

Press Release



The Implications of Relying on Monetary Penalties in the U.S. Criminal Justice System

ALLISON EDWARDS | JULY 27, 2020

Over the last decade, states and localities struggling to maintain their revenue have often increased monetary penalties in the criminal justice system — cash bail and court fees — rather than raising taxes. Monetary penalties mean that poorer people experience the criminal justice system differently than those with more money, and further, these penalties are often inefficient for raising funds and ineffective at deterring crime, argues AAF’s Director of Human Welfare Policy Tara O’Neill Hayes.

An excerpt:

The U.S. criminal justice system increasingly imposes monetary penalties on individuals accused and convicted of crimes. Low-income individuals are more likely to be accused and convicted, and such financial penalties create a disproportionate burden on their ability to receive justice. One-fourth of the currently incarcerated population was detained as a result of their inability to pay fees, fines, or debts. Imprisoning people directly or indirectly as a result of their poverty decreases their ability to escape poverty and the likelihood of being able to pay their debt; thus, such punishment—particularly for the innocent—is neither rehabilitative nor deterring. Consequently, this method for imposing justice is highly ineffective and an inefficient use of taxpayer dollars. Finally, to the extent that localities are both trying to reduce crime and raise revenue through monetary penalties on accused and convicted individuals, they will, at least in principle, fail on at least one front. Policymakers should carefully consider their goals and evaluate the extent to which those goals are being achieved through current policies; perhaps other means will yield more desirable results.

[Read the analysis.](#)