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Justice System Costly for Offenders

February 24, 2006

News Summary

People convicted of crimes ranging from drug offenses to violent felonies are hit with a wide range of fees stemming from their involvement with the criminal-justice system, the [New York Times](#) reported Feb. 23.

Critics contend that the fees are a backdoor way around the Constitutional right to free legal representation for the indigent, and often hit hardest those who can least afford paying: people exiting prison or jail.

In Washington, offenders lose their right to vote until they pay court costs that can add up to thousands of dollars; some also have to pay \$100 for adding their DNA to a state database. The state of Louisiana is seeking \$127,000 in court costs from a convicted murderer who spent 44 years in prison. Other states charge for probation supervision, halfway-house stays, drug tests, anger-management classes, GPS monitoring and insurance for people sentenced to community service. Those who don't pay promptly may be charged interest, which in Washington accrues at 12 percent annually.

"The difference between 30 years ago and today is that people who everyone agrees are poor are leaving the courthouse significantly poorer," said defense lawyer George H. Kendall. Added Georgia Magistrate Court Judge James R. Thurman: "You're asking the people who can't afford to hire an attorney to pay anyway, by making them pay through add-on fees."

In at least 15 states, defendants are charged a fee to apply for a court-appointed lawyer.

Vanita Gupta of the NAACP Legal Defense and Education Fund said the fees could have serious unintended consequences. "The prospect of having to pay for court costs is going to dissuade some defendants from going to trial," Gupta said.

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