

Reforming Use of Fines and Fees in the Criminal Justice System

CHALLENGE

Fines, fees, and driver's license suspensions create significant barriers to employment.

The use of fines and fees in the criminal justice system requires people to pay sometimes thousands of dollars, with interest and late fees, or face penalties including incarceration. Millions of people in the U.S. are burdened by more than \$25 billion owed as a result of fines for speeding tickets, misdemeanors and felonies, as well as fees for probation services, warrants, and even a public defender.¹ Criminal justice debt has broad economic and societal impacts: it prevents individuals from pursuing and maintaining employment, curtails economic mobility, and creates conflicts of interest for courts and government agencies that use fines and fees to generate revenue.²

Driver's license suspension is a common penalty for unpaid fines and fees, which creates barriers to employment for millions of people. Forty-three states and D.C. suspend, revoke, or refuse to renew drivers' licenses,³ resulting in at least 11 million suspensions nationwide.⁴ Seventy-seven percent of people drive to work⁵ and nearly 30 percent of civilian jobs require driving a vehicle.⁶ A study of the Compliance Assistance Program in Phoenix, Arizona, which helps individuals with traffic fines pursue alternative payments options and paths to compliance, found that 53 percent of people with reinstated drivers' licenses found employment as a result of reinstatement, and over 40 percent reported an increase in income associated with the program.⁷

SOLUTIONS

Reform state and municipal laws to address debt-based driver's license suspensions.

There is movement at the local, state, and national levels to address fines and fees in the justice system. Efforts in Florida⁸ and New York⁹ are underway to document and gather data on fines and fees, pursue income-based calculations, and address related driver's license suspensions. Several states including California, Idaho, Maine, Mississippi, Montana, Texas, and Virginia, as well as cities such as Chicago and Washington, D.C., have taken recent action to curb driver's license suspensions.¹⁰

JPMorgan Chase supports efforts to reform laws that suspend drivers' licenses for failure to pay fines and fees, including enacting laws that right-size fines and fees and provide alternative paths to compliance to help ensure that millions of Americans can access workforce opportunities, improve their financial health, and successfully reintegrate into their communities.

**\$25
BILLION**

of criminal justice debt owed by millions of people

**1991 TO
2004**

inmates with any monetary sanction rose from 25% to 66%

Among the fifty cities with the highest proportion of revenues from fines, the median percentage of African Americans is more than **FIVE TIMES GREATER** than the national median.

NOTES

- 1 Fines and Fees Justice Center, data on file. <https://finesandfeesjusticecenter.org/>
- 2 Gleicher, Lily and Caitlin Delong. "The Cost of Justice: The Impact of Criminal Justice Financial Obligations on Individuals and Families." Illinois Criminal Justice Authority. <http://www.icjia.state.il.us/articles/the-cost-of-justice-the-impact-of-criminal-justice-financial-obligations-on-individuals-and-families>
- 3 Salas, Mario and Angela Ciolfi. "Driven by Dollars: A State-By-State Analysis of Driver's License Suspension Laws for Failure to Pay Court Debt." Legal Aid Justice Center. <https://www.justice4all.org/wp-content/uploads/2017/09/Driven-by-Dollars.pdf>
- 4 Fines and Fees Justice Center. "FFJC Convenes Free to Drive Campaign to End Debt-Related Driver's License Suspensions." <https://finesandfeesjusticecenter.org/2019/09/11/ffjc-convenes-free-to-drive-campaign-to-end-debt-related-drivers-license-suspensions/>
- 5 Richter, Wolf. "Americans are Changing How They Commute to Work." *Business Insider*. <https://www.businessinsider.com/americans-are-changing-how-they-commute-to-work-2018-9>
- 6 Bureau of Labor Statistics. "30 Percent of Civilian Jobs Require Some Driving in 2016." <https://www.bls.gov/opub/ted/2017/30-percent-of-civilian-jobs-require-some-driving-in-2016.htm>
- 7 Seidman Research Institute and W.P. Carey School of Business, Arizona State University. "The City of Phoenix Municipal Court's Compliance Assistance Program, 2016: An Economic Assessment." <https://finesandfeesjusticecenter.org/content/uploads/2018/11/Phoenix-license-restoration-pilot-THE-CITY-OF-PHOENIX-MUNICIPAL-COURT%E2%80%99S-COMPLIANCE-ASSISTANCE-PROGRAM.pdf>
- 8 Fines and Fees Justice Center. "Campaign, Florida: Day Fines, Elimination of Fees." <https://finesandfeesjusticecenter.org/campaigns/florida-campaign-fines-fees/>
- 9 Fines and Fees Justice Center. "Campaign, New York: Day Fines, Elimination of Fees." <https://finesandfeesjusticecenter.org/campaigns/new-york-campaign-fines-fees/>
- 10 Conley, Daniel and Ariel Levinson-Waldman. "Discriminatory Driver's License Suspension Schemes." American Constitution Society. <https://www.acslaw.org/wp-content/uploads/2019/03/License-Suspension-Issue-Brief-Final.pdf>

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