



# The Community Corrections Fines & Fees Study

## **Part III: Qualitative Findings on the Challenges of Paying Fines and Fees**

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## **Introduction**

The Community Corrections Fines and Fees Project (CCFF) is a multi-state, multi-method project that examines the impact of monetary sanctions on probation and parole experiences. In this report, we used qualitative methods to answer the following research question: *How do fines and fees impact the lives and challenges of individuals on probation and parole?* The purpose of these interviews was to explore how individuals experienced and navigated fines and fees, other requirements of supervision, and responsibilities in their daily lives. Accordingly, interview questions covered a range of topics related to these purposes.

Each state attempted to conduct qualitative interviews with individuals on probation and parole. We also attempted to interview a supportive person in the lives of the research participant, as identified by the research participant. We know anecdotally from other studies that family members, significant others/partners, or other close associates may help individuals pay their monetary sanctions or provide additional resources for the individual on supervision. Thus, we aimed to hear from these individuals regarding what assistance they provided and their experiences with assisting them. So, the qualitative interviews consisted of interviewing individuals on community supervision and an interview with one supportive person identified by the individual on supervision. This report, however, will focus exclusively on the individuals on community supervision. A separate report will address the supportive person interviews.

## **Methods**

### **Recruitment of Individuals on Supervision**

Each state had the same recruitment process initially. To reach individuals on supervision, the study's partnering probation and parole agencies in each state passed out fliers advertising the study to the individuals on their caseloads. In some departments, fliers were also

posted in common areas such as in the lobby or group meeting spaces. The flier included the following:

- the purpose of the interview and study criteria,
- the confidential and voluntary nature of the study,
- the amount of the incentive (\$50 gift cards); and
- the study contact information for each state.

If the individual was interested, they reached out to their state's study contact either by phone or email. Some states also allowed potential participants to make contact through secure online screening forms. During this first contact, the researcher shared more study information with the potential participant and ensured they were eligible to participate. The eligibility criteria required participants to be: 1) 18 years of age or older; 2) currently on community supervision or recently released from supervision (within the past year); 3) placed on community supervision for at least six months; and 4) ordered to serve their supervision in one of the jurisdictions partnered with the CCFE study.

If individuals who met the above criteria were still interested in being interviewed, an interview was scheduled for a later date, or if time allowed, it was completed immediately. Interviews were able to be completed in person or by phone or video call. The method of interview completion depended on IRB requirements for each state, interviewer availability, and the participant's preference. Before interviews commenced, the interviewer read and provided a copy of an IRB-approved consent form to the participant. If interviews were conducted virtually, interviewers emailed the participant the consent form. Alternatively, participants without an email address were able to access the consent form on the CCFE Study webpage. After reviewing the consent form and having a chance to ask questions, the participant gave verbal consent if they wanted to proceed with the interview. Each state team received approval from

their University IRB to conduct interviews, and interviews were conducted in accordance with IRB requirements.

Ninety-eight individuals currently or recently on community supervision (probation or parole) across five states (Indiana, Michigan, Pennsylvania, Texas, and Virginia) participated in qualitative interviews. Despite recruitment efforts, no participants volunteered from Massachusetts. The final number of participants from each state ranged from 13 (Michigan) to 29 (Pennsylvania). Unfortunately, interviews for this study were initially scheduled to begin in mid-2020, coinciding with the nationwide quarantine period due to the COVID-19 pandemic. Consequently, we paused this study portion, including recruitment, until early January 2021. The original intent was to do in-person interviews, but due to COVID-19 precautions, most interviews were conducted virtually.

Additionally, due to COVID-19, supervision officer and agency practices changed. Many individuals on community supervision were required to visit probation and parole offices in person less frequently. Instead, officers conducted home or virtual visits. This lessened opportunities for participants to view our recruitment fliers in the common areas of the department. While we asked officers to pass out our flier when they saw clients on their caseload, , and many agreed, it is unclear how often this happened. Thus, we believe that COVID-19 significantly impacted our recruitment efforts.

### **Analysis**

For most of the states, all interviews were conducted virtually (either by phone or video conference). However, Michigan and Virginia used both virtual interviews and in-person interviews. Regardless of the interview mode, all were audio-recorded and transcribed. Once transcribed, the transcripts were de-identified to remove names, specific locations, or any

information that could easily identify a research participant. After de-identification was complete, we used Nvivo to code each transcript. Finally, we used Flexible Coding to develop the findings. See Deterding and Waters (2021) for further information on this technique. We used the steps outlined in that articles for our analytic process.

### Sample Demographics

The majority of the 98 individuals who participated in interviews were on probation (81%). In addition, most individuals were under supervision due to a felony offense (70%) compared to a misdemeanor (31%). More males (65%) than females (35%) participated in the interviews. Additionally, 73% identified as white, while only 27% identified as non-white. The educational background of the participants varied, but this was a somewhat educated sample, with over half (55%) reporting more than a high school diploma or a GED, and another 30% reporting a high school diploma or GED as their highest level of education. Only 15% had less than a high school diploma or GED. Finally, regarding the demographics, more participants were employed (54%) than unemployed (46%). See table one for the complete sample demographics.

	Valid %	N
<b>State</b>		
Indiana	23%	23
Michigan	13%	13
Pennsylvania	29%	29
Texas	16%	16
Virginia	17%	17
<b>Type of Supervision</b>		
Probation	80.9%	76
Community Corrections	5.3%	5
Parole	12.8%	12
Missing	-	4
<b>Level of Offense</b>		
Misdemeanor	30.7%	23
Felony	69.3%	52

Missing	-	23
<b>Race</b>		
White	73%	69
Non-white	27%	26
Missing		3
<b>Ethnicity</b>		
Hispanic	8.4%	8
Non-Hispanic	91.5%	86
Missing	-	4
<b>Sex</b>		
Male	64.9%	61
Female	35.1%	33
Missing	-	4
<b>Children</b>		
Yes, have custody	26.9%	25
Yes, but do not have custody	33.3%	31
No children	48.7%	36
Missing	-	6
<b>Level of Education</b>		
Less than high school/GED	14.9%	13
High school diploma/GED	29.9%	26
More than high school/GED	55.2%	48
Missing	-	11
<b>Employed</b>		
Yes	53.7%	51
No	46.3%	44
Missing	-	3

Table 2 highlights financial stability, health insurance, and access to reliable transportation in the study sample. Again, most participants reported having a regular income (74%) and health insurance (83%). Transportation access was more mixed, but over half (56%) believed they had good transportation; 15 percent reported poor transportation.

<b>Table 2.</b>		
<i>Stability and Access</i>		
	<b>Valid %</b>	<b>N</b>
<b>Financial Stability</b>		
Yes, have regular income	74.1%	68
No regular income	25.8%	24
Missing	-	6
<b>Health Insurance</b>		
Yes	82.5%	66

No	17.5%	14
Missing	-	18
<b>Transportation Access</b>		
Good	56.3%	45
Okay	28.7%	23
Poor	15.0%	12
Missing	-	18

Poor or lack of transportation can cause additional burden and stress to completing one's supervision conditions. One participant described this stress:

*“The urine tests always stressed me out like getting there on time, especially I didn't have my car, so that was really the only other stress. It was more like, OK, so I have to go to work at 10:00, but I've got to get up at ya know 6:00 in the morning to get this bus, to go down there and take the test and get the bus back to my work like that always stressed me out, but like [that was] the only other stress involving probation.”*

### Challenges

While transportation is one challenge individuals on supervision may experience, there is a host of other challenges that can impede success on supervision. In the qualitative interviews, we asked about various conditions or aspects of supervision and whether it was easy or difficult to meet those aspects.

Table three identifies challenges individuals experienced. The yes column indicates the number of people who identified it as a challenge; no equals those who did not report this as a challenge. The number in the missing column is the number of interviews where this question was not asked. Not everyone was asked every question on the interview guide. Thus, the percentages in table three were calculated from the number of people who were asked these questions.



<b>Table 3.</b>				
<i>Challenges</i>				
	<b>Yes</b>	<b>No</b>	<b>Missing</b>	<b>Not Applicable</b>
<b>Difficulty meeting the conditions of supervision</b>	85	13	0	-
<b>Made late payments (or nonpayment) for required monetary sanctions</b>	52	41	5	-
<b>Fear or concern of violation or incarceration due to nonpayment</b>	56	14	28	-
<b>Concern or possibility of extension of supervision due to nonpayment</b>	24	8	66	-
<b>Missed supervision appointment due to nonpayment</b>	2	28	26	42 (no late payments)
<b>Impact on Family/Support System</b>	60	25	13	-
<b>Struggles to find/maintain employment</b>	52	25	17	4
<b>Unable or struggle to pay needs</b>	60	25	13	-

**85% of interviewees indicated difficulty meeting the conditions of supervision.**

The conditions ordered could include, but are not limited to, paying fees, attending required programming, completing community service, getting to supervision and court appointments, drug testing. For participants who had difficulty with conditions, they may have reported receiving violations for breaking conditions, but also may mentioned barriers to completing their conditions even if they did not receive a violation. The responses below show why the conditions were difficult for some individuals,

- *“It really does affect my ability to complete [supervision]. It makes it harder for me to complete because by the time I’ve spent most of my time trying to figure out how to get the money, then the other little bit of spare time I’ve got I have to use it for meetings and classes and things like that.”*
- *“I have to go to outpatient four days a week. They want you to do meetings. They want you to do all these things and you're so stressed financially, and then you pile out other things on that often these people back out to doing things that led them first place to back to where they were. It's the expectations and with that I think are just too high.”*

**52% of interviewees had difficulty paying or had difficulty paying on time.**

Often, one of the conditions of supervision is to pay the fees associated with supervision, court fees, restitution, and fines. Of the just over half who reported a difficulty paying or paying on time, their reasons varied from being unemployed to prioritizing paying for other needs first. A handful just simply forgot to pay. As the quote below illustrates, after trying to juggle the payment one person just gave up and stopped paying.

*“So the first month I had to push it around or the first month I paid it. The second month I had to push it around and then I just honestly stopped paying it.”*

As another individual expressed, they stopped paying because it just become overwhelming.

They said,

*“So, I would just pay a little bit thinking OK, well, I'm paying and you know, I'm doing my part, until the next few months. It keeps adding up and adding up.”*

**56% of those asked, expressed fear or concern that if they did not pay, they could be incarcerated or their supervision could be violated.**

Regardless of if individuals were making payments on time, they may have expressed concerns for the consequences of nonpayment; those concerns included fear of violation or incarceration. One individual said:

*“It made me feel worried like, if I don't pay it I'm gonna go back to jail.”*

Whereas another individual reported:

*“If you don't pay, they lock you up, and then you go through, it's a cycle, the same thing over and over again.”*

**24% also mentioned the possibility of their supervision term being extended if they did not pay all of their monetary sanctions.**

Some reported officers using extensions as threat for nonpayment:

*“Well, they threaten all the things that they can extend your parole if you don't pay your fees, that you can be violated because it's a condition of your parole. Those were the two main threats right there. Extension of parole or revocation.”*

## **Missed Supervision Appointments Due to Fines and Fees**

Only 2 individuals said they missed a supervision appointment because of the fines and fees that they owed.

## **Impact on Family and Friends**

### **60% of interviewees reported their time on supervision had negative impacts on their support system (family and friends).**

These impacts could be monetary or non-monetary impacts. Monetary impacts included individuals asking family members for assistance in paying fees, assistance in paying other bills and needs, or the inability of the participant to contribute to family needs, which they had previously supported. Non-monetary impacts were strain on relationships, or loved one's fears that the individual on supervision would be incarcerated. Some family and friends provided housing to the individual on supervision by letting them stay with them. This could be both a monetary and non-monetary strain. The quotes below illustrate these various points.

- *“She [supportive person] was even more scared that she was going to lose me if I didn't pay that uh, that fee.”*
- *“So she [mom] worked for a temp agency, she would work a full time job. She would like go [into] ‘mama mode’ all over again. And just make sure that, that would be paid for.”*
- *“My mom is dealing with an illness right now, so that kind of—it kind of took a little lump on our relationship ‘cause of the timing and asking her for money if I need it and she could use it for her medication or et cetera, et cetera.”*

## **Employment Difficulties and Ability to Meet Needs**

While many in the sample said they had employment (see table one above), table three shows that others struggled to find and maintain employment. Additionally, table one showed that the majority of participants reported regular income, yet many participants also were unable to or struggle to pay their basic needs as seen in table three.

### **52% of interviewees reporting difficulty finding or maintaining employment.**

Clients had difficulty finding or maintaining employment for various reasons including because of COVID, because of their criminal record, or because of scheduling difficulty due to supervision requirements. Relatedly, some participants also reported lost wages or even being fired due to the requirements of supervision. The quotes below highlight these themes:

- *“It's kind hard to find a job sometimes, especially like jobs that are usually in the better aspect of pay-wise. No one wants a convicted felon to work for ‘em.”*
- *“Because of the charge I have, any job I get with the background, and I’m quite sure if I’m still on it when I become employed, that it might be a problem.”*
- *“When I first got in trouble, I had a driving job and I have I lost...I pretty much jumped ship before I could lose my job. But it's like that was how the stress of trying to figure out where I was going, what I was going to do next.”*

### **60% of interviewees said they had difficulty paying for their needs.**

Under this code, participants may have said they were late on a bill, reported being evicted, or elected to pay one need over another (e.g., skipping a meal in order to have money to pay an electric bill). The ability to pay for their needs for some was related to the monetary sanctions but for others it may not have been related to the monetary sanctions. For instance, some felt they had less income because they had to pay monetary sanctions whereas others felt they would still struggle financially even without the monetary sanctions. But, regardless, participants often had to balance what to pay first and when to pay it. Interviewees described an ongoing, monthly stress of juggling what to pay first with limited means. This quote below illustrates this balancing act:

*“My car payment's behind, my automobile insurance is behind. I'm behind on everything. It's not directly because of the fines and fees, but it's in part of it because I have to make a decision, Do I pay this, or do I pay that?”*

For some it was prioritizing contributing to monetary sanctions over other utility bills,

*“There’s plenty of times where, you know, I, I have to pay a utility bill late so that I make sure that, you know, I get the fine payment and before the end of the month and then, you know, I get hit with a late fee from them. But I’d rather pay a late fee and deal with Comcast than - Comcast isn’t going to put me in jail.”*

For other individuals, paying their monetary sanctions were secondary to ensuring their other important basic obligations. One participant said,

*“Making probation and house arrest [payments are] not the foremost thing that I would pay. It’s a priority, but it’s lower on the priority when you think about rent, water, electricity.”*

## **Other Challenges**

### **Collateral Consequences**

Throughout the interviews, participants brought up other challenges that may not have been directly asked on the interview guide. For example, participants often discussed the challenges that resulted from being justice-involved. We report these separately, but not as a percentage because participants were not necessarily asked directly about collateral consequences. Yet, 60 people spontaneously shared challenges related to the collateral consequences of being justice-involved.

As previously noted, underemployment, participants reported that criminal and felony records prevented them from finding good jobs. The record also prevented some from obtaining rental housing and/or subsidized housing. One individual summarized:

*“If you’ve got a felony, you can’t really do nothin’ unless you get them felonies expunged. Felonies stop you from getting a house, apartment, anything.”*

For some incarceration led them to have bad (or no) credit. One individual who was parole was trying to find employment, but kept having issues with their credit check. They said of this experience,

*“They [the employer] run the check their running everything. You’re criminal...all that. And then they’re saying you’re not reliable because your credit’s no good. They don’t show why it’s no good. They just show this guy’s credit’s bad.”*

Collateral consequence also emerged because being on supervision and meeting the requirements of supervision left little time to find a job or get an education. Participants also reported that supervision requirements affected their current job. One participant said they had to keep leaving work early “to go to probation,” meaning they had to meet with their officer or fulfill some other condition. Finally, related to collateral consequences, travel restrictions associated with supervisions, such as not being able to leave the state, was mentioned as challenge to building or sustaining family relationships. An individual shared,

*“My you know, my current situation is I live alone. I rent a small house in [large northwest city] I have three adult children that live in [western state]. Well, two in [western state], one in [northern state]. All of them would like to have a better relationship with me. But, you know, I’ve been precluded from leaving the state.”*

### **Struggles with Sobriety**

Substance use was another challenge that the participants voiced. Eighteen of the participants mentioned some aspects of struggling with maintaining their sobriety. Under sobriety, they noted challenges with addiction and challenges that the addiction led to, such as unemployment or money issues. This may have also impacted their experiences with supervision. One individual said they were previously on probation but never met with their probation officer because of their addiction,

*“Well, the one [officer] right before this, I didn’t even meet her... cause, uh, I was in...I was caught up with my addiction, so I didn’t even give her a chance.”*

Some individuals reported probation or parole helped them manage their addictions. For example, when one individual was asked whether they felt probation benefited them, they said yes. When further probed as to why their response was yes, they said, “in sobriety, I’m not in addiction no more due to all of it.” For this individual, they believed probation and its services

helped them to overcome their addiction issues. Another said paying a probation fee helped with their addiction, and they explained how,

*“I had to pay the \$20 a month [probation fee], my parents do help me, but I have to work around the house for it. They [officer] let me know, it was nothing to do with the court, but it was just my probation officer letting me know that it should help with my addiction problem to have something to spend my money for cause having money in my pocket is definitely a trigger. Paying that each month really helps, and that was something that they [their officer] pointed out to me.”*

For this individual, paying their probation fee helped them, since they believed that having money was a trigger for them.

### **Negative Impacts of COVID-19**

The adverse effects of COVID-19 were not a direct question on the interview instrument. Yet not surprisingly, given the timing of these interviews, participants identified the pandemic as a challenge. Among all the participants, at least 18 interviewees discussed difficulties the pandemic created for them while they were under supervision. For instance, one individual said they received a verbal warning from their supervision officer for not having a job, but this participant had a difficult time finding employment due to the pandemic. In response to a question asking if they’ve ever received a warning for not having a job, this individual said,

*“Maybe like a verbal warning, like, ‘Hey, you need to find employment before probation’s up.’ I’ve had jobs, it’s just with the COVID thing goin’ on right now it’s kinda hard to keep jobs.”*

Another individual discussed that their biggest challenge was paying their fines and fees along with their other bills because of how COVID-19 significantly impacted their life.

*“We had an unexpected death in our family uh because of COVID. And I pretty much taken on that financial responsibility, but um if it wasn’t for that [COVID], then I could, I could probably pay it off without much uh difficulty.”*

This individual said later in the interview regarding one of their bills,

*“I just don’t have the money to pay for those. And luckily, with the whole COVID thing, they kind of stopped forcing the payments. But I was at one point having my wages garnished because I couldn’t afford the...to making any payments.”*

## **Conclusions**

This report summarizes some of the challenges individuals on probation and parole experience regarding paying monetary sanctions. Qualitative interviews were utilized to answer the research question – *how do fines and fees impact the lives and challenges of individuals on probation and parole?* For some, fines and fees were a source of constant stress. This stress stemmed from having to figure out each month how to pay their fine and fee amounts generally, how to pay them on time, how to balance monetary sanctions owed with other bills, and what sacrifices they needed to make in other areas of their lives to pay such obligations. In addition, financial sanctions intersected with other challenges that individuals on community supervision often face, such as finding employment, maintaining sobriety, and sustaining family relationships. Not surprisingly, the pressure for many led to worries of being violated or revoked due to late or missed payments.

This current report summarizes qualitative findings among all the states. Our next steps will include analyzing the data to explore if there are differences in experiences within states. Further, we plan to conduct a more in-depth qualitative thematic analysis.