

## THE END PREDATORY COURT FEES ACT (S.313/A.4183)

### THE ISSUE

Predatory fines and fees encourage policing-for-profit, criminalize poverty and endanger Black and brown lives. New Yorkers deserve to live without fear of lifelong debt and poverty, and they deserve a fair, transparent government. **It's time to end predatory court fees.**

### BACKGROUND ON NEW YORK'S FINES AND FEES

**Fees (or surcharges) are extra costs that the government attaches to every conviction** — even traffic tickets and minor infractions. They can total hundreds of dollars (not including the amount of any fine imposed). Individuals are often required to pay fees on top of a fine, or in many cases, even when the judge decides not to impose a fine at all. These court fees are explicitly intended as revenue raisers; they function as a form of regressive taxation on New Yorkers that are often the least able to afford them.

**New York's top predatory fee is the mandatory surcharge.** The mandatory surcharge is a fee attached to every conviction in New York — from minor violations to felonies. Courts do not waive or reduce these fees or surcharges — or even consider your ability to pay them. Depending on the type of conviction, a single mandatory surcharge can amount to hundreds of dollars. In addition to mandatory fees, many charges come with a mandatory minimum fine, meaning that judges cannot consider someone's ability to pay.

### WHY NEW YORK NEEDS THIS REFORM

**Fines and fees punish people living in poverty.** When governments use predatory fines and fees to raise money, the result is a hidden, disproportionate tax on those who can least afford it. This system of taxation-by-citation encourages policing for profit, extracts wealth from people living in poverty, and exposes Black and brown New Yorkers to more encounters with police. If you are one of millions of New Yorkers living paycheck-to-paycheck, paying just one traffic ticket and its mandatory surcharge could mean missing rent, going without healthcare, or living without basic necessities.

**New York’s fines and fees are a racist source of revenue.** New Yorkers who can’t afford to pay fines and fees live in fear of being arrested and jailed. For Black and brown New Yorkers, who are significantly more likely to be stopped, questioned, frisked, and issued summonses by police — that fear can become reality. Harsh policing of minor violations — driven by governments’ dependence on fines and fees money — does not lead to greater public safety. It exposes Black and brown people to more interactions with law enforcement that can become deadly.

**Fines and fees are an inefficient source of government revenue and collection practices are costly.** Jailing those unable to pay fines and fees is especially costly — the state is wasting money to chase money that doesn’t exist. While data from New York is not available, a recent first-of-its-kind report found that other U.S. states are spending at least 41 cents to collect a single dollar of fine and fee revenue.

## **END PREDATORY COURT FEES ACT (S.313/A.4183)**

Sponsored by Senator Julia Salazar, **The End Predatory Court Fees Act will:**

- End the mandatory court surcharge to end the practice of using the court system for ineffective revenue generation
- End probation fees to allow New Yorkers to more successfully reintegrate post incarceration
- End mandatory minimum fines, so that judges can set fines based on people’s ability to pay
- End incarceration and commissary garnishment for unpaid fines and fees

## **ABOUT NO PRICE ON JUSTICE**

The End Predatory Court Fees Act is supported by [No Price on Justice](https://nopriceonjustice.org) — a coalition of economic and racial justice advocates, grassroots organizations, and impacted people working to end New York’s predatory court fines and fees and find more equitable ways to fund our government. Our steering committee includes: **New York Civil Liberties Union, Brooklyn Defender Services, Center for Community Alternatives, Fines and Fees Justice Center, The Legal Aid Society, New York Communities for Change, and Partnership for the Public Good.** See our full list of member organizations and learn how you can join our campaign at [nopriceonjustice.org](https://nopriceonjustice.org).