



TESTIMONY BY T. Shekhinah Braveheart

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House Bill 531

Correctional Services – Parole Supervision Fees and Drug and Alcohol Abuse Test Payment

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Chairperson and committee members, thank you for your time on this critical issue. I am Shekhinah Braveheart, a policy associate with the Justice Policy Institute (JPI). JPI is a national research and policy advocacy organization working with communities most impacted by crime and the criminal legal system to build better safety solutions. I am here today to testify in support of House Bill 531, which would eliminate harmful supervision fees for individuals on parole. This bill recognizes the counterproductive, harmful effects of imposing supervision fees on the demographic most unlikely to have the ability to pay. Supervision fees create a financial burden, disrupt successful reentry, prioritize punishment over rehabilitation after release, and have a disproportionate impact on low-income individuals.

Too many supervision fees create financial burdens. The growth of both the incarcerated and supervision populations in the U.S. has been accompanied by astonishing increases in costs. To help finance their vast and expanding criminal justice operations, [states have imposed and increased various new fines, fees, and other financial obligations on justice-involved people and have become more aggressive about collecting payment. California is a compelling case in point.](#) Through 16 statutes, the state specifies 269 separate court fees, fines, forfeitures, and other financial costs that may be collected. In Texas, [15 standard fees combine with 18 discretionary costs](#), such as fees for being admitted to or released from jail, and [Florida has added 20 new categories](#) of financial assessments since 1997. Overall, [“more than 85 percent of people on probation and parole are now required to pay supervision fees](#), fines, court costs, or restitution to victims to remain free from further sanctions.” The financial impact of this increase in financial punitiveness is that roughly 10 million people owe more than \$50 billion because of their contact with the criminal justice system.

Supervision fees exacerbate an already difficult reentry process. Criminal justice debt can create a web of damaging consequences for people recently released from prison, exacerbating the challenges of reentry in multiple ways. This is especially problematic as the Maryland Department of Parole and Probation requires newly released individuals to begin paying parole and/or probation fees during the first month after release—regardless of whether the individual is completing a parole or court-mandated drug treatment program, mental health treatment and/or simply unemployed.

People with legal debt have more trouble securing housing, transportation, employment, and even paying child support. Most significantly, failure to pay fines and fees can lead to reincarceration, either through willful

refusal to pay or when missed payments lead to parole revocation. Supervision fees also ignore the enormous difficulties returning citizens face in obtaining gainful employment. [Approximately 77 million Americans, or one in three adults, have a criminal record. Having a criminal record can make it difficult, or even impossible, for an individual to work in a given field, especially one that requires an occupational license. In 2014, employment barriers faced by people with felony convictions—including occupational licensing and other challenges, such as lower levels of education and job skills—were associated with a reduction in the overall employment rate. This amounted to a loss of at least 1.7 million workers from the workforce and a loss of at least \\$78 billion to the economy.](#)

Researchers have identified [a handful of reforms](#) to minimize the damage such financial penalties can cause. They include:

- Adjusting the number of fines and fees according to a person's ability to pay, an approach used in parts of Europe.
- Establishing safeguards to prevent financial costs—such as delinquent charges and fees to apply for payment plans—that penalize low-income individuals for not having the financial resources others have.
- Offering community service or other alternatives for people unable to afford fees.
- Consider amnesty for those who already have debt.
- Reserving any fees collected in a trust account to be used only for direct rehabilitation services for the supervised population.
- Creating an independent commission to determine the causes and consequences of increasing fines, fees, and other criminal justice assessments.
- Ensuring parole officers focus on public safety issues, not debt collection.

If the dual goal of corrections is punishment and rehabilitation, then imposing supervision fees during post-release means that even after release, punishment undercuts rehabilitation with supervision policies that are a slippery slope back into the system for many. If the state's goal is to keep people safely in the community, then the state must remove unnecessary and harmful barriers like supervision fees. For this reason, JPI asks for a favorable report on House Bill 531.