

Background

Fines and fees are frequently used tools in the criminal justice system. A [national sample from 2004](#) found that two-thirds of people in state prisons were subjected to fines and fees, which are often imposed for low-level offenses and user costs associated with court appearances, incarceration, and drug tests. The use of fines and fees is motivated by a desire to shift criminal justice system costs from taxpayers to defendants and to foster accountability among individuals. Critics of fines and fees argue that they add economic stress or unpaid debt that might spur criminal activity and result in incarceration. A [recent study](#) found that nonpayment of fines and fees can result in incarceration in 47 of 50 states.

Research Question

How does relieving debt from fines and fees affect criminal behavior or criminal justice system involvement?

Study Strategy

Researchers recruited 606 people from Oklahoma County, each convicted of a misdemeanor offense and facing corresponding fines and fees, generally for court costs, supervision, and prosecution. Of these 606 individuals, roughly half (295) were randomly assigned to have their current fines and fees paid by the researchers, who also covered any past debt for court costs. If these study participants were subsequently convicted of a new crime, that debt was not paid. The other half of the recruited individuals received no financial relief. They faced an average debt of \$2,920, including an average of \$1,779 for previous fines and \$1,141 for their current case. All 606 people were monitored over the next year to determine whether they were charged with any new crimes, incurred new debt, were subject to subsequent debt collection, or had their income tax refunds intercepted to cover their debt. By randomizing the participants who had their debt paid off, the researchers could more accurately test the causal effect of fines and fees on people's level of criminal justice system involvement.

Findings

The researchers found that people who saw their debt cleared were no more or less likely to be charged for a new crime, convicted of that crime, or booked into jail compared to those who received no debt relief. By contrast, more statistically significant impacts were found for outcomes directly related to debt. Individuals who had their debt paid off saw their probability of accruing new debt or receiving a new court warrant reduced by roughly 25%, with the reduction in new warrants mainly stemming from a decrease in failure-to-pay warrants. In addition, while 89% of those who received no debt relief had their state tax refunds intercepted to help pay their debt, this action was taken for just 22% of those who had their fines and fees covered. While people who received no assistance carried this higher debt burden, roughly 80% of them made no payments to reduce their debt, with the average amount totaling \$43, less than 4% of the average fees imposed on them.

"Relief of fines and fees significantly reduced new court action in the form of new warrants, new debt, tax intercepts, and private debt collection."

- Pager et al. (2022)

Implications

The results suggest that fines and fees have no effect on the likelihood of criminal activity, though they do appear to keep people more involved in the criminal justice system through new debt and new warrants designed to recover the fines and fees imposed.

Despite these recovery efforts, fines and fees are primarily ineffective measures for bringing in revenue, with most study participants providing no payment to alleviate their debt. Taken together, these findings suggest that a reduced use of fines and fees is unlikely to have a substantial impact on crime, nor is it likely to have a pronounced influence on the budgets of the governments that impose them. Such a reduction may, however, prevent people from getting caught in cycles of criminal justice system involvement that are based on a failure to pay off debt.

"Court fees thus create a pure criminalization of poverty, in which a misdemeanor conviction by itself, and not crime, creates ongoing involvement in the criminal justice system."

- Pager et al. (2022)

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