



## Testimony for the House Judiciary Committee

January 25<sup>th</sup>, 2023

### HB 154 - Workgroup to Study the Impact of Court-Mandated Fines and Fees

GREGORY BROWN  
PUBLIC POLICY COUNSEL

AMERICAN CIVIL  
LIBERTIES UNION  
OF MARYLAND

3600 CLIPPER MILL ROAD  
SUITE 350  
BALTIMORE, MD 21211  
T/410-889-8555  
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS  
HOMAYRA ZIAD  
PRESIDENT

DANA VICKERS SHELLEY  
EXECUTIVE DIRECTOR

ANDREW FREEMAN  
GENERAL COUNSEL

### FAVORABLE

The ACLU of Maryland urges a favorable report on HB154 which would establish a workgroup to study the impact of court-mandated fines and fees on Marylanders. The creation of this workgroup is a necessary step in the direction of decriminalizing poverty within our judicial and criminal legal systems. Low-income Marylanders, specifically Black and Latinx populations across the state, feel the impact that court-mandated fees and fines have on Maryland's citizens the most based not only on their socio-economic conditions, but on their likelihood to interact with the court system as well.

Black, Latinx, and low-income Marylanders interact with the criminal justice system, and thus the court system, most often due to over-policing and discriminatory practices. Saddling these Marylanders with court fees, as well as criminal penalties should these fees not be paid, is in essence a recriminalization of the reason they are often there in the first place, poverty.

Debtor's Prisons, in a modern sense, are the arrest and jailing of poor people for the inability to pay legal debts. 1 in 3 Americans have had their debts turned over to the courts by private debt collectors.<sup>1</sup> This archaic practice was abolished two centuries ago, but has resurfaced to criminalize poverty once again.

The criminalization of poverty helps to perpetuate the cycle of poverty in which each generation will continue to be trapped because of the disproportionate targeting of low-income families. Individuals who have

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<sup>1</sup> A Pound of Flesh the Criminalization of Private Debt, 2018

been imprisoned for debts will leave jail with more debt, which increases recidivism rates and negative effects on the family.

The ACLU of Maryland fully supports the work of studying the impact of court-mandated fines and fees on low-income residents and the revenue structure that relies on court-mandated fines and fees, and developing a plan and legislative recommendations for eliminating or reducing court-mandated fines and fees that the Workgroup shall be tasked with should this bill pass. The collection of data on schedules of fees and fines, amounts collected on each type of fine, specific budget allocation for each fine, and the legislative authority for each fine will help paint the fuller picture on the criminalization of poverty by our court system.

For these reasons we urge a favorable report on HB 154.

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