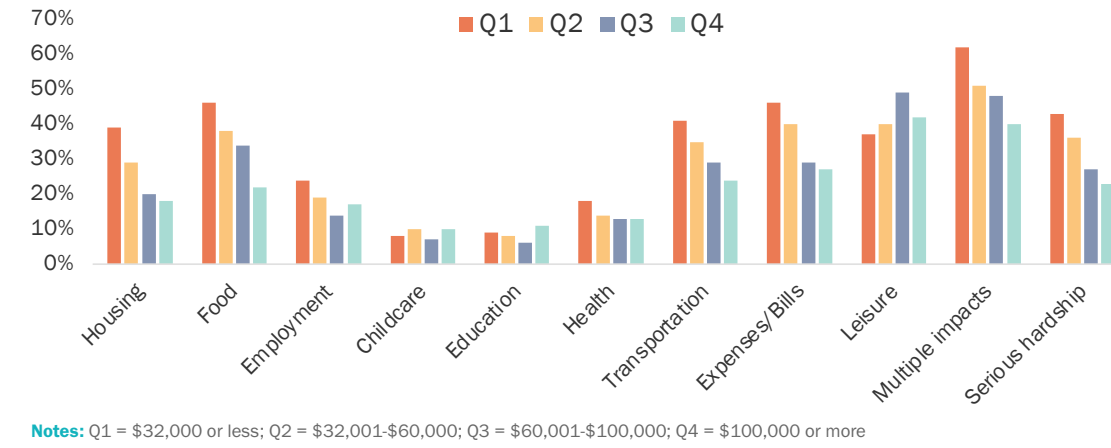
We also found that **Black respondents in our survey were impacted at greater percentages in the areas of housing (33%), childcare (13%), and other expenses/bills than white respondents. The three racial/ethnic groups experiencing the highest percentages of multiple impacts were Black, Native American, and Hispanic respondents.** Yet, when we looked at “serious hardship” (those negatively impacted in three or more categories) white and Black respondents were equal at 33%, with Hispanic respondents at 34%. Native American respondents were by far the racial group facing the greatest share of serious hardship from fines and fees at 44%.

¹⁰ See Appendix Figures A1-A6 for breakdowns of daily impacts by other sociodemographic factors.

Table 1. Impacts on Daily Life, by Race

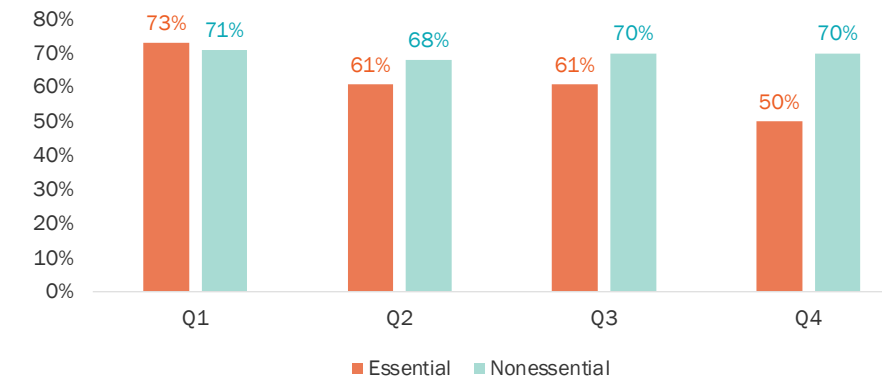
	White	Black	Asian	Native	Other	Hispanic
Housing	409 (26%)	103 (33%)	30 (25%)	9 (28%)	7 (19%)	105 (30%)
Food	551 (35%)	103 (33%)	44 (36%)	16 (50%)	10 (28%)	134 (39%)
Employment	291 (19%)	55 (18%)	23 (19%)	6 (19%)	10 (28%)	67 (19%)
Childcare	125 (8%)	41 (13%)	7 (6%)	2 (6%)	3 (8%)	37 (11%)
Education	133 (9%)	25 (8%)	12 (10%)	2 (6%)	3 (8%)	31 (9%)
Health	233 (15%)	39 (13%)	18 (15%)	5 (16%)	6 (17%)	57 (17%)
Transportation	526 (34%)	89 (29%)	30 (25%)	13 (40%)	11 (30%)	104 (30%)
Expenses/Bills	552 (36%)	121 (39%)	43 (35%)	12 (38%)	17 (47%)	126 (37%)
Leisure	658 (42%)	110 (36%)	61 (50%)	15 (47%)	8 (22%)	126 (37%)
Multiple impacts	790 (50%)	166 (54%)	55 (45%)	20 (63%)	14 (39%)	191 (55%)
Serious hardship	517 (33%)	101 (33%)	34 (28%)	14 (44%)	10 (28%)	117 (34%)

Figure 7. Impacts on Daily Life, by Income Group



When looking at the impacts in terms of essential and nonessential hardships, those making less than \$32,000 annually had the greatest impacts across both areas, with nearly three-quarters (73%) experiencing at least one essential hardship and just slightly less (71%) experiencing at least one nonessential hardship. Although those living at or near the poverty level had the greatest hardship, our findings also demonstrate that the majority of those at higher income levels were still forced to make cutbacks in areas deemed essential due to the impact of fine and fee debt.

Figure 8. Proportion of People Impacted in at least One Domain of Essential or Nonessential Hardship, by Income



Income

To better understand how court debt affected people with different income levels, we calculated the income quartiles of respondents, and compared our findings across those groups. The 25% of respondents with lowest income earned less than \$32,000 annually, which translates into a full quarter of our respondents living below the federal poverty level for a family of five.¹¹ Those in this lowest-income bracket saw notably greater hardship than higher-income earners in every category except childcare, education, and leisure. Nearly two-thirds of those earning under \$32,000 also reported having to cut back in more than one category, with more than two out of five facing serious hardship (i.e., cutting back in three or more areas).

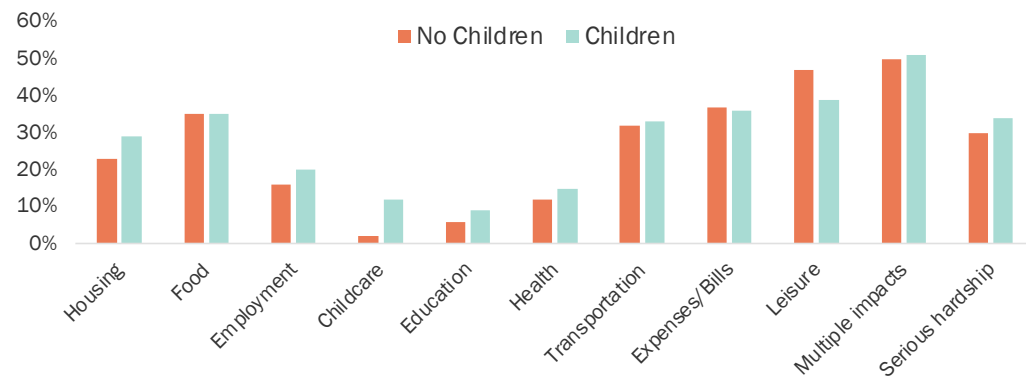
¹¹ The 2022 Poverty Level established by the U.S. Department of Health and Human Services was \$32,470 for a family of five in the lower 48 states. We use the 2022 figures because the survey responses were collected in that year.

Families

Over 55% of respondents who had fine and fee debt in the last 10 years also had children under age 18. About 99% of those identifying as parents of minors had to cut back on at least one essential daily need, with 54% cutting back on two or more essentials. Extrapolating our national sample to the general population can translate to **approximately 17 million households with children facing shortfalls in food, housing, healthcare, or other essentials because a parent is saddled with a court debt.**¹²

Parents mentioned a variety of childcare hardships, which included having to change work schedules or work from home, being unable to afford daycare, struggling to coordinate transportation with other family members, and running out of necessary supplies.

Figure 9. Impacts on Daily Life, by Children



With 45% of those who owed court debt reporting being married, the debt-related cutbacks also impacted their spouses. **Of married respondents, 98% had to cut back on at least one essential daily need, with 46% cutting back on two or more essential needs.** Again, extrapolating our findings to the general population, **an estimated 25.4 million**¹³ **people could be facing shortfalls in food, housing, healthcare, or other essential needs because their spouse was assessed a court debt, through no fault of their own.**¹⁴

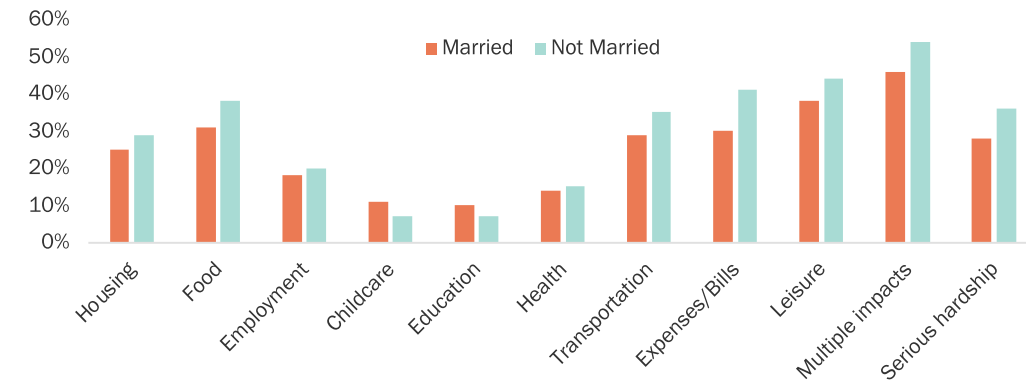


¹² According to the U.S. Census Bureau, there were approximately 33.9 million family households with children under age 18 in 2022.

¹³ According to the United States Census Bureau, there were approximately 63.9 million married couples in 2022.

¹⁴ See Appendix Table A5 for a breakdown of daily impacts by family structure.

Figure 10. Impacts on Daily Life, by Marital Status



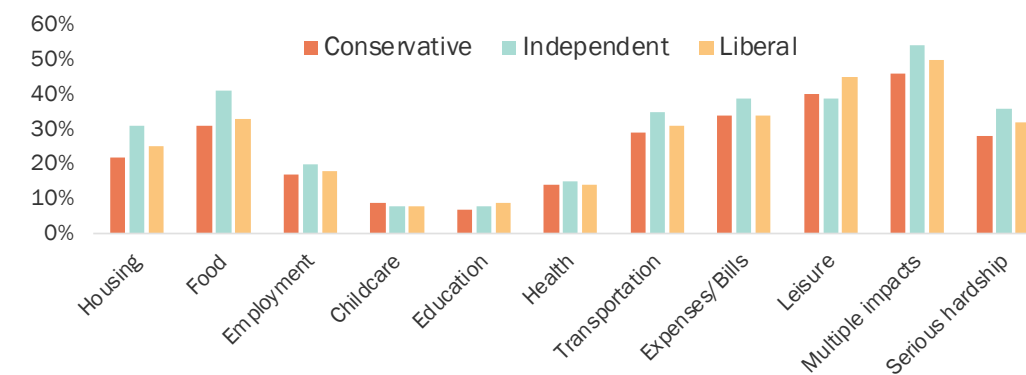
Although proponents of fines and fees may justify their use, at least in part, on a desire for accountability, court-imposed debt can have a significant impact on the entire family (Harris & Smith, 2022). Such court debt can also exacerbate stress and interpersonal conflict during what is often an already high-stress time of a loved one's involvement with the court system (Boches et al., 2022; Link, 2022). Justifying court-imposed debts on a theoretical notion of accountability, particularly for someone who does not have the financial capacity to pay the debt, does not actually achieve its intended goal. Instead, it risks sowing instability in relationships and causing serious wide-ranging consequences for millions of families across the country.

Political Affiliation

Our findings support the notion that court-imposed fines and fees is an issue affecting constituents across the political spectrum. Among the 1,944 respondents who identified as being conservative, independent, or liberal in their political ideology,¹⁵ the impact of fine and fee debt was largely similar, though those who identified as independent tended to have slightly more negative impacts in most areas.

These findings suggest court debt is a problem that affects broad constituencies, illustrating why this is an area of reform that can often receive bi-partisan support

Figure 11. Impacts on Daily Life, by Political Ideology



¹⁵ Some respondents chose not to report a political affiliation, and a small number identified as Libertarian or Socialist, but not in sufficient numbers to consider in this analysis.

04 Understanding and Paying Fines and Fees

In this section, we explore how people interact with court systems to understand and attempt to resolve their fines and fees.

To what extent are people aware of the consequences of not paying fines or fees?

Many people do not know what happens if they do not pay fines and fees. A recent survey in California found that nearly two-thirds of people were unaware that failing to pay a court fine on time or address it at a court hearing could have subject them to an additional \$300 civil penalty (Debt Free Justice California, 2022).

Data from our survey showed that, when people first understood that they had to pay fines or fees, less than half (47%) reported being aware of what might happen if they failed to pay. Only 15% reporting being aware that going to jail or prison could be one of the consequences. Those who knew of potential consequences identified additional fees and surcharges, wage garnishment, and license suspensions, among other consequences, as possibilities. Initial awareness of any consequences, or lack thereof, was consistent across sociodemographic groups (see Table 2).

Table 2. Aware of Consequences of Nonpayment when First Receiving Fines or Fees, by Sociodemographic Group

	N	Percent of total	Percent within group
All	936	47	100
Race:			
White	728	36	47
Black	149	7	48
Asian	53	3	43
Native American	18	>1	56
Hispanic	160	8	46
Income:			
Q1	246	12	48
Q2	249	12	46
Q3	232	11.5	49
Q4	209	10	43
Employed ^a	731	36	46
Political leaning:			
Conservative	284	14	50
Independent	308	15	45
Liberal	319	15	46

Notes: Percentages within group reflect the number of respondents divided by the total number of respondents. For example, 728 out of 1,553 White respondents (47%) reported “yes” for this question.
^a Category includes full-time or part-time employment.

Respondents were also asked whether they *later* learned about any potential consequences of not paying. Approximately 12% only became aware of any potential consequences of nonpayment sometime after being assessed their fines or fees. In the end, however, 41% of people were unaware of any formal consequences of nonpayment of their fines and fees.

How are people made aware of their fines or fees?

Most respondents were notified about how much they owed in writing, either on a ticket (58%) or in the mail (38%). Just about three-tenths of all respondents (584 of 2,007) were notified of their fines or fees for the first time in court. Others reported that they first learned they owed money to the court when they were later told so in various ways, including by a bail bondsman, while attempting to purchase car insurance, or while being stopped by law enforcement.

Notably, **nearly one out of every five people (18%) reported they never received clear notice as to why they owed fines and fees, while 22% did not have clear directions about how to pay them.** Another 35% indicated they were left without any clarity about who to contact if they had questions about payments.

Table 3. Notification of Fines or Fees

Type of notification:	N	Percent of total
On a ticket	1167	58
In court	584	29
In the mail	756	38
Online	186	9
Other	49	2
Not sure	29	1
Explained why you received fine or fee	1644	82
Explained how to pay fine or fee	1557	78
Given contact information	1302	65

How did people address their fines and fees?

About 45% of respondents (908 of 2,007) appeared in court to deal with their court debt, but only 88% of those (797 of 908) reported that fines or fees were actually discussed in court. Among those who had their fines and fees discussed in court, only 73% (579 of 797) had a judge ask about their ability to pay. This was not always a formal process. Some respondents had judges ask about their financial status, whether they were employed, and their living arrangements. However, more than one in four people (27%) who appeared before a judge never had a judge inquire if they could afford the fines or fees.

Table 4. Interactions with Judges in Court

	N	Percent of total
Fines or fees discussed in court ^a	797	40
Asked about ability to pay ^b	579	29
Offered a payment plan ^a	527	26
Used a payment plan ^c	400	20

Notes: ^a Question was only asked to respondents who appeared in court (N = 908). ^b Question was only asked to respondents whose fines or fees were discussed in court (N = 797). ^c Question was only asked to respondents who were offered a payment plan in court (N = 527).

Regardless of whether they appeared in court, about 60% of respondents (1,198 of 2,007) had no attorney, about 33% had a lawyer of some kind on their side, and 7% were unsure (see Appendix Table A6 for a breakdown by attorney type).

Additionally, about one-quarter of respondents (26%) were offered a payment plan, with 76% of those who were offered ultimately enrolling in one. About one third of respondents using payment plans reported not having a minimum amount due each month. The average minimum amount owed per month was \$118, with a median of \$50.

Courts in some jurisdictions contract with private collections agencies to service and collect debts from unpaid fines or fees. About 30% of people were contacted by a collection agency regarding their outstanding fines or fees. We asked respondents whether they felt their conversations were productive and to give reasons why (see Appendix Table A7). One third of those contacted by a collections agency found the conversations unproductive. Reasons given included receiving repetitive or redundant information, being threatened with legal charges or jail time, and feeling ignored. Those who found their contact with a collections agency productive to some extent cite having their questions answered or being able to set up a payment plan.

Who did people rely on to help pay fines or fees?

Nearly 15% of respondents (293 of 2,007) borrowed money from another person in order to pay their court-imposed debt, with more than half of these respondents (53%, or 155 of 293) borrowing from multiple people. Among borrowers, more than half (59%, or 174 of 293) received money from a parent and one third (34%, or 99 of 293) received money from a friend.

While such arrangements may be informal, and may not involve an actual expectation of repayment, the end result is that someone other than the person upon whom the court imposed the debt is paying it. With courts and legislators sometimes citing concepts of accountability and punishment to justify fines and fees, this raises considerable questions about whether these financial obligations actually meet those purported goals.

Table 5. Sources of Borrowed Money

	N	Percent
Parent(s)	174	59
Partner(s)	60	20
Spouse(s)	71	24
Children	29	10
Friend(s)	99	34
Other family members	82	28
Employer(s)	18	6
Co-workers(s)	11	4
Other	3	1
Borrowed from multiple people	155	53
Borrowed from women	255	87
Borrowed from men	225	77

Notes: N = 293 respondents. Respondents could select multiple options.

In what ways did people with fines or fees have to turn to others for support?

Beyond financial assistance, people can receive support with their fines or fees in other ways. About four-fifths of all respondents (79%) reported that others gave them some kind of support during the time they owed fines and fees. The broad categories of support included material support (e.g., money, food, transportation), emotional and moral support (e.g., encouragement), and technical support (e.g., advice and guidance).



Among those who felt supported by others in their lives, 78% (1,228 of 1,579) listed their immediate family members as a source of support (see Appendix Table A8). Regardless of the source, these numbers suggest that the imposition of fines and fees does not only impact those upon whom they are imposed; it has ripple effects into a wider community of affected people.

How do fines and fees impact personal relationships and mental health?

Just over 65% of respondents said they experienced stress because of their fines or fees. Asked to rate their level of stress on a scale from 1 to 10, the average stress level was 7.5. This pattern of feeling stressed was consistent across most sociodemographic groups. The notable exception was with respect to income. Those in higher income groups tended to report feeling lower levels of stress.

About **one-fifth (21%) of respondents reported that fines or fees created strain on personal relationships.**

Relationship strain affected a slightly greater proportion of female respondents (22%) than male respondents (18%). Most often, respondents commented that legal debt contributed to arguments with partners or family members. Several respondents cited their legal debt as a cause of relationship dissolution.

These findings illustrate how the burden of fines and fees can be experienced by the friends, family members, and the larger community. They also support the position of social science and public health scholars who contend that monetary sanctions contribute to significant levels of stress and anxiety, particularly for people unable to pay (Harris & Smith, 2022). Having unsecured debt, such as court debt, has been found to be a risk factor for poor health, including depression and depressive symptoms, anxiety, poor psychological well-being, and other mental disorders (American Public Health Association, 2021), all of which can impact individuals and have ripple effects across relationships. Other researchers have found that family members are often coerced by officials into resolving legal debts for loved ones, potentially exacerbating the relational strain (Boches et al., 2022).

Conclusion

The impacts of fines and fees on people in the United States is wide ranging and devastating. Nearly everyone who receives a fine or fee from a traffic, criminal, municipal, or juvenile system is forced to make sacrifices in their daily lives to satisfy these court debts. All too often, these sacrifices impact the essential aspects of daily life, such as food, housing, employment, childcare, healthcare, and transportation. These systems raise serious constitutional concerns, as people, often unrepresented by counsel, are punished for debts with little or no notice, and that they have no ability to pay.

This first-of-its-kind nationally representative survey shows how severe the impact of fines and fees can be. Our findings demonstrate reform is desperately needed. Many state and local communities have already begun eliminating fees and making fines more proportional, just, and equitable.¹⁶ Yet, the problem of abusive court debt will persist unless we adopt far-reaching reform.



¹⁶ For examples of state and local reforms, visit the End Justice Campaign's website's "Reforms" page at <https://endjusticefees.org/reform/>.

Resources

Fines and Fees Justice Center (FFJC)'s Clearinghouse

FFJC's provides an online library of information about efforts to reform fines and fees in the legal system: www.finesandfeesjusticecenter.org/clearinghouse/.

End Justice Fees Campaign

A national campaign dedicated to ending fees in the justice system and putting money back in the pockets of working families. The campaign's website (www.endjusticefees.org) has research, policy guidance, and other tools for anyone looking to eliminate fees in state and local court systems.

Free to Drive Campaign

A coalition of more than 100 ideologically diverse organizations launched Free to Drive: a campaign united by the belief that restrictions on driving privileges should be reserved for dangerous driving, not to coerce payment of court debt or to punish people who miss a court appearance. For resources or policy updates related to driver's license suspension reform, please visit www.freetodrive.org.

Report on Fines and Fees in North Carolina

A report by the Wilson Center for Science and Justice, [Driving Injustice](#), describes detailed administrative court data concerning the scale, consequences, and disparities in criminal debt and drivers' license suspensions in North Carolina.

Appendix



Table A1. Demographic Characteristics for Respondents with Fines or Fees

	N	Percent of total
Race:		
White	1553	77
Black/African American	308	15
Asian/Pacific Islander	122	6
Native American	32	1.5
Other race	36	2
Multiracial	37	2
Hispanic	345	17
Gender:		
Male	925	46
Female	1070	53
Non-binary/third gender	11	1
Age 39 or younger	1208	60
Citizen	1978	98.5
Household income (average)	81144	-
Household income (median)	60000	-
Income at or below \$50,000	896	45
Employment status:		
Full-time	1289	64
Part-time	299	15
Not employed	419	21
Education:		
Less than high school	42	2
High school graduate	422	21
Some college	495	25
College graduate	1048	52
Marital status:		
Single	842	42
Married	899	45
No longer married	266	13
Has no children	641	32
Political leaning:		
Liberal	695	35
Independent	679	34
Conservative	570	28
Libertarian	32	1.5
Communist	31	1.5
Religiosity	767	38
Community type:		
Rural	438	22
Suburban	832	41
Urban	737	37
Region:		
Northeast	441	22
Midwest	454	23
South	673	34
West	439	22

Notes: N = 2,007 total respondents. Total percentage for race exceeds 100 because respondents could select multiple categories. The "college graduate" category includes respondents with any college degree, including an associate degree. The "no longer married" category includes divorced, widowed, and separated. Online Appendix Table B1 provides a breakdown of respondents by state.

Table A2. Demographic Characteristics for Respondents with No Fines or Fees

	N	Percent of total
Race:		
White	2860	79
Black/African American	524	15
Asian/Pacific Islander	172	5
Native American	50	1
Other	98	3
Multiracial	65	2
Hispanic ethnicity	407	11
Gender:		
Male	1317	36
Female	2198	60
Non-binary/third gender	86	2
Age 39 or younger	2123	59
Citizen	3460	96
Household income (average)	-	-
Employment status:		
Full-time	1592	44
Part-time	716	20
Not employed	1308	36
Education:		
Less than high school	193	5
High school graduate	939	26
Some college	941	26
College graduate	1543	43
Marital status:		
Single	1836	51
Married	1322	37
No longer married	458	13
Has no children	1870	52
Political leaning:		
Liberal	1245	34
Independent	1237	34
Conservative	965	27
Libertarian	54	1
Communist	115	3
Religiosity	1035	29
Community type:		
Rural	860	24
Suburban	1812	50
Urban	944	26
Region:		
Northeast	1297	36
Midwest	813	22
South	666	18
West	840	23

Notes: N = 3,616 total respondents. Total percentage for race exceeds 100 because respondents could select multiple categories. The "college graduate" category includes respondents with any college degree, including an associate degree. The "no longer married" category includes divorced, widowed, and separated.

Table A3. Respondent Knows the Amount Owed, per Type of Offense

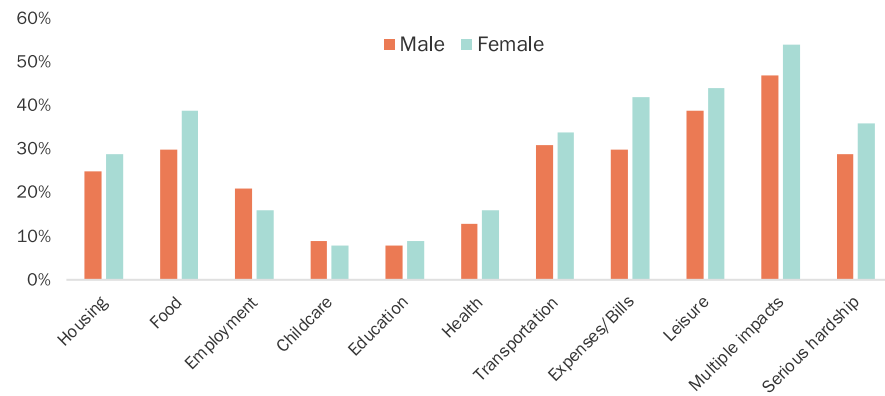
	N	Percent of total	Percent within group
Traffic ticket	1370	68	79
Criminal proceedings:			
Misdemeanor	179	9	57
Felony	65	3	54
Drugs/drug-related	59	3	56
Shoplifting	51	2.5	57
Bail fees	54	3	62
Civil proceedings:			
Non-traffic fines	89	4	66
Fare evasion	34	2	68
Code violation	42	2	64
Toll violation	94	5	78
Other	29	2	63

Table A4. Types of Housing Hardship

	N	Percent of total
Behind on rent/mortgage	362	67
Utilities shut off	199	37
Needed to move	185	34

Notes: N = 539 respondents.

Figure A1. Impacts on Daily Life, by Gender



Notes: There were 12 respondents who selected "non-binary or other"

Figure A2. Impacts on Daily Life, by Age Group

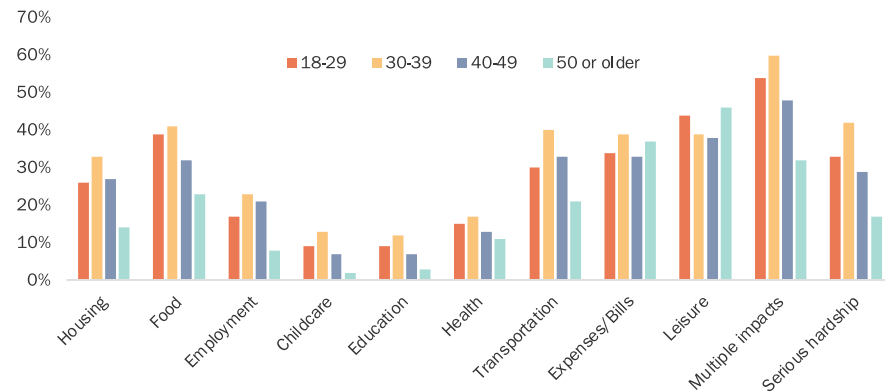


Figure A3. Impacts on Daily Life, by Employment Status

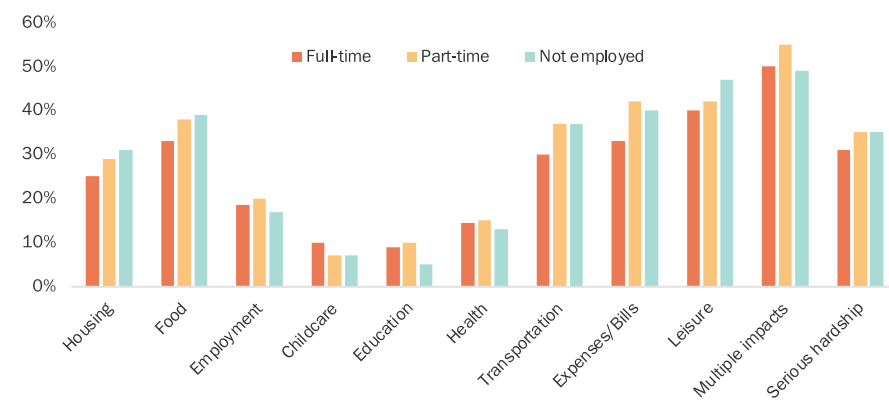


Figure A4. Impacts on Daily Life, by Education Status

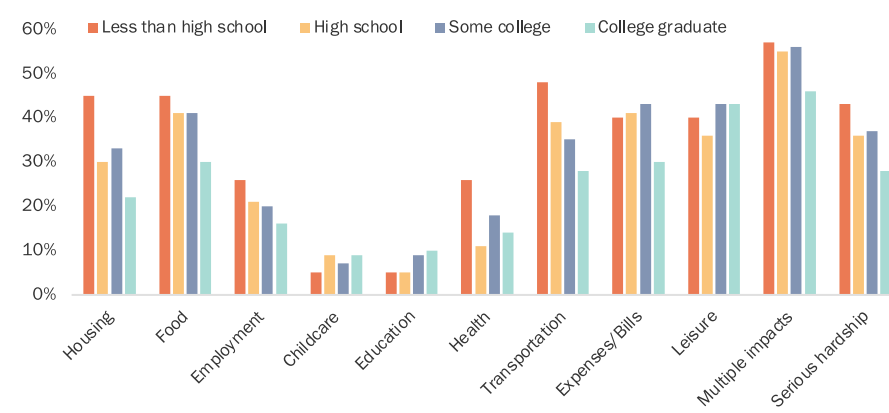


Figure A5. Impacts on Daily Life, by Community Type

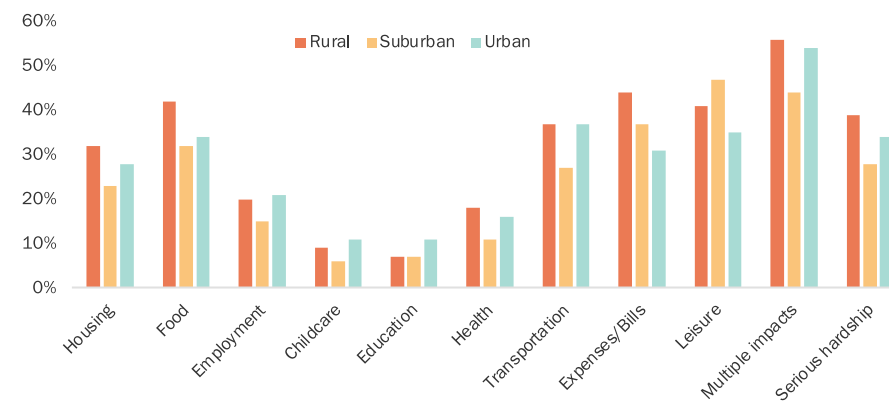


Figure A6. Impacts on Daily Life, by Region

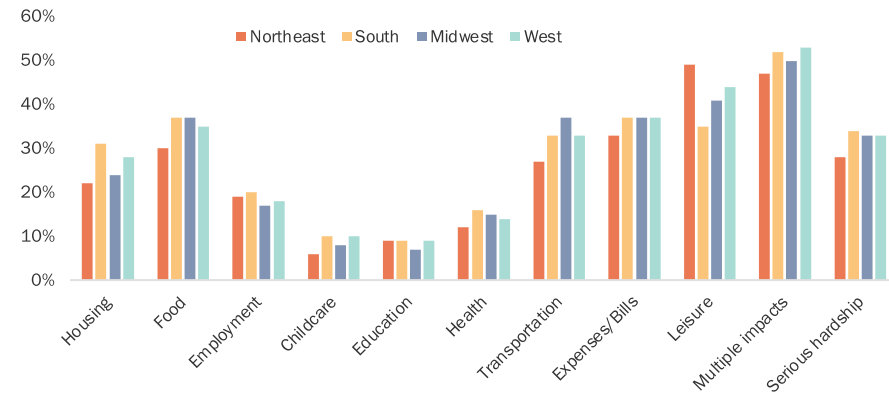


Table A5. Impacts on Daily Life, by Family Structure

	Single, no children	Single, children	Married, no children	Married, children	Other
Housing	115 (24%)	134 (37%)	22 (20%)	199 (25%)	69 (26%)
Food	178 (37%)	152 (42%)	35 (32%)	247 (31%)	92 (35%)
Employment	78 (16%)	86 (24%)	16 (14%)	142 (18%)	49 (18%)
Childcare	9 (2%)	55 (15%)	3 (3%)	93 (12%)	14 (5%)
Education	35 (7%)	33 (9%)	7 (6%)	81 (10%)	13 (5%)
Health	65 (13%)	58 (16%)	12 (11%)	116 (15%)	39 (15%)
Transportation	153 (32%)	139 (39%)	32 (29%)	230 (29%)	98 (37%)
Expenses/Bills	183 (38%)	152 (42%)	32 (29%)	239 (30%)	118 (44%)
Leisure	232 (48%)	141 (39%)	50 (45%)	292 (37%)	118 (44%)
Multiple impacts	256 (53%)	218 (60%)	44 (40%)	368 (47%)	129 (48%)
Serious hardship	153 (32%)	161 (44%)	27 (24%)	227 (29%)	85 (32%)

Notes: The "Other" category includes respondents who were separated, divorced, or widowed.

Table A6. Attorney Type

	N	Percent of total
No attorney	1198	60
Public defender	423	21
Private counsel	192	9.5
Other	44	2
Unsure	147	7

Table A7. Contact with Collections Agency

	N	Percent of total
Ever contacted by collections agency	603	30
Explained how to pay fine or fee ^a	403	20
Provided contact for questions ^a	272	13.5

Notes: ^a Question was only asked to respondents who were ever contacted by a collection agency.

Table A8. Sources of Feeling Supported

	N	Percent
Immediate family	1228	78
Extended family	233	15
Partner(s)/spouse(s)	776	49
Friend(s)	723	46
Coworker(s)	204	13
Neighbor(s)	99	6
Religious institution	75	5
Teacher(s)	22	1
Mental health professional(s)	112	7
Other healthcare provider(s)	12	>1
Other	7	>1

Notes: QN = 1579 respondents. Respondents could select multiple options.

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