



A Pound of Flesh: Monetary Sanctions as Punishment for the Poor (Amer Sociological Association's Rose Ser)

Alexes Harris

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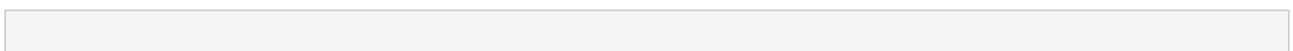
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Over seven million Americans are either incarcerated, on probation, or on parole, with their criminal records often following them for life and affecting access to higher education, jobs, and housing. Court-ordered monetary sanctions that compel criminal defendants to pay fines, fees, surcharges, and restitution further inhibit their ability to reenter society. In *A Pound of Flesh*, sociologist Alexes Harris analyzes the rise of monetary sanctions in the criminal justice system and shows how they permanently penalize and marginalize the poor. She exposes the damaging effects of a little-understood component of criminal sentencing and shows how it further perpetuates racial and economic inequality.

Harris draws from extensive sentencing data, legal documents, observations of court hearings, and interviews with defendants, judges, prosecutors, and other court officials. She documents how low-income defendants are affected by monetary sanctions, which include fees for public defenders and a variety of processing charges. Until these debts are paid in full, individuals remain under judicial supervision, subject to court summons, warrants, and jail stays. As a result of interest and surcharges that accumulate on unpaid financial penalties, these monetary sanctions often become insurmountable legal debts which many offenders carry for the remainder of their lives. Harris finds that such fiscal sentences, which are imposed disproportionately on low-income minorities, help create a permanent economic underclass and deepen social stratification.

A Pound of Flesh delves into the court practices of five counties in Washington State to illustrate the ways in which subjective sentencing shapes the practice of monetary sanctions. Judges and court clerks hold a considerable degree of discretion in the sentencing and monitoring of monetary sanctions and rely on individual values—such as personal responsibility, meritocracy, and paternalism—to determine how much and when offenders should pay. Harris shows that monetary sanctions are imposed at different rates across jurisdictions, with little or no state government oversight. Local officials' reliance on their own values and beliefs can also push offenders further into debt—for example, when judges charge defendants who lack the means to pay their fines with contempt of court and penalize them with additional fines or jail time.

A Pound of Flesh provides a timely examination of how monetary sanctions permanently bind poor offenders to the judicial system. Harris concludes that in letting monetary sanctions go unchecked, we have created a two-tiered legal system that imposes additional burdens on already-marginalized groups.



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