



Testimony in Support of Bills Reducing Debt: HB7084, HB7141, HB7192
House Committee on Judiciary
February 10, 2022

The Economic Progress Institute supports Representative Knight's **HB7084**, **HB7141**, and **HB7192** which would strengthen protections for individuals who cannot afford to pay court fines and fees and serve as a step in ending the **criminalization of poverty**.

In 2008, the State passed reforms to protect low-income court debtors and successfully reduced the amount of time arrested debtors were held in jail before seeing a judge or magistrate. However, in 2015, about a third of debtors were incarcerated *after* seeing a judge in court.¹ The well-intentioned reforms have never been implemented universally or consistently, leaving many individuals trapped in debt. **HB7084** would address this imperfect implementation.

In criminal court system, individuals face two different sort of financial penalties: *fines* and *fees*. Whereas fines are generally linked to specific offenses, fees tend to be additional court charges having nothing to do with any particular offense or restitution or rehabilitation. With fees added on, even a relatively small fine can grow into a large amount. This makes fees an additional punishment, on top of punishment for the offense itself. And from a **revenue perspective**, a significant portion of court fees are never and will never be collected – especially from those least able to pay them.

For many individuals, this additional punishment becomes, in effect, **a punishment for being poor**. We urge the members of the committee and the General Assembly to act now, to end such unwarranted punishment, to stop making it a crime simply to be poor. As with other sorts of debt, court debt causes considerable stress for individuals and often becomes a roadblock preventing full engagement with the economy, as people are unable to afford basic needs and daily expenses, including for housing, food, transportation and child care.

From a **racial equity perspective**, we know that court debt disproportionately falls upon people of color, so any effort to reduce such debt will **advance racial equity**. According to data from the Rhode Island Department of Corrections, for the period from January 2019 to September 2020, Black defendants accounted for 25% of debt-related admissions to the ACI, and Hispanic defendants accounted for 20%. By contrast, according to the recently-released 2020 Census data, 16.6% of Rhode Islanders are Hispanic or Latino, and 5.7% are Black or African American (9.1% in combination when including with other identifications).

HB7084 would standardize and ensure the implementation of ability to pay assessments. With this legislation, coupled with the other important bills submitted by Representative Knight and his many co-sponsors, we can better help many individuals escape from, or avoid altogether, the cycle of poverty exacerbated by the imposition of financial penalties.

¹ Rachel Black, *Low-Income Defendants & The Court Debt Collection Process: A Case Study of Rhode Island* (Undergraduate Thesis), Providence: Brown University, 2016.