

Testimony in Support of LD 822:
An Act to End the Collection of Certain Probation Fees
Sponsored by Senator Beebee-Center

Dear Senator Beebee-Center, Representative Hasenfus, and Honorable members of the Criminal Justice and Public Safety Committee. My name is Francis Zarro of Biddeford, Maine, and I support this bill. I am the founder of Society Impact, an organization that develops workforce training for people reentering society after a period of incarceration, and InOurName, an organization that educates the public about conditions in America's prisons and jails. I have given pro-bono consultation to countless justice-impacted people both in and out of jails and prisons. I know well the barriers to reentry and the factors that drive recidivism. Fees like those that this bill addresses are near the top of that list.

When an individual returns from a period of incarceration, they are faced with rebuilding their life, often with no resources and limited or no supportive connections. If we are serious as a society about preventing crime and addressing the systemic impacts of incarceration on disadvantaged communities, we must do everything we can to ease this incredibly challenging transition. Charging someone fees that they can ill afford during their term of probation is not calculated to do this.

Rather, it is calculated to do the opposite. These fees create a pretext for "violating" someone on parole for non-payment, a situation that in my experience is all too common. Individuals who have abided by the terms of their parole and are doing everything right can be re-incarcerated because of an inability to pay fees. There is no clearer or more disturbing example of the "criminalization of poverty" than this. Fees are not an aid to the stated purpose of incarceration and supervision, which is rehabilitation and the prevention of crime. The only purpose they serve is to create income for the corrections system and to expand the incarcerated population.

One of the organizations I worked with, WhenPeopleWork, conducted a free expungement legal clinic in Wilson, North Carolina. One of the clients was a single mother of two young children named Dierdra. She was out of work and was behind on her probation fees. Her PO violated her and was about to send her back to prison. This would have resulted in her children being taken to Child Protective Services.

The head of our clinic, Former NC Superior Court Judge Toby Fitch was able to persuade probation authorities that the better course of action was to give Dierdra time to get a job and go on a payment plan for her fees. Reincarcerating her would have cost the state over \$100,000 per year, without calculating the cost of custody of the children by CPS and the cruelty of separating this family again. We were able to find Dierdra a job and reunite her family, save the costs to the state and more importantly, help a new taxpayer resume her life with her children.

These fees set individuals on parole up to fail. Using the power of the justice system to extract fees on pain of incarceration from those least able to pay is the wrong way to generate revenue.

This system is a national disgrace, and Maine must set an example of justice on this matter.
Thank you to the Chair and the Committee members for hearing my testimony.