

# NO PRICE ON JUSTICE

New York's predatory court fees are exacerbating the harms of a system that already disproportionately impacts low-income New Yorkers. These fees criminalize poverty, create lasting debt, and keep people from moving on from a conviction.

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.



# 2024



## The Problem

For every traffic ticket or criminal conviction that gets handed down in New York, no matter how minor, courts attach mandatory fees (or surcharges) on top of any fine or sentence imposed. These fees alone can total hundreds of dollars, and the law offers no way for those who cannot afford to pay their fees to have them waived. The amount of the fees has only increased over the past several decades, outpacing the rate of inflation.

Court fees in New York were created for the sole purpose of raising revenue. As such, they function as a form of regressive taxation, placing the burden of funding government services on the backs of New Yorkers who can least afford to do so. This system of taxation-by-citation encourages policing for profit, extracts wealth from people living in poverty, and disproportionately exposes Black and brown New Yorkers to more encounters with police.

In the current economic environment, roughly 60% of New Yorkers are unable to afford their basic needs. For New Yorkers living paycheck-to-paycheck, paying just one traffic ticket and its mandatory surcharge could mean missing rent, going without health care, or living without basic necessities. Additionally, 63% of court debt is paid by family members, harming whole families and forcing children to go without when their caregivers have to pay court fines and fees.



## New York's fines and fees: 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 Latinx 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. When this happens, even routine traffic stops can become deadly— as in the cases of Philando Castile and Samuel DuBose , who were both killed by police during traffic stops.



## The Solution

Placing the burden of paying for government services on the backs of those with the fewest means to pay is indefensible. New York must get rid of its predatory system of court fees and surcharges, while also making sure that fines are not imposed in unduly harsh and inequitable ways. The legislature must pass the **End Predatory Court Fees Act** (A.4183 - Burgos / S.313 - Salazar), which would eliminate predatory court fees and ensure that New Yorkers are not punished for for being unable to afford a fee.

### The End Predatory Court Fees Act will:

- **Eliminate the mandatory court surcharge and other fees that attach to traffic tickets and criminal convictions, ending the practice of using our court system to generate revenue from low-income residents.**
- **End probation fees, allowing people to more successfully re-enter their communities after incarceration.**
- **End mandatory minimum fines and require judges to consider a person's economic circumstances when setting fine amounts.**
- **Abolish the practice of incarcerating people for failure to pay fines or fees and prohibits garnishing commissary accounts to pay for court debt.**



From: [spectrumlocalnews.com/nys/central-ny/politics/2023/12/15/dems-set-sights-on-criminal-justice-priorities-for-2024](https://spectrumlocalnews.com/nys/central-ny/politics/2023/12/15/dems-set-sights-on-criminal-justice-priorities-for-2024)

**"Looking ahead to the next budget, Salazar wants Gov. Kathy Hochul and legislative leaders to invest more money in alternatives to incarceration, and better mental health treatment and education to reduce the number of people behind bars.**

**Her top priority is to pass her End Predatory Court Fees Act, or legislation to eliminate mandatory court surcharges, fines and fees."**



# The Fiscal Impact of Court Fees

Over 60% of New Yorkers are unable to afford their basic needs. Fines and fees impose an additional burden, forcing families to choose between necessities like paying for food, housing, and childcare, and paying court debt. Without discretionary income to pay fines and fees, New Yorkers often end up in a cycle of debt that has collateral consequences to their livelihoods, which also harms our economy.

The No Price on Justice campaign seeks to eliminate the mandatory surcharge and other court fees, while putting thousands of dollars back in the pockets of New Yorkers who need it and ensuring important agencies and programs are properly funded by a reliable and stable revenue source.

## Court Fees are a Volatile & Unreliable Revenue Source

The state's lack of reporting makes it impossible to know exactly where the money from these fees is going. According to New York law., the money is supposed to flow to the Criminal Justice Improvement Account, which, in turn, provides funding for some important programs and agencies. However, the mandatory surcharge is largely uncollectible revenue, as it is often imposed on low-income and Black and brown New Yorkers who cannot afford to pay.

## What Makes Court Fees a Volatile & Unreliable Revenue Source?

- **Court fees are a volatile revenue source:** State financial reports<sup>1</sup> reveal that the Criminal Justice Improvement Account (CJIA) – where most collected revenue from mandatory surcharges goes – shows declining levels of annual receipts. In fact, over the last 5 years (between FY19 and FY23), annual receipts collected in CJIA decreased by approximately half (49%). And in FY23, the adopted budget counted on appropriating twice as much revenue as what was actually spent.

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<sup>1</sup> Governor's Division of the Budget, Enacted Budget Financial Plan by Fiscal Year. See appendix tables "Cash Combining Statement by Account, Miscellaneous Special Revenue Fund": <https://www.budget.ny.gov/pubs/archive/fy23/en/index.html>.

- That's not surprising, given how much we know about who owes court debt—disproportionately low-income families—and how difficult it is for them to come up with the money to pay off that debt. Data that we've received from DCJS between 2020-2022 shows that total collection rates for these mandatory surcharges, depending on the type of conviction, range from around 18%-60%<sup>2</sup>.
- The CJIA is currently used primarily to fund victim services programs (though this funding stream only makes up about 14% of total victims services, with other funding coming mostly from federal dollars<sup>3</sup>.) Robust victim service programming is incredibly important to maintain, but funding it with a volatile and unreliable source like fines and fees puts that programming at risk.

**Policy Recommendation:** New York needs sustainable revenue sources that 1) do not depend on squeezing money from low-income residents and 2) promote stable funding for key programs and important services and 3) help the state maintain a strong budget.

## How Much Would It Cost to Eliminate Court Surcharges?

Based on New York State Division of Criminal Justice Services data from the last three years, we believe the annual revenue impact to the state would be between \$28 million - \$33 million – a miniscule portion of the \$104 billion in the State General fund. By eliminating court fees and replacing the revenue with General Fund dollars, the state will secure a far more stable and reliable revenue stream that does not depend on dollars from New Yorkers least able to pay.

- According to the State Financial Plan reports, the CJIA has consistently had remaining fund balance at year's end (including nearly \$25 million in FY23<sup>4</sup>) which could be used to soften the revenue impact for the first few years.
- Of note, town and village budgets would separately also see a revenue impact for court surcharges, which are collected and appropriated at the local level.

<sup>2</sup> This data was received through a Freedom Of Information Act request that the Fines and Fees Justice Center sent to the New York Division of Criminal Justice Services (DCJS.) The responsive record included data from the Office of Court Administration from their Universal Case Management System (UCMS.)

<sup>3</sup> New York State OpenBudget tool, <https://openbudget.ny.gov/spendingForm-classic.html>.

<sup>4</sup> Governor's Division of the Budget, FY2024 Enacted Budget Financial Plan, p. T-215: <https://www.budget.ny.gov/pubs/archive/fy24/en/fy24en-fp.pdf>.



Eliminating court surcharges could also create significant expenditure savings at both the state and local level, and free up government staff's time and resources to focus on important public safety and justice needs.

- **Contextualizing the cost of collections:** Based on our research, we believe that there could be over 300,000 cases of outstanding fines/fees statewide<sup>5</sup>, and if even 20% of those people required 1 hour of staff time from all the public employees who are involved in collections work - police officers, court clerks, court officers, public defenders, assistant DAs - that would cost over \$20 million statewide in time and labor to attempt to collect uncollectible court debt. Eliminating court fees would unclog court and officer time, freeing them to focus on other issues.
- **Savings to jail and prison operations:** It is incredibly expensive to incarcerate someone in New York (averaging \$1,525 per night in NYC)<sup>6</sup>. In many cases, people with outstanding fines and fees are ultimately incarcerated in local jails solely as a result of their debt. Beyond the devastating short and long term impacts that incarceration has on people's lives, it is costly to counties and unnecessarily expands the carceral system. Although in NYC in 2017, only 161 cases of fines/fees nonpayment resulted in an incarceration order#, it still cost NYC alone close to \$4 million dollars (based on the 15 day average incarceration for nonpayment of fines and fees).
- **Savings to NY public assistance programs:** National research<sup>7</sup> shows that when people owe significant amounts in fines and fees relative to their income, they often have to cut back on basic needs in order to make required payments and avoid consequences such as incarceration for nonpayment. New York has built up a multi-layered social safety net, and when people are pushed deeper into poverty by fines/fees debt, they must rely more heavily on these public assistance programs for their basic needs – which then costs the government more money. It costs \$4M to incarcerate people yet no money is generated from the extreme

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5 This estimate is based on total conviction and fee collection data received from DCJS in response to FFJC's FOIL request.

6 New York City Comptroller, "Comptroller Stringer: Cost of Incarceration per Person in New York City Skyrockets to All-Time High", December 6 2021: <https://comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2/>.

7 Wilson Center for Science and Justice and the Fines and Fees Justice Center, "Debt Sentence: How Fines and Fees Hurt Working Families", May 2023: [https://finesandfeesjusticecenter.org/content/uploads/2023/05/Debt\\_Sentence\\_FFJC-Wilson-Center-May-2023.pdf](https://finesandfeesjusticecenter.org/content/uploads/2023/05/Debt_Sentence_FFJC-Wilson-Center-May-2023.pdf).

and illegal collections efforts. If court fees are eliminated, we estimate that state and local budgets could see savings from the following:

- **State Food Assistance Programs**

In a recent national survey<sup>8</sup> of people with fine/fee debt, 35% of respondents reported experiencing food insecurity. Thirty-five percent of estimated cases of outstanding fines/fees could mean over 100,000 people who owe fines/fees experience food insecurity. Even if each of these people only needed one month of food assistance, that could cost the state up to \$3.4 million per year (based on food assistance costs reported by the New York Comptroller<sup>9</sup>) – a cost which could turn into significant savings for the state if court fees were eliminated and put dollars back in New Yorkers’ pockets.

- **Housing Assistance/Emergency Shelter**

In the same national survey of people with outstanding fine/fee debt, 27% reported experiencing housing insecurity. The 2021 per person cost of an emergency shelter in NYC was \$138 per night<sup>10</sup> - if even only 1% of estimated NYC residents who currently owe fines and fees use emergency shelter services for 1 month, that could cost the City nearly \$6 million dollars. Keep in mind this cost estimate only takes into account NYC<sup>11</sup>. It’s not hard to imagine the statewide cost savings from eliminating NY court fees could double this amount - and put dollars back in the pockets of people who need it for rent.



**“If passed, New York’s bill would be the boldest legislative move yet on issues pertaining to fees and fines in the U.S., Antonia Jeffrey, the New York director for the Fines and Fees Justice Center, told Law360. “We’d pretty much have the best-in-the-country laws around the mandatory surcharge and how we do fees.”**

8 Ibid.

9 New York City Comptroller, “Comptroller Stringer: Cost of Incarceration, per Person in New York City Skyrockets to All-Time High”, December 6 2021: <https://comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2/>.

10 New York City Independent Budget Office, “Adams Increases Funds for Homeless Shelters, But More Needed for Shelters & Other Programs”, March 2022: <https://ibo.nyc.ny.us/iboreports/adams-increases-funds-for-homeless-shelters-but-more-needed-for-shelters-and-other-programs-fopb-march-2022.pdf>.

11 New York State Unified Court System, Division of Technology and Court Research, “OCA-STAT Act Report”, <https://ww2.nycourts.gov/oca-stat-act-31371>.

# On April 20, 2023, the U.S. Department of Justice (DOJ) released an updated and revised version of its 2015 “Dear Colleague Letter.”

Addressed to the Justices of the highest court in every state, the revised letter outlines circumstances where the unjust imposition and enforcement of fines and fees may violate the United States Constitution or federal law, explains how fines and fees burden our most vulnerable communities, and makes many policy recommendations to states, localities and their courts.

The 2015 “Dear Colleague” letter came after police in Ferguson, Missouri, killed Michael Brown in 2014 and the DOJ had released the results of its investigation of the Ferguson Police Department. The investigation uncovered a pattern of racially discriminatory policing incentivized by the city’s dependence on the criminal legal system to raise money. The letter admonished against using police as “armed debt collectors” and highlighted the disproportionate impact of this practice on low-income and Black and brown neighborhoods.

The No Price on Justice Campaign’s 2021 New York’s Ferguson Problem report explored a parallel between Ferguson, Missouri and New York’s policing practices, which are also fueled by localities’ reliance on fines and fees for revenue. Indeed, several localities in NY have the same level or greater reliance on fines and fees than Ferguson did. Any reliance on fines and fees places an undue burden on New Yorkers and has a debilitating impact on New Yorkers’ economic stability.



**Failure to comply with the constitutional and legal requirements described in this letter might expose jurisdictions to civil enforcement actions by the Department.**



## 2023 “Dear Colleague” Letter Excerpts:

“Eliminating the unjust imposition of fines and fees is one of the most expeditious ways for jurisdictions to support the success of youth and low-income individuals, honor constitutional and statutory obligations, reduce racial disparities in the administration of justice, and ensure greater justice for all.”

“[T]o the extent that [fine and fee] practices are geared toward raising general revenue and not toward addressing public safety, they can erode trust in the justice system.”



**New York’s Predatory Fees are out of compliance with key constitutional principles:**

### **Bearden**

- The due process and equal protection principles of the Fourteenth Amendment prohibit “punishing a person for his poverty.” ]
- State and local courts have an affirmative duty to determine an individual’s ability to pay and whether any nonpayment was willful before imposing incarceration as a consequence.

### **Excessive Fines Clause [8th Amendment]**

- With respect to determining whether fines are excessive and a violation of the Eighth Amendment, “we recommend that courts also consider individuals’ economic circumstances when assessing fines and fees.”
- “When a person already cannot afford a basic need, such as housing, a fine or fee of any amount can be excessive in light of that person’s circumstances, and thus may not be appropriate even if legally permitted.”

**The End Predatory Court Fees Act** (S.313/A.4183), will put New York in compliance with constitutional principles as recommended by the U.S. Department of Justice, and stands to become a model for fee elimination nationwide while helping to relieve New Yorkers from the destructive cycle of poverty and punishment.



## VOICES OF WHO PAYS



### **Charlie Jones, Suffolk County**

Campaign Member, Center for Community Alternatives.

"My family is one of the oldest Black families in Suffolk County. I am routinely harassed by the Suffolk County police who pull me over nearly every other week and ticket me. I've never gotten a DWI or a speeding ticket. Instead, the tickets are for nonsense like "not enough air in my tires", "driving without my lights on" or "obstruction of view" because I had a Christmas tree dangling from my rear view mirror. The tickets are about \$250 each, half in fines and half in fees that get tacked on top. Both my fiance and I are disabled,

and she can't drive. When my license got suspended because of these tickets, we lost our ability to take care of the things we need."



### **Melissa Taylor, Suffolk County**

Campaign Member, Center for Community Alternatives.

When I was twelve years old, I was emancipated from my parents and placed on probation. I was a ward of the state, and being free from my parents meant I had to take care of myself. By the time I was 16, my probation transitioned to adult probation, and I started driving on a learner's permit. I was a kid with no money, no home and no parents, being charged a \$90 fee for probation. Under a learner's permit, you are supposed to have a registered driver in the car with you, but this wasn't possible for me, and I couldn't afford to

keep up with all of the legal requirements of car ownership. I was constantly harassed



## VOICES OF WHO PAYS

by the police because I didn't have a registered driver in the car with me at all times. A ticket for driving without a registered driver in the car would come with a fee that I couldn't pay, and when I couldn't pay it, that fee would be compounded with other fees—for lateness, etc. Fees would build upon fees until I owed nearly \$5,000—all for driving without a registered driver in the car. Eventually, I stopped going to court because it cost money to travel there, just to tell the court I didn't have the money to pay them. I once spent a week in jail because of this—not because of a crime but because I couldn't afford to pay another set of predatory fines and fees. I'd end up spending a week in jail quite a few times, because I was constantly caught driving without a license on my way to a court-mandated program 45 minutes away that I had no other way to get to.



**Robin DelPriore, Onondaga County**  
Campaign Member, Center for Community  
Alternatives.

My son, Alexander, is a type 1 insulin-dependent diabetic and is currently incarcerated. For type 1 diabetics, insulin and blood sugar levels can be very difficult to control, especially in prison where you don't have free access to your diabetic supplies. When his blood sugar levels are low (which can happen very quickly), he needs to treat that immediately with high-sugar foods or drinks. Left untreated, even for just minutes, hypoglycemia can lead to seizures, loss of consciousness, and death. My son works in prison and makes \$0.16 an hour. It is impossible

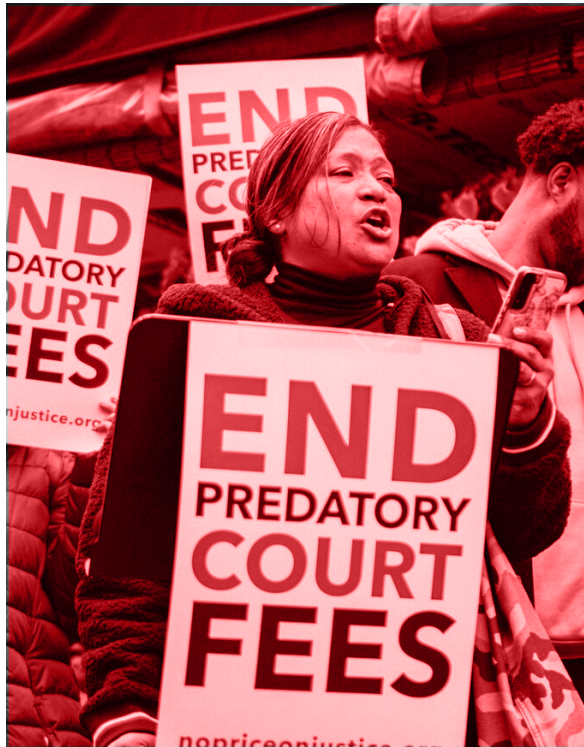
for him to afford what he needs to survive. I put money into his commissary account to protect him from a medical emergency. But much of that money is garnished by New York State to pay state fees, including a sentencing fee, a DNA fee, and an ID fee. New York State can and does take up to 80% of what I put on his account to pay for his fines and fee. It is not an exaggeration to say that when the state garnishes his account they're jeopardizing his life. The money coming from my pocket, which, to me, is just another of the many ways that New York State unfairly punishes the families of incarcerated men and women.



## Press & Op-Eds

### Stop Putting a Price on Justice

by Peggy Herrera, published 5/8/21 in the NY Daily News



Last month, Daunte Wright, a 20-year-old Black man, was shot and killed by police during a traffic stop. After pulling him over, police found an outstanding warrant — he owed \$346 in fines and fees — and sought to arrest him. By the end of the encounter, Wright was dead.

While he was killed in Minneapolis, I know first-hand the severe danger of empowering police to stop, arrest and even incarcerate people to collect predatory court fines and fees right here in New York. All too often, these police interactions lead to the assault and murder of Black and Latino people, as well as to the criminalization of poverty.

In August 2019, I was arrested while trying to advocate for my 16-year-old son, who has been routinely criminalized for his mental health issues in our neighborhood of Jamaica, Queens. I had called emergency medical services for support during one of his anxiety attacks. After 41 minutes of counseling, Justin began to calm down, yet the police insisted that he be removed from our home. I let the officers know Justin was calm and safe, and that I could take care of him from here. As the police approached me, I was tackled to the ground from behind. I have never been arrested. I was shocked.

My son's criminalization and my arrest have caused not just emotional hardship for my family, but financial strain as well. The cumulative court fees and bail payments now total more than \$12,000, including court fees in excess of \$200 for every conviction as well as youthful offender fees and fees for traffic violations. These fees affect my son's



## Press & Op-Eds

credit, as well as his ability to work consistently as a valet and delivery driver.

We are not alone. New York has 30 different types of legal fees and surcharges. Anyone who pleads guilty or is convicted of a crime faces automatic fees that can total several hundred dollars per case. These fees are not intended to be part of your sentence, but instead are imposed as revenue raisers for the state. According to a recent report, the city's Criminal Court collected more than \$5 million in mandatory surcharges in 2017. The costs of failing to pay these fees are incredibly harsh: Our courts issue thousands of civil judgments and warrants, and may even order immediate incarceration for failure to pay.

Keeping up with the mounting court debt while trying to get my son back on his feet continues to feel like an impossible task. I have gone into credit card debt. I work overtime and take on extra jobs when I can. My recent stimulus check from the federal government went straight to the New York court system. Every time I pay these bills, I can feel myself breathe a little easier. But it shouldn't have to be this way.

That is why we are calling on New York State to pass the End Predatory Court Fees Act. This legislation would eliminate mandatory surcharges as well as parole and probation fees. It would end the garnishing of peoples' jail and prison accounts, which falls disproportionately on incarcerated people's families. And finally, it would eliminate mandatory minimum fines, allowing judges to set fines based on what people can afford. These reforms would stop our government from wasting money and time on extracting wealth from our poorest communities and help those involved in the justice system, like my family, to get back on our feet.

In March 2020, my charges were dropped. But my family remains criminalized through this unforgiving cycle of debt. The truth is that there are two systems in New York: one for the poor, one for the rich. A wealthy person can easily pay a \$175 surcharge for a traffic violation or conviction, but for poor and working-class New Yorkers, these automatic fees take away from our ability to feed our families and pay for housing. Ultimately, these fees are an exploitive and regressive tax that criminalize poverty and put families like mine in an endless cycle of debt and punishment. That is why I am calling on New York legislators to end predatory court fees and incarceration for unpaid court debt.



## Press & Op-Eds

### NYTimes, April 20, 2023

<https://www.nytimes.com/2023/04/20/us/politics/justice-dept-courts-fines.html>

The New York Times

#### *Justice Dept. Presses Local Courts to Reduce Fines*

The Biden administration warned officials that charging exorbitant court fees is discriminatory, unfair and a violation of the Eighth Amendment.

The Justice Department's third-highest-ranking official, Vanita Gupta, informed local judges and juvenile courts on Thursday that imposing fines and fees without accounting for a person's financial status violated constitutional protections against cruel and unusual punishment.

Doing so "may erode trust between local governments and their constituents, increase recidivism, undermine rehabilitation and successful re-entry, and generate little or no net revenue," Ms. Gupta, the associate attorney general, wrote.

### NY Daily News, January 11, 2021

<https://www.nydailynews.com/2021/01/11/stop-nickel-and-diming-new-yorkers/>

**Stop nickel-and-diming New Yorkers** New York is wasting money to chase money that doesn't exist. Fines and fees are an inefficient source of government revenue, and collection practices are costly.

Making matters worse, New York fails to keep records on money it assesses, collects and distributes from fines and fees, despite the law requiring them to do so. No data means no accountability. Ignoring mandates to track fines and fees revenue isn't only bad fiscal policy; it is bad government.





## Press & Op-Eds

### **New York Daily News, May 8, 2021, Op-Ed by Peggy Herrera**

<https://www.nydailynews.com/2021/05/08/stop-putting-a-price-on-justice/>

Fines, Fees and the Criminalization of Mental Health Crises

May 10, 2021

In March 2020, [my charges were dropped](#). But my family remains criminalized through this unforgiving cycle of debt. The truth is that there

are two systems in New York: one for the poor, one for the rich. A wealthy person can easily pay a \$175 surcharge for a traffic violation or conviction, but for poor and working-class New Yorkers, these automatic fees take away from our ability to feed our families and pay for housing.

### **New York Daily News, May 14, 2021**

<https://www.nydailynews.com/2021/05/14/lawmakers-work-to-end-discriminatory-court-fees-impacting-low-income-new-yorkers/>

NY DAILY NEWS: Lawmakers work to end discriminatory court fees impacting low-income New Yorkers

May 14, 2021

Herrera says her own recent federal stimulus check went straight to the New York court system due to her son's legal troubles.

"My family is currently under the strain of hundreds of dollars in court fees resulting from the criminalization of my teenage son," she said. "Keeping up with the mounting court debt while trying to get my son back on his feet feels like an impossible task."



# Press & Op-Eds

## Law360, March 10, 2023

<https://www.law360.com/articles/1578115/ny-lawmakers-renew-push-to-ban-predatory-court-fees>

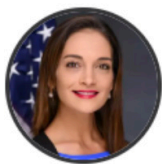
### NY Lawmakers Renew Push To Ban 'Predatory' Court Fees

By Marco Poggio | March 10, 2023, 7:00 PM EST · [Listen to article](#)

Paula Garcia-Salazar, an attorney at the Legal Aid Society of New York, said it's "extremely common" for people to be arrested on warrants for failure to pay fines or court fees. Such situations lead to clogged dockets and wasted resources as judges, clerks, officers, prosecutors and attorneys need to be in court to process the added cases, she said.

"By the time that happens, it has cost the court hundreds if not thousands of dollars to bring somebody back in over and over again," Garcia-Salazar said. "And the whole

*"The responsibility for funding our court system should never fall on the backs of working people. But right now, that is the reality in our state. It doesn't need to be this way."*



SEN. JULIA SALAZAR  
New York State Senate (D-18th District, Bushwick, Brooklyn)

*"They are a really ineffective form of revenue generation. National data shows that little is collected in return for those costs. But these court fees have a very real impact on people and families."*



KATIE SCHAFFER  
Center for Community Alternatives

time, our clients are really afraid that if they can't get the money together, they'll be sent to jail."

Raising a child with a mental illness had always been hard for Queens, New York, resident Peggy Herrera, but things got worse after her husband died of cancer and her son, who never recovered from the loss, began getting in trouble with the law.

After several convictions during his late teens and early 20s, Herrera's son, Justin Baerga, racked up attorney fees, bail payments, and court-imposed fines and fees totaling more than \$12,000. That amount included court fees of more than \$200 for each of his convictions, youthful offender fees and fees for traffic

violations. It took Herrera about four years to pay off the debt, she said.

"That impacted my family a lot," Herrera, an activist at Center for Community Alternatives, told Law360. "When they said he had to pay, we all know that he can't pay that. I have to pay it."



## Press & Op-Eds

### Press Release by NYC Comptroller's Office, September 10, 2019

<https://comptroller.nyc.gov/newsroom/comptroller-stringer-abolish-mandatory-surcharges-and-forgive-outstanding-court-debt-to-end-criminalization-of-poverty-within-the-justice-system/>

Comptroller Stringer: Abolish Mandatory Surcharges and Forgive Outstanding Court Debt to End Criminalization of Poverty within the Justice System  
September 10, 2019

"Our criminal justice system continues to criminalize poverty at great cost to our communities and the cause of public safety.

Even the most minor encounters with the criminal justice system can come with a hefty price tag – and eventually lead to dire consequences for New Yorkers, their families and friends. Our report exposes how the criminal justice system imposes a dizzying array of fees and financial obligations that systemically extract wealth from low-income communities and communities of color. For too many New Yorkers, our criminal justice system foments an unrelenting cycle of poverty and punishment. It's time for fundamental, transformational change," said New York Comptroller Scott M. Stringer.

### New York Daily News, February 2, 2019, Op-ed by Corey Johnson and Michael Waldman

<https://www.nydailynews.com/2019/02/02/how-surcharges-punish-the-poor-new-york-must-combat-court-fees-that-many-low-income-residents-cannot-pay/>

op-ed  
How surcharges punish the poor: New York must combat court fees that many low-income residents cannot pay

Debtors' prisons have been outlawed for decades, but our criminal justice system continues to needlessly punish the poor. While racial disparities in the system have been well publicized, the economically disproportionate impact of certain aspects of our criminal justice system have largely gone unnoticed and unaddressed.

Mandatory court surcharges are not supposed to be punitive, but their impact is to hurt only those who are too poor to pay, while providing little to no benefit to our justice system.



# Our Steering Committee



# Our Coalition

- Appellate Advocates
- Association of Legal Aid Attorneys UAW 2325
- The Brennan Center
- Bronx Defenders
- Brooklyn Defenders
- Center for Community Alternatives
- Center for Employment Opportunities
- CEO Action for Racial Equity
- Children’s Defense Fund
- Citizen Action
- Color of Change
- Community Service Society
- Envision Freedom Fund
- Fair Fines and Fees Coalition - Buffalo
- Fines and Fees Justice Center
- Fiscal Policy Institute
- The Fortune Society
- The Fund for Modern Courts
- Indivisible
- It’s A Process
- Law Enforcement Leaders
- Legal Action Center
- Legal Aid Society
- Long Island Social Justice Action Network
- National Alliance on Mental Health - New York State
- National Association of Social Workers - New York State Chapter
- National Center for Law and Economic Justice
- National Center for Lesbian Rights
- Neighborhood Defender Services - Harlem
- New Hour
- New York Civil Liberties Union
- New York Communities for Change
- New York County Defender Services
- New Hour
- New York Civil Liberties Union
- New York Communities for Change
- New York County Defender Services
- New York State Office of Indigent Legal Services
- Newburgh LGBTQ+ Center
- Parole Preparation Project
- Partnership for the Public Good
- Rochester-Monroe Anti-Poverty Initiative
- Strong Economy for All
- Transgender Law Center
- Trinity Church Wall Street
- Vera Institute of Justice
- Vocal New York
- Women’s Community Justice Association
- Worth Rises
- Youth Represent



IF YOU ARE SENTENCED TO PAY  
\$455 IN COURT FINES AND FEES,

THAT'S THE SAME COST  
AS ALMOST 6 MONTHS OF  
DIAPERS FOR YOUR BABY.



IF YOU ARE SENTENCED TO PAY  
\$455 IN COURT FINES AND FEES,

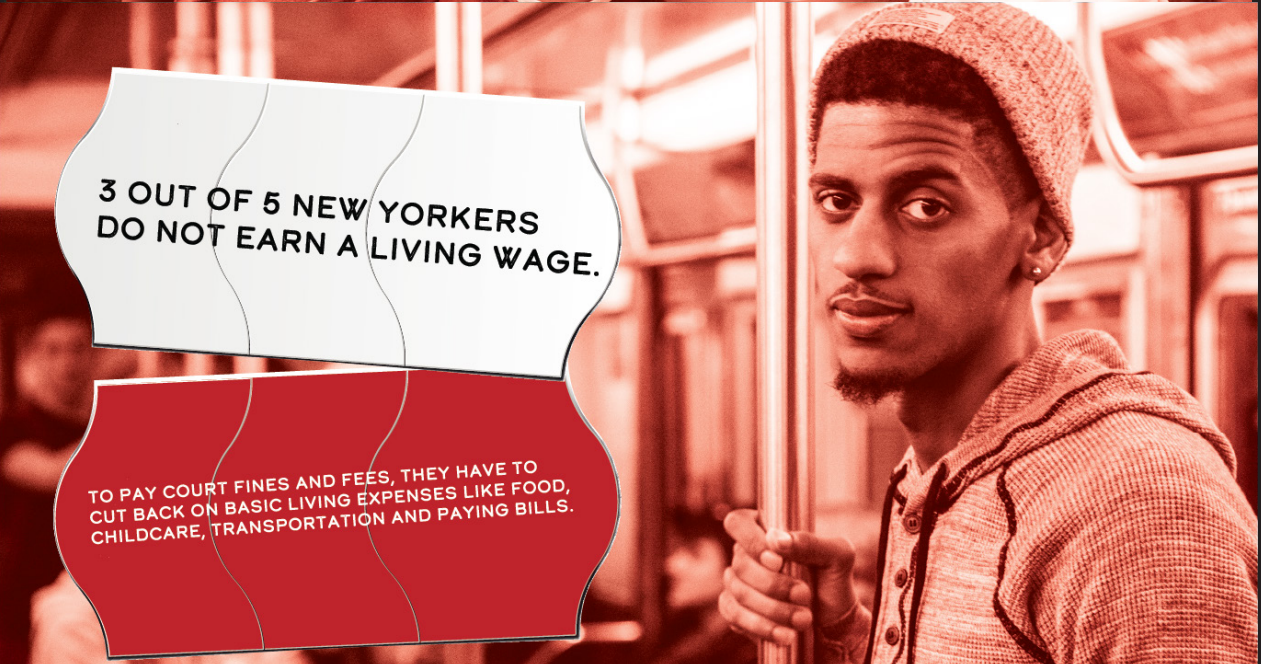
THAT'S ALMOST 4 MONTHS  
OF METROCARD SWIPES TO  
GET YOU BACK AND FORTH  
TO WORK OR SCHOOL.



# NO PRICE ON JUSTICE.ORG



THE AVERAGE NEW YORKER WOULD HAVE TO WORK 15 HOURS TO PAY FOR A \$245 COURT FINE OR FEE.



3 OUT OF 5 NEW YORKERS DO NOT EARN A LIVING WAGE.

TO PAY COURT FINES AND FEES, THEY HAVE TO CUT BACK ON BASIC LIVING EXPENSES LIKE FOOD, CHILDCARE, TRANSPORTATION AND PAYING BILLS.



IF YOU ARE SENTENCED TO PAY \$455 IN COURT FINES AND FEES,

THAT'S MORE THAN HALF OF YOUR FAMILY'S MONTHLY GROCERY BUDGET FOR A SINGLE PARENT AND TWO KIDS.