

Justice Dept. warns local courts about unlawful fines, fees

By Matt Zapposky, Washington Post

The Justice Department is asking local courts across the country to be wary of how they slap poor defendants with fines and fees to fill their jurisdictions' coffers, warning that such practices often run afoul of the U.S. Constitution and have serious real-world consequences.

In a letter that was sent Monday morning to the chief judges and court administrators in all 50 states, Vanita Gupta, the head of the department's Civil Rights Division, and Lisa Foster, director of the Office for Access to Justice, wrote that illegal enforcement of fines and fees had been receiving increased attention in recent years, and the Justice Department had a "strong interest" in making sure the rights of citizens were protected.

"Individuals may confront escalating debt; face repeated, unnecessary incarceration for nonpayment despite posing no danger to the community; lose their jobs; and become trapped in cycles of poverty that can be nearly impossible to escape," Gupta and Foster wrote. "Furthermore, in addition to being unlawful, to the extent that these practices are geared not toward addressing public safety, but rather toward raising revenue, they can cast doubt on the impartiality of the tribunal and erode trust between local governments and their constituents."

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