
Gender and the Financialization of the Criminal Justice System

Policy Recommendations

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Preliminary Findings

- People often owe **\$1000s** in fines, fees, and costs, put on **\$10/month** payment plans after release
 - Vast majority are unemployed or low-income
- Returning citizens are **barred** from housing and employment opportunities
- **Less resources** exist in prison and in the community for women compared to men
 - Housing, employment, addiction treatment, financial aid
- Women are more likely to be **homeless**, have **childcare obligations**, and experience **mental health problems**

COURT OF COMMON PLEAS OF WESTMORELAND COUNTY						
DOCKET						
				Docket Number: CP-65-CR-0001332-2016		
				CRIMINAL DOCKET		
				Court Case		
				Commonwealth of Pennsylvania		
				v.		
				[REDACTED]		
CASE FINANCIAL INFORMATION						
Last Payment Date: 01/30/2018				Total of Last Payment: -\$25.00		
Malone, Edward John Defendant	Assessment	Payments	Adjustments	Non-Monetary Payments	Total	
Costs/Fees						
ATJ	\$4.00	\$0.00	\$0.00	\$0.00	\$4.00	
Admin Fee (Westmoreland)	\$11.50	\$0.00	\$0.00	\$0.00	\$11.50	
Booking Center Fee (Westmoreland)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00	
C.JES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25	
Commonwealth Cost - HB627 (Act 167 of 1992)	\$20.50	\$0.00	\$0.00	\$0.00	\$20.50	
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00	
County Court Cost (Act 204 of 1976)	\$28.85	\$0.00	\$0.00	\$0.00	\$28.85	
Crime Victims Compensation (Act 96 of 1984)	\$35.00	-\$35.00	\$0.00	\$0.00	\$0.00	
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00	
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25	
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00	
LCP Fee (Westmoreland)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00	
State Court Costs (Act 204 of 1976)	\$13.65	\$0.00	\$0.00	\$0.00	\$13.65	
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$15.00	\$0.00	\$0.00	\$10.00	
Non-Jury/ARD (Westmoreland)	\$165.90	\$0.00	\$0.00	\$0.00	\$165.90	
Reg - ARD Adult Pro (Westmoreland)	\$128.50	\$0.00	\$0.00	\$0.00	\$128.50	
Reg - ARD District Alt (Westmoreland)	\$22.75	\$0.00	\$0.00	\$0.00	\$22.75	
Reg - ARD General Court (Westmoreland)	\$192.25	\$0.00	\$0.00	\$0.00	\$192.25	
Reg - ARD Sheriff (Westmoreland)	\$6.50	\$0.00	\$0.00	\$0.00	\$6.50	
OSP (Westmoreland/State) (Act 35 of 1991)	\$270.00	\$0.00	\$0.00	\$0.00	\$270.00	
OSP (Westmoreland/State) (Act 35 of 1991)	\$270.00	\$0.00	\$0.00	\$0.00	\$270.00	
Costs/Fees Totals:	\$1,586.90	-\$50.00	\$0.00	\$0.00	\$1,536.90	
Restitution						
Restitution	\$3,232.82	-\$3,232.82	\$0.00	\$0.00	\$0.00	
Restitution Totals:	\$3,232.82	-\$3,232.82	\$0.00	\$0.00	\$0.00	
Grand Totals:	\$4,819.72	-\$3,282.82	\$0.00	\$0.00	\$1,536.90	

Problem #1



Returning citizens owe an average of \$2000 in fines, costs, and fees upon release from incarceration.

These interfere with paying for basic necessities, especially for women who have children, are unemployed, or have substance abuse problems.

Current situation

- Payment of fines, fees, and costs is a condition of probation release
- Those who cannot pay up-front go on court-imposed payment plan (\$10/month)
- Unfairly harms low-income people
- Lead to arrest and re-incarceration

"How are they supposed to pay your supervision, your costs, fees, and fines and restitution **(when) you lock him up. You're bringing the cycle back around.** You're not trying to help him or rehabilitate them."

Solution: Eliminate costs, fines, fees, except for restitution, for defendants on payment plans.

- Court administrators and judges should waive costs for those on payment plans
- Low-income people will be more likely able to afford basic needs
 - Improves reentry, financial stability
 - Access to government benefits
- Reduces chances to be sent back to jail for parole violations



(Graphic)



Problem #2



Women leaving incarceration are more likely to be homeless.

Criminal convictions prevent formerly incarcerated people from obtaining housing.

Housing is unaffordable for many formerly incarcerated people, but it a basic human need.

Current situation

“We are not treating this like a homeless population, and it is.”

“Where are they going to go ... They go right back to what they know, prostitution, stealing, selling drugs.”

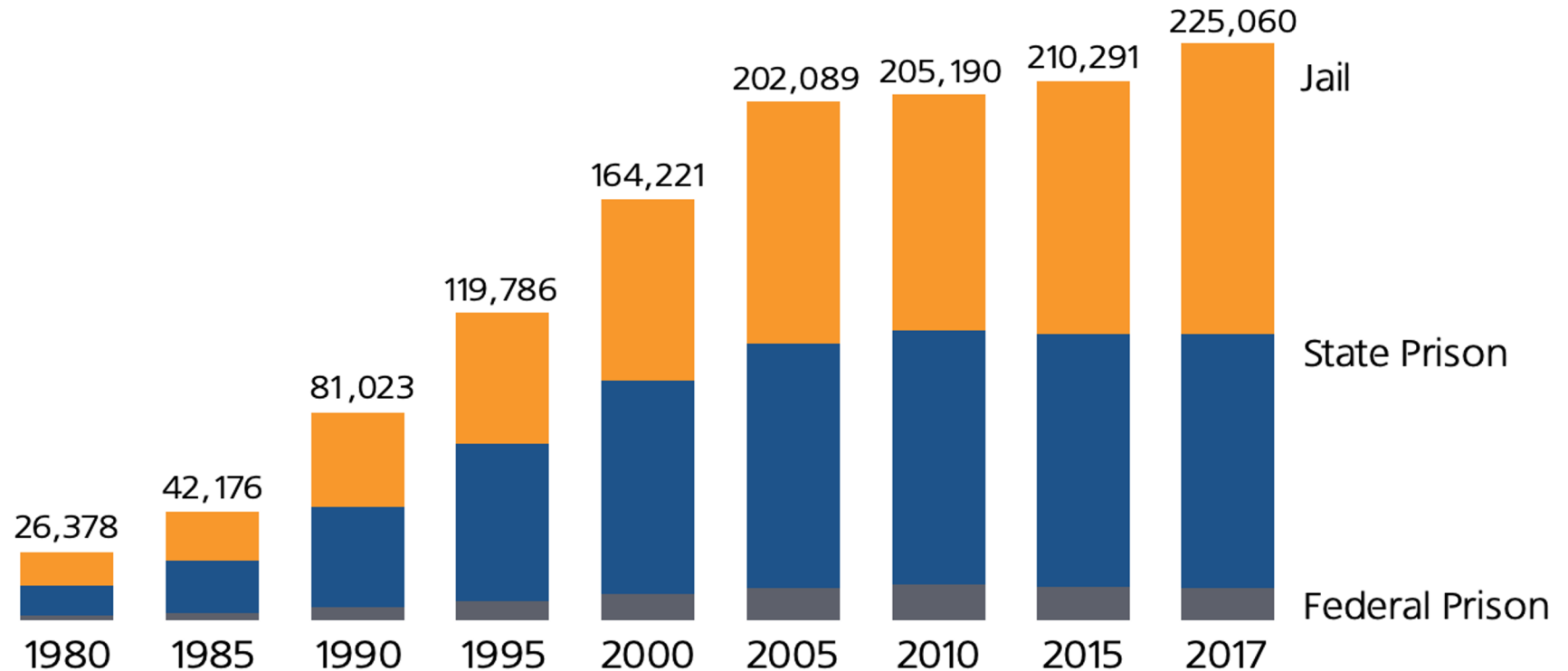
- More men’s shelters than women’s in Philadelphia
- Receive rent money for first 6 months after being released

Solution: Ban agencies from asking for criminal history in rental and public housing applications; extend subsidized rent to one year of tenancy.

- State legislature should ban criminal history question for housing applications
 - extend subsidized rent for formerly incarcerated women to 1 years
- Women who are housed are more likely to afford basic necessities for their family, and more likely be able to gain employment, finish terms of probation (including paying off fines, fees, and costs), and become financially stable
 - Future criminal activity is less likely, and disrupts cycle of poverty and incarceration



Rise in Women's Incarceration, 1980-2017



Sources: Bureau of Justice Statistics: *Historical Corrections Statistics in the United States, 1850-1984*; *Prison and Jail Inmates at Midyear Series (1997-2017)*, *Prisoners Series (1986-2018)*. Washington, DC.