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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 22-H 7084, 22-H 7141, AND 22-H-7192, RELATING TO COURT COSTS IN CRIMINAL PROCEEDINGS February 8, 2022

The ACLU of Rhode Island strongly supports all three of these bills, which seek to address the unnecessary burdens that court costs impose on indigent criminal defendants. H-7141 would repeal extraneous court costs that are automatically imposed on criminal defendants who are convicted of or plead nolo to just about any criminal offense; H-7084 would clarify a court's obligation to comport with existing law designed to ensure that any court costs imposed take into account the individual's ability to pay; and H-7192 would limit the circumstances when court costs could be imposed.

Ex-offenders face numerous, and often enormous, barriers in their attempt to reintegrate into society. One of those barriers is the huge debt they can face from the various court fines imposed on them. In fact, some years ago, the organization now known as OpenDoors RI issued a report that found that court debt is the most common reason that people are placed in jail in the state, and that court fines here are much more punitive than those of any other New England state.

It is no secret that the poor and people of color are the ones most likely to end up in the criminal justice system. Eliminating the imposition of unnecessary court fines is an important step in making the criminal justice system fairer, promoting justice reinvestment and eliminating an onerous burden on individuals for whom these fines impose an artificial barrier impeding rehabilitation. The ACLU therefore urges passage of these bills.