



## FEATURES AND STORIES

# Following SPLC investigation, Mississippi city agrees to overhaul fine and bail practices

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The city council of Meridian, Mississippi, approved an agreement today with the SPLC that will end the city's practice of incarcerating residents who are unable to pay fines and fees, and to stop using secured money bail in misdemeanor cases.

The agreement follows an investigation by the SPLC and the Roderick and Solange MacArthur Justice Center at the University of Mississippi School of Law, which found that the city's current court practices do not comply with federal law, state law, or the Mississippi Rules of Criminal Procedure.

The rules, which went into effect in 2017, limit the collections efforts of Mississippi municipalities, and set forth specific procedures that courts must follow when determining appropriate conditions of release prior to trial.

“When people are punished for their inability to pay fines and fees, jurisdictions have effectively made it a crime to be poor,” said Caren Short, staff attorney for the SPLC. “By proactively and comprehensively reforming their municipal court practices, the city of Meridian has not only safeguarded the constitutional rights of its residents, but also prevented costly litigation, and we commend them for it.”

In February 2018, the city reported over 25,000 unpaid fines and fees dating back to 1985, some of which were accompanied by outstanding warrants. As part of the agreement, the city will rescind any existing warrants issued against people who have failed to pay these prior fines and fees, or failed to appear in court.

The court will forgive any remaining court debt at a rate of \$100 per day for anyone who was previously incarcerated for failing to pay a monetary assessment.

Meridian is the state's sixth largest municipality. By entering the agreement, it joins several other cities across the state that changed their court fine and bail practices following litigation or investigative findings by the SPLC, the MacArthur Justice Center, and other civil rights organizations.

The Mississippi cities of Jackson, Biloxi, Moss Point and Corinth previously entered into settlement agreements, and several other cities voluntarily changed their practices following the string of court filings in the state.

Today's agreement between the SPLC, the MacArthur Justice Center and the Meridian City Council establishes new procedures that the court must follow when an individual is unable to pay court fines and fees. The agreement also eliminates the use of money bail in virtually all misdemeanor cases.

Further, anyone who cannot pay fines and fees at the time of sentencing will be given a payment plan that they can afford – or the option to do community service. Individuals who are on a current payment plan that they cannot afford may contact the court in order to switch to a payment plan they can afford.

“The Parties share a common desire to ensure that no one is arrested, detained, or jailed solely because they cannot pay a monetary sum and that criminal defendants' constitutional rights are protected,” the agreement states.

“While we certainly commend the city of Meridian for implementing this

reform, the sad truth is that far too many Mississippi judges remain defiant when it comes to locking up poor Mississippians who can't pay fines and fees or make money bail payments,” said Cliff Johnson, director of the MacArthur Justice Center. “Cities and counties that participate in the shaking down and locking up of poor Mississippians need to understand that what they are doing is illegal, morally repugnant, and, due to the serious risk of litigation, financially reckless.”

*Photo by iStock Photo*

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