WEST COAST POVERTY CENTER

Box 354900
Seattle, WA 98195
wcpc.washington.edu

West Coast Poverty Center
UNIVERSITY OF WASHINGTON
A Partnership of the SCHOOL OF SOCIAL WORK,
the DANIEL J. EVANS SCHOOL OF PUBLIC AFFAIRS and the COLLEGE OF ARTS AND SCIENCES

Poverty Research Flash

No. 2010-03

May 2010

Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary United States

Background. The penal system in the United States has grown dramatically over the past three decades. More than one in every 100 adults in the U.S. have been incarcerated and several million more adults are under the supervision of the criminal justice system in any given year. Contact with the prison system reflects and contributes to poverty and inequality in various ways. Poor people are disproportionately represented among the incarcerated, job-seekers with criminal records face difficulties in the labor market, and being incarcerated takes a toll on inmates' physical and mental health. However, little is known about how the imposition of monetary sanctions (such as fines and fees for court costs or the costs of imprisonment) on those who are accused or convicted of crimes affects them, their families, and their communities.

Methods. WCPC Faculty Affiliate and Assistant Professor of Sociology Alexes Harris and her colleagues Heather Evans and Katherine Beckett are the first to document the prevalence, extent, and consequences of monetary sanctions in the U.S. The researchers drew on a nationally-representative survey of inmates convicted of felonies conducted in 2004, Bureau of Justice Statistics (BJS) on sentencing (including misdemeanor cases and cases where felons are sentenced to probation), data from Washington State on the dollar value of monetary sanctions for all felonies in two months in 2004, and information on cumulative monetary sanctions and legal debt for a randomly-selected subset of 500 individuals convicted of a felony during this period. To better understand the impact of sanctions on the lives of those on whom they are assessed, the researchers interviewed 50 Washington State residents who had been convicted of a felony.

Findings. The authors found that two-thirds (66 percent) of felons in prison in 2004 were assessed monetary sanctions, up from 25 percent in 1991. Monetary sanctions were even more common among felons sentenced to probation and people convicted of misdemeanors: in 1995, the vast majority (84 percent and 85 percent, respectively) of these two groups were ordered by the courts to pay fees or fines. In Washington State, the median dollar value of monetary sanctions for a single felony conviction was $1,347. Among the subsample of felony convictions in Washington State, the median value of monetary sanctions accrued over the felons' lifetimes (through May 2008) was $7,234. On average, these felons owed three-fourths (77 percent) of the total amount they had been ordered to pay by the courts. Because of interest, if felons make $100 payments per month (between 11 and 15 percent of their expected monthly earnings, depending on race/ethnicity) toward the median legal debt, it will take more than ten years to pay off their debt. The interviews with felons revealed that these individuals face several challenges to moving past their convictions. For example, respondents reported difficulty finding employment and housing and accessing credit not only because of their criminal history, but also because of the debt they owe. Many respondents reported that their legal debt caused on-going issues with the law, including re-arrest in some cases.

This research begins to show how consequential monetary sanctions and legal debt can be in the lives of those involved in the criminal justice system. The researchers suggest that while providing restitution to victims, reducing crime, and shifting the burden of government expenditures to those who commit crimes may be acceptable goals, the accumulation of legal debt among already disadvantaged members of society may not be an effective way of reaching them.

Highlighting New Poverty Research

by Alexes Harris, Heather D. Evans, and Katherine Beckett

"Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary United States," forthcoming in the ***American Journal of Sociology***

Alexes Harris is Assistant Professor of Sociology at the University of Washington and a Faculty Affiliate of the West Coast Poverty Center. Heather D. Evans is a doctoral student in Sociology at the University of Washington. Katherine Beckett is Associate Professor of Sociology at the University of Washington.

The West Coast Poverty Center's **POVERTY RESEARCH FLASH** highlights new research by Center faculty affiliates and others on causes, consequences, and effective policy responses to poverty, with an emphasis on changing labor markets, demographic shifts, family structure, and social and economic inequality. More information about the West Coast Poverty Center is available from our website: www.wcpc.washington.edu

WEST COAST
POVERTY
CENTER

Box 354900
University of Washington
Seattle, WA 98105
www.wcpc.washington.edu

Poverty Research Flash

The West Coast Poverty Center serves as a hub for research, education, and policy analysis leading to greater understanding of the causes and consequences of poverty and effective approaches to reducing it in the west coast states. The Center, located at the University of Washington, is one of three regional poverty centers funded by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation (ASPE). More information about the West Coast Poverty Center is available from our website: www.wcpc.washington.edu

Poverty Research Flash 2010-03

Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary United States

New research from Alexes Harris, Heather D. Evans, and Katherine Beckett

Key Findings

- Monetary sanctions such as fines and fees are increasingly common, either in conjunction with prison time or in lieu of it. In 2004, two-thirds (66 percent) of prison inmates convicted of felonies were assessed monetary sanctions, up from 25 percent in 1991. Monetary sanctions were even more common among felons sentenced to probation and those convicted of misdemeanors: in 1995, the vast majority (84 percent and 85 percent, respectively) of these two groups were ordered by the courts to pay fees or fines.
- Among a sample of Washington State felony convictions in 2004, the median dollar value of monetary sanctions for a single felony conviction was $1,347. Over their lifetimes, a subsample of individuals with felony convictions had accrued a median of $7,234 in legal financial obligations. On average, these felons owed three-fourths (77 percent) of the total amount they had been ordered to pay by the courts.
- Because of interest, if felons made $100 payments per month (between 11 and 15 percent of expected monthly earnings, depending on race/ethnicity) toward the median amount owed, it would take more than ten years to pay off their legal debt.