

**A Center for Science and Justice Report:**

# **The Explosion of Unpaid Criminal Fines and Fees in North Carolina**

April 22, 2020



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# Executive Summary

There has been an explosion of debt in our North Carolina criminal courts, much of it that has not been paid and likely never can or will be paid.

In **over 1.72 million cases total – and 120,000 cases each year** criminal courts in North Carolina have imposed fees that a person cannot or does not pay. A failure to comply with the court order to pay, or an “FTC,” is then entered in the case.

- **Over 650,000 people, or one in twelve adults in North Carolina** currently have such unpaid criminal court debt.
- This largely uncollectable debt may total well over one hundred million dollars.
- This debt disproportionately burdens minority residents of North Carolina.
- Much of this debt arises in low-level traffic cases and infractions.

In response, we urgently need:

- Suspension of all criminal court debt for the duration of the COVID-19 emergency, and emergency debt relief from the NC Supreme Court;
- Legislation going farther than the Second Chance Act (introduced in 2019) would do, to end, as other states have, the entire practice of suspending driver’s licenses indefinitely for non-driving related reasons;
- Legislation reducing or eliminating criminal court fines and fees and expanding judicial ability to waive such fines; Legislation authorizing judges to remit any court debt whenever a person demonstrates inability to pay;
- Implementation of a readily accessible system for relief that does not require representation by a lawyer;
- District Attorneys should mass-dismiss unresolved cases involving unpaid fines and/or remit debt; Judges, defense attorneys and prosecutors should ensure robust hearings regarding ability to pay and ensure that clients are not unnecessarily convicted of offenses that will result in unpayable court debt;
- Statewide investment in criminal debt relief and restoration clinics.

# The Explosion of Unpaid Criminal Fines and Fees in North Carolina

By William Crozier\*, Brandon Garrett\*\* & Thomas Maher\*\*\*

In **over 120,000 cases each year**, criminal courts in North Carolina impose costs that a person cannot or does not pay. An “FTC” is then entered in that person’s case, for failure to comply with the order to pay those costs.

- **Over 650,000 people, or one in twelve adults in North Carolina** currently have such unpaid criminal court debt.

This report, by the Center for Science and Justice at Duke Law, sheds light on the scope of this FTC phenomenon in North Carolina.

**H**undreds of thousands of people struggle under the burdens created by an explosion of debt in our North Carolina criminal courts. Much of this debt has not been paid and likely never can or will be paid by the indigent people subjected to these financial obligations. People lack access to lawyers and even understanding what the debt is

can be enormously complex. The result is a cycle of debt; nonpayment leads to more fines for not paying; unpaid tickets lead to driver’s license suspensions and further fines and charges for driving with a revoked license. The COVID-19 crisis has further brought these inequities home.

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At a time in which North Carolina courts are conducting limited business, people are struggling to support themselves while staying at home, and we are experiencing economic uncertainty, we should reconsider use of criminal courts as debt collectors.

On April 2, Chief Justice Beasley issued an order postponing most court proceedings and extending the deadline for payment of most fines and fees by ninety days. Failures to pay are not to be entered and the Department of Motor Vehicles is not to enter driver's license suspensions.<sup>1</sup> Governor Cooper has entirely prohibited utility companies from utility shut-offs and late fees, also giving customers six months to pay any balances.<sup>2</sup> California's state taxing authority, the Franchise Tax Board, has suspended collection of all criminal justice debt. A range of other jurisdictions have stopped imposing criminal debt for the duration of this emergency.<sup>3</sup> Far more should be done in our courts to provide wholesale relief from court debt.

Given the scale of the problem, affecting **one in twelve** adults in North Carolina, these welcome temporary measures must be made more permanent and effective. We call for:

- **Suspension of all criminal court debt for the duration of this emergency, and emergency debt relief from the Supreme Court;**
- **Legislation going farther than the Second Chance Act (introduced in 2019) would do, to end, as other states have, the entire practice of suspending driver's licenses indefinitely for non-driving related reasons;**
- **Legislation reducing or eliminating criminal court fines and fees and expanding judicial ability to waive such fines;**
- **District Attorneys should mass-dismiss unresolved cases involving unpaid fines and fees, and make motions to mass remit debts;**

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<sup>1</sup> Press Release, North Carolina Judicial Branch, *Chief Justice Beasley Issues Order Postponing Court Proceedings Until June 1, 2020*, April 3, 2020, at <https://www.nccourts.gov/news/tag/press-release/chief-justice-beasley-issues-order-postponing-court-proceedings-until-june-1-2020>.

<sup>2</sup> Governor Cooper Issues Order to Prohibit Utility Shut-Offs and Late Fees, Provides Guidance on Eviction Restrictions and Urges Financial Relief for Individuals and Businesses, March 31, 2020, at <https://iei.ncsu.edu/2020/governor-cooper-issues-order-to-prohibit-utility-shut-offs-and-late-fees-provides-guidance-on-eviction-restrictions-and-urges-financial-relief-for-individuals-and-businesses/>.

<sup>3</sup> Fines and Fees Justice Center, *COVID-19 Crisis: FFJC Policy Recommendations, Policy Tracker, and Advocacy Materials*, at <https://finesandfeesjusticecenter.org/articles/ffjc-policy-recommendations-for-the-covid-19-crisis/>.

- **Defense attorneys and prosecutors should ensure robust hearings regarding ability to pay and ensure that clients are not unnecessarily convicted of offenses that will result in unpayable court debt;**
- **Statewide investment in criminal debt relief and restoration clinics.**

Many of these court fees are automatic, not waivable by judges, and have no relation to a person's ability to pay, or to the severity of the offense. These costs can lead to a cycle of unpayable debt, as failure to pay results in still additional fines and fees.

This report explores data provided by the North Carolina Administrative Office of the Courts (AOC), with all cases from the late 1980s to January 10, 2020 in which courts reported an FTC. This data is available on a website, with interactive features, including breakdowns of data in each North Carolina county, here:

<https://datalab.law.duke.edu/shiny/nccrimfines/>

We encourage you to explore this website. We begin by describing the explosion of criminal fines and fees in North Carolina. Next, we will provide: (1) an overview of these data and how FTCs occur; (2) how long FTCs linger; (3) race and demographic data; (4) county-by-county patterns; (5) the types of criminal cases; and (6) we describe how the website was created and the underlying data.

## **I. The Problem of North Carolina Criminal Debt**

Over the past decade and a half, court costs have steadily increased. The courts are required by law to collect a range of costs in North Carolina. Although in some cases, judges have some discretion to waive or reduce costs or to provide a payment plan, lawmakers have discouraged such waivers.<sup>4</sup>

In all criminal cases, the courts impose a "General Court of Justice" fee that was \$147.50 in district courts as of December, 2019. They must charge a \$5 fee for an arrest. Fees are added for law enforcement training and retirement funds. A \$200 fee is imposed for failures to appear in court. Fees of \$10 are charged for each day in jail. For cases with forensics, \$600 crime lab fees apply, with additional \$600 fees if an expert testifies.<sup>5</sup> Costs that cannot be paid bring on still more costs. For example,

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<sup>4</sup> The NC Courts website provides an overview of costs here: <https://www.nccourts.gov/help-topics/fees-and-payments/court-costs>.

<sup>5</sup> North Carolina Criminal Court costs, as of December 1, 2019, are set out in a detailed chart: [https://www.nccourts.gov/assets/documents/publications/2019\\_Criminal\\_court\\_costs\\_chart.pdf?uTsvyAraXdZl1sBAK1xTFZfZs8pM3h29](https://www.nccourts.gov/assets/documents/publications/2019_Criminal_court_costs_chart.pdf?uTsvyAraXdZl1sBAK1xTFZfZs8pM3h29).

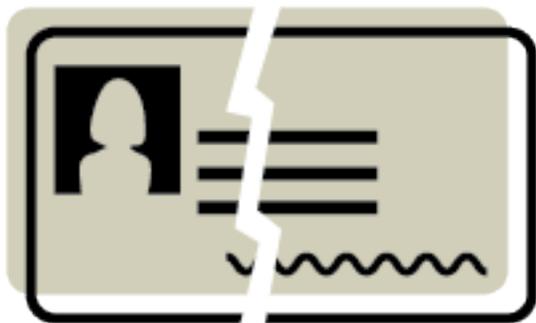
an additional \$50 fee is imposed for failure to pay fees within forty days. An order for arrest can result.

Thus, this steady increase in FTCs can create a cycle of court debt. Indeed, for many people, it does not end. People can accumulate thousands of dollars in debt. People may understandably give up on trying to pay these offenses. After all, paying off traffic tickets may not resolve failures to appear or other impediments to obtaining restoration of a driver's license. It may be very challenging to understand the causes of a person's driver's license suspension. It may be very challenging to understand what one's total court debt is.

Judges routinely do not inquire into ability to pay. Lawyers described to us how it rarely happens, unless a person is represented by a public defender. Yet people do not necessarily have a lawyer to represent them. They will not have an appointed lawyer once their criminal case is over and the court is seeking payment of fines. They may not have an appointed lawyer in a Class 3 misdemeanor for driving with a revoked license. Further, not all public defenders ensure their clients avoid debt they cannot pay, or insist on a robust ability to pay hearing. People may plead guilty without realizing the court debt that will result from doing so.

People are **arrested and jailed** for unpaid court debt. In some counties this is a routine practice: to arrest a person for an active sentence and only then dismiss court costs. This amounts to debtors' prison, in effect, as the NC ACLU has documented through court observation.<sup>6</sup>

**Expungement** is also affected by FTCs. People cannot get an expungement unless they have paid all outstanding fines and fees, and without an expungement, they may be unable to pursue employment and other opportunities.



For traffic offenses, an FTC will lead to an **indefinite suspension of a driver's license**. We have separately analyzed data concerning a staggering **1.25 million people in North Carolina, or one in seven adults**, who had suspended driver's licenses for failure to pay costs or failure to appear in traffic court. This amounts to one in seven adults. Those license suspensions can remain in place for many years, even for decades, limiting people's ability to travel, get to work, be employed at all, obtain

<sup>6</sup> Press Release, ACLU of North Carolina, April 16, 2019, at <https://www.acluofnorthcarolina.org/en/press-releases/aclu-report-court-fines-and-fees-prey-low-income-north-carolinians>.

health care, attend school, obtain child care, and receive other essential services.<sup>7</sup>

### WHAT WE FOUND:

Approximately **1 out of 7** driving-age individuals in the state of North Carolina currently have their license suspended.



Of those suspensions, **827,000** are for failure to appear in court (FTA), **263,000** for failure to comply with orders to pay traffic fines or court fees, and **135,000** for both.

Our article reporting those results was recently published in the Duke Law Journal.<sup>8</sup>

## II. The Explosion of Unpaid Criminal Fines in North Carolina

### A. Our Basic Findings

Over **650,000 people** currently owe court debt in criminal cases and have failure to comply (or FTC's) in their cases, according to our data. That number amounts to **one in twelve** adults in North Carolina. Over 1,700,000 people have had FTCs in criminal cases over the past three decades, as the figure below illustrates.

Figure 1. Total Numbers of FTC Cases in North Carolina



We do not have data on the dollar amounts involved. However, we are confident that these data reflect hundreds of millions of dollars of unpaid (and likely unpayable) debt. Take just the minimum costs for district court, which is currently \$173 (this includes the general court of justice fee plus a facilities fee, telecommunications fee, law enforcement officer retirement and training fees). With 657,788 cases with

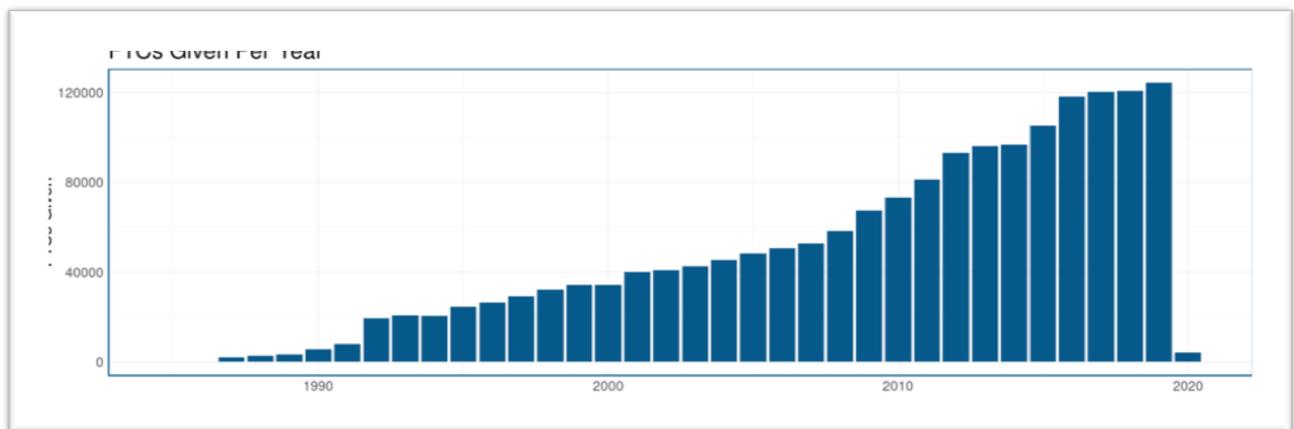
<sup>7</sup> See William Crozier and Brandon Garrett, *Driven to Failure: Analyzing Driver's License Suspension in North Carolina*, Duke Law Journal (forthcoming). See also Virginia Bridges, 1 in 7 NC drivers has a suspended license. What should the state do about them?, News & Observer, March 25, 2019, at <https://www.newsobserver.com/news/local/article228372759.html>.

<sup>8</sup> William Crozier and Brandon Garrett, *Driven to Failure: Analyzing Driver's License Suspension in North Carolina*, 69 Duke Law Journal 1585 (2020), at <https://dlj.law.duke.edu/article/driven-to-failure-crozier-vol69-iss7/>. A fact sheet illustrating that data is here: <https://sites.law.duke.edu/justsciencelab/wp-content/uploads/sites/5/2019/12/NC-DRIVER-LICENSE-infographic-v5.pdf>.

people owing that amount plus the \$50 fee assessed in each case for failure to pay, the amount owed would be almost **\$147 million**.

While some older cases may involve lower costs based on older fee schedules, this estimate probably greatly underestimates the amount owed, since there are so many other fees that can be assessed (including \$200 for any failure to appear). Not only are these astonishing numbers – of people – and of debt – but this problem has become increasingly urgent over the past two decades in North Carolina. The numbers of cases per year have steadily grown, as figure 2 shows.

Figure 2. Numbers of FTC Cases Over Time



Why have the numbers of these cases grown so steadily?

## B. How Long do Failures to Comply Persist?

These failures to comply in criminal cases can persist for years. Often it takes many months or years for people to comply with North Carolina criminal court costs. Many people are never able to pay these court costs; about half of these cases, or over 650,000 cases, remain “uncured” to this day.

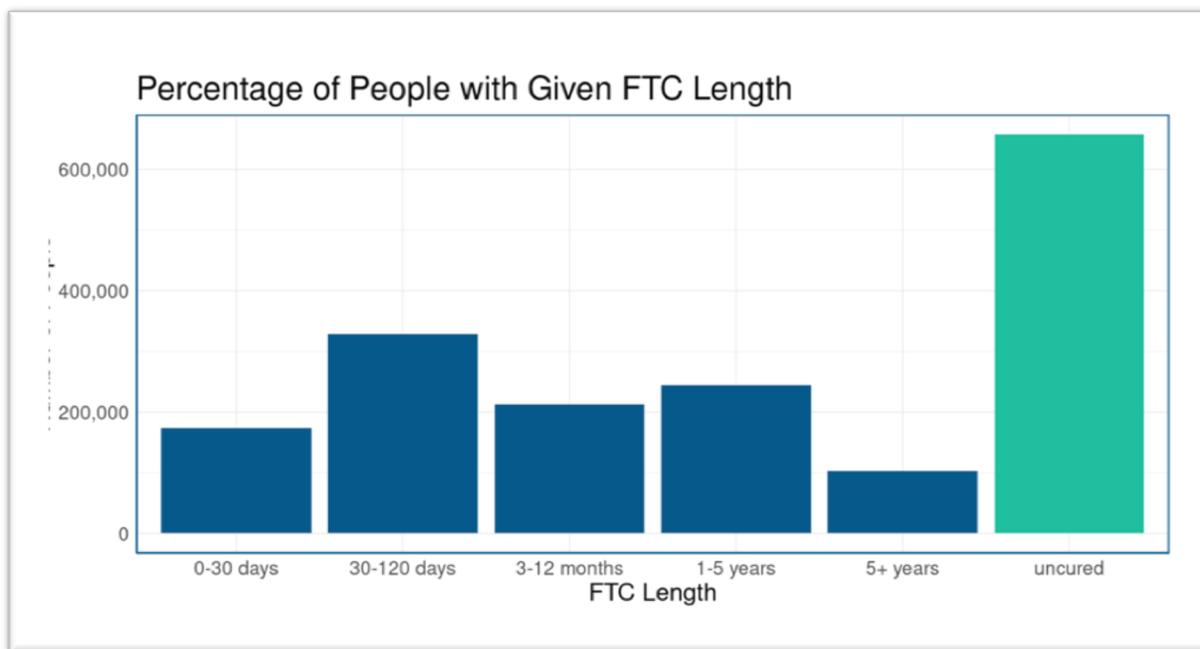
Here are a handful of examples of cases from Durham that involved unpaid fines and fees, from a hearing conducted in January 2019 to dismiss these old cases:

- A speeding in a highway work zone case from 2000;
- A driving with a revoked license case from 2003;
- A speeding ticket from 2011;
- A failure to stop at a red light from 2001;
- A driving with a revoked license case from 2006.

There were thousands of these very old and minor cases, just in Durham County. The program began in late 2018, and by January 2019, over 72,000 cases were dismissed, all failure to appear cases, mostly traffic related.<sup>9</sup> As of January 2020, \$1.5 million in traffic related fines and fees have been waived in Durham for 6,140 people (8,339 tickets).

Importantly, of people who are able to pay off these criminal court costs, most do so within a year. Most people who cannot pay right away, never do so. The figure below displays the number of days, months, or years between the FTC and compliance. We note for some there was also a failure to appear in court.

Figure 3. Length of FTCs

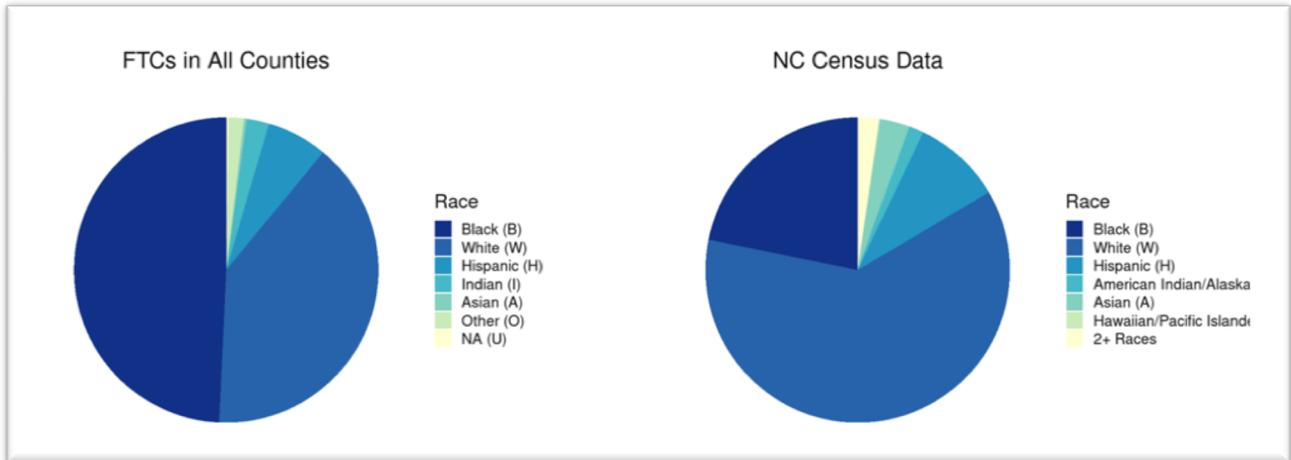


### C. Race and Nonpayment of Criminal Court Fees

Criminal debt falls disproportionately on black and Latinx persons in North Carolina. In fact, the demographics of people who owe criminal debt are almost the reverse of that of the state as a whole. Of the approximately 650,000 people with current FTCs, over half (or 324,000 people) are black persons. Over 240,000 are white persons and over 54,000 are Latinx persons. Compare these figures to the population of North Carolina as whole, where about two-thirds of residents are white. Our website includes information for each county.

<sup>9</sup> Derrick Lewis, *Durham DA's office has dismissed 50,000+ traffic cases in last 3 months*, CBS17.com, March 13, 2019.

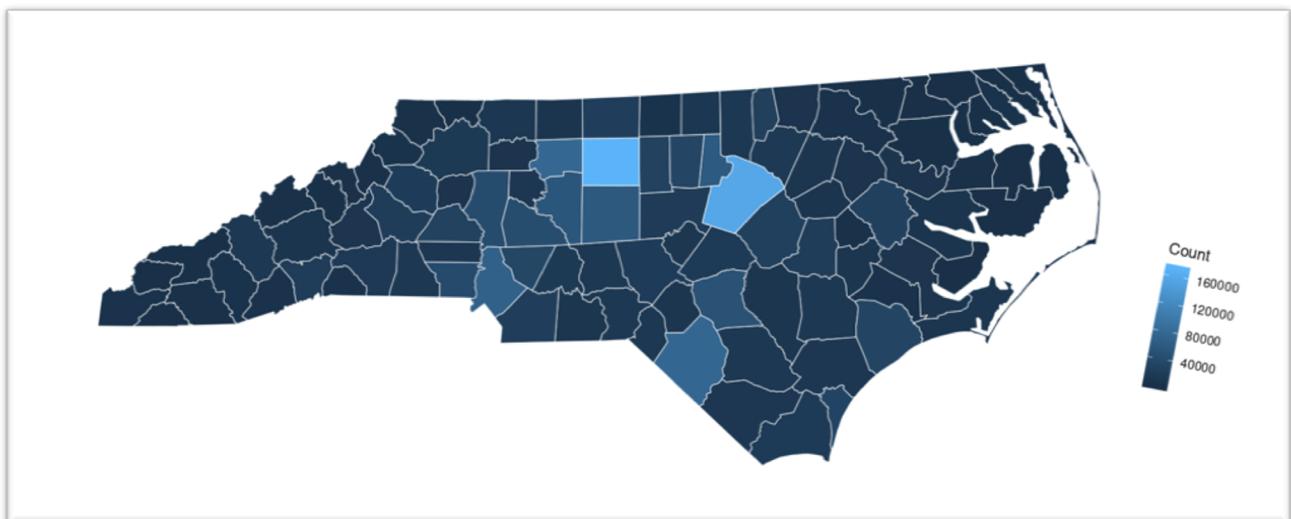
**Figure 4. Demographics of FTCs and Statewide Population**



**D. Which Counties have the Most People in Criminal Debt?**

The counties with the most total FTC’s were: (1) Guilford County, (2) Wake County; and (3) Mecklenberg County. These are also the three most populous counties in North Carolina. Figure 5 below displays numbers of FTCs per county.

Figure 5. Numbers of FTCs by County

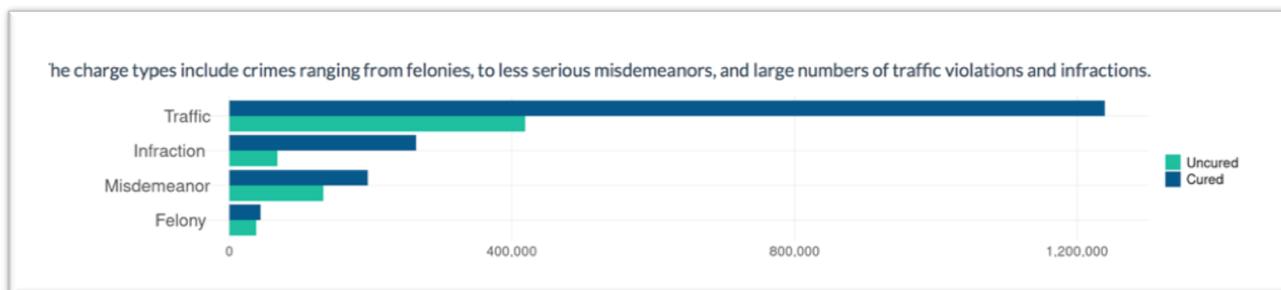


**E. What Types of Criminal Cases?**

These criminal debt cases include crimes ranging from felonies, to non-traffic misdemeanors, and particularly large numbers of traffic violations and infractions. The largest number of these cases were traffic cases, with over 1,500,000 total cases,

cured and uncured. However, there were about 40,000 FTCs in felony cases. There were over 150,000 misdemeanor FTCs. The figure below illustrates these data.

Figure 6. Type of Criminal Case



### III. State and Local Solutions

#### A. Statewide Solutions to this Cycle of Criminal Debt

This staggering amount of criminal court debt, and the way in which it was imposed, raises serious constitutional questions, which should be addressed. For example, judges are not required to and in many jurisdictions, they do not routinely conduct an inquiry into person's ability to pay before imposing fines, fees, and court debt.<sup>10</sup> Nor do people always receive actual notice that serious consequences, like driver's license suspensions, will occur in their cases, since mail is often sent to outdated addresses.<sup>11</sup> No suspensions for non-driving related reasons are warranted.

- **Suspension of all criminal court debt for the duration of the COVID-19 emergency, and emergency debt relief from the NC Supreme Court.**

Any court action regarding court fines and fees should be **placed entirely on hold for six months due to the COVID-19 emergency**, in the same way that utility nonpayment was placed on hold, as should driver's license suspensions.

<sup>10</sup> North Carolina ACLU, "At All Costs: The Consequences of Rising Court Fines and Fees in North Carolina" (2019), at [https://www.acluofnorthcarolina.org/sites/default/files/field\\_documents/aclu\\_nc\\_2019\\_fines\\_and\\_fees\\_report\\_17\\_singles\\_final.pdf](https://www.acluofnorthcarolina.org/sites/default/files/field_documents/aclu_nc_2019_fines_and_fees_report_17_singles_final.pdf).

<sup>11</sup> Karima Modjadidi, William Crozier, and Brandon Garrett, *Undeliverable: Suspended Driver's Licenses and the Problem of Notice*, U.C.L.A. Criminal Law Review \_\_ (2020), at <https://www.ssrn.com/abstract=3489255>.

- **Legislation going farther than the Second Chance Act (introduced in 2019) would to end, as other states have, the entire practice of suspending driver's licenses indefinitely for non-driving related reasons.**

The law should be changed so that driver's licenses are not suspended indefinitely for any non-driving reasons, including failure to pay fines and failure to appear in court. Instead, alternative fines geared to ability to pay or community service should be imposed. Other states, including Virginia just last year, have passed laws to end the practice.

Lawmakers should enact **The Second Chance Act** introduced in 2019<sup>12</sup> which would address part of the problem, regarding driver's licenses for unpaid traffic tickets. It would not, however, address the far larger number of suspensions for failures to appear in traffic court.

- **Legislation reducing or eliminating criminal court fines and fees and expanding judicial ability to waive such fines; Legislation authorizing judges to remit any court debt whenever a person demonstrates inability to pay.**

The statutes that hamper and track **judges' waivers of fines and fees** should be repealed, promptly (North Carolina General Statute 7A-350 and 340a). Judges should be able to focus just on whether a person can in fact pay a fine. **Legislation** should authorize judges to **remit any court debt whenever a person demonstrates inability to pay.**

- **Implementation of readily accessible system for relief that does not require representation by a lawyer.**

The Administrative Office of the Courts should develop a user-friendly system for a person, without a lawyer, to resolve or waive court debt. Currently, persons navigate the complex process of resolving FTCs without skilled counsel. AOC should create a simple form and an accessible system to obtain relief for unpaid court debt.

- **District Attorneys should mass-dismiss unresolved cases involving unpaid fines and fees and/or remit debt in groups of cases.**

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<sup>12</sup> S.B. 562 (HB 874), at <https://www.ncleg.gov/BillLookup/2019/S562>.

- **Defense attorneys and prosecutors should ensure robust hearings regarding ability to pay and ensure that clients are not unnecessarily convicted of offenses that will result in unpayable court debt.**

Persons charged with Class 3 misdemeanors should be eligible for court appointed attorneys (this would require an amendment to North Carolina General Statute 15A-1340.23(d)). Effective publicly funded defense should be available in all counties.

- **Statewide investment in criminal debt relief and restoration clinics.**

## **B. Local Solutions to this Cycle of Criminal Debt**

We can end this cycle of criminal debt at the local level, including through bold action by District Attorneys, defense lawyers, and judges. We can take action to provide systematic relief. For example: District Attorneys have taken action to mass dismiss old cases to provide large scale criminal debt relief, and to remit fines and fees in old cases. Durham District Attorney Satana Deberry did so beginning in 2019, following efforts that had been initiated by her predecessor, Roger Echols, in Fall 2018. About 70,000 cases in total were dismissed. Below is the speech D.A. Deberry delivered when making a motion in January 2019 to remit fines and fees.



*Good afternoon Your Honor, may I be heard?*

*May it please the court. I am Satana Deberry, representing the State of NC, specifically the 16<sup>th</sup> prosecutorial district encompassing all of Durham County.*

*In many cultures and religions, there is a concept of the relief of debt for the poor. Even tyrant kings would periodically cancel debts to allow the poor a measure of respite from their harsh conditions. For those cultures and religions descended from the Hebrew Bible, the concept is known as the Year of Jubilee.*

*The Year of Jubilee was intended to be a joyful celebration of the king's sovereignty in which two things were accomplished:*

*1) Emancipation: As no man can forever remain a slave. The Jubilee was meant to restore equality.*

*2) Social Justice: Equality also meant raising up*

*those who were in need. Providence is for all, so the goods of the earth are the common property are all.*

*The main authority for my motions today is statutory. Yet, it is also ethical and fairer than the current arrangement, in this debt largely burdens poor people with repayments they may never make. All of the cases on today's docket are at least 2 years old. Many are more than 25 years old. With their debts forgiven, these individuals can now get a drivers license. They can get insurance. They can go to work and to school. They can participate fully in the economic and social vitality of our community.*

Other District Attorneys can similarly take such action, to mass dismiss cases. Many have, including as part of a Data Integrity Initiative by the Administrative Office of the Courts, to identify and resolve old cases. Hanover and Pender County District Attorney Ben David's office ultimately dismissed 36,000 old cases. D.A. David commented, "What we are now doing with this mass dismissal is saying to our officers, you don't have to put handcuffs on someone on a routine traffic stop." These cases were "old enough where we're not tying up our resources for the thing that happened last night – that's what we want our resources spent on, we don't want it spent on

things that happened two decades ago.” Mecklenberg County dismissed over 190,000 cases in 2017 as part of the effort.<sup>13</sup>

However, these retrospective efforts do not affect the flow of hundreds of thousands of new cases involving criminal fines and fees each year. District Attorneys should also adopt policies to avoid collateral consequences, through their exercise of charging discretion, in criminal cases. They should also ensure robust hearings regarding ability to pay.

Efforts by defense lawyers can help to assure a fair hearing regarding ability to pay and advocacy to ensure that clients do not plead to offenses that will result in unpayable debt. However, as noted, not all jurisdictions have public defenders, and not all defense lawyers, whether public defenders or court-appointed or privately retained, are trained and have a practice to advocate regarding fines and fees in criminal cases. As the North Carolina ACLU has shown in its case study of Mecklenberg county cases, careful advocacy by public defenders can reduce FTCs, jailtime for nonpayment of fees, and criminal debt.<sup>14</sup>

Local restoration clinics can play an important role in restoring rights and eliminating criminal court debt. Such programs are particularly necessary because these fines and fees can be so complex that a person simply cannot be expected to resolve these debts on their own. Below we describe the Durham Expunction and Restoration Program (DEAR), a leading example of one of these initiatives. Such initiatives should be supported and facilitated statewide.

DEAR was launched in late 2018, and is a partnership between the City, Durham Courts (including the DA), and many other community organizations including: NC Justice Center, Legal Aid of NC, Duke Law, NCCU Law, Durham Bar Association, George H. White Bar, and NC Pro Bono Resource Center. The City has invested over \$600,000 to date in DEAR. In addition to the success in restoring driving privileges for Durham residents, DEAR also doubled the number of expunction petitions filed in Durham County. Three attorneys and a paralegal, paid for by the City, provide free legal services to residents. The office is co-located in the court house. The DA's Office and Public Defender's Office pro-actively identifies people in court who could benefit from DEAR's free services and refers them to the office. DEAR uses a data-driven approach to license restoration that identifies people eligible under criteria set by the DA for DEAR's license restoration services. The City partnered with Code the Dream to build a new website ([www.secondchancedriving.org](http://www.secondchancedriving.org)) to notify residents of

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<sup>13</sup> Melissa Boughton, *NC Officials Dismiss Hundreds of Thousands of Old Court Cases as Part of Massive Data 'Clean-Up'*, NC Policy Watch, June 6, 2019, at <http://www.ncpolicywatch.com/2019/06/06/nc-officials-dismiss-hundreds-of-thousands-of-old-court-cases-as-part-of-massive-data-clean-up/>.

<sup>14</sup> NC ACLU Report, *supra*, at 34-35.

this relief). In 2019, DEAR was named the NC Pro Bono Project of the Year by the NC Bar. In 2019, DA Deberry, Judge Amanda Maris, Judge Josephine Davis and Ryan Smith with the City received a national leadership award for their collaboration.

#### **IV. The Data and the Duke CSJ North Carolina Criminal Fine Data Website**

We are very grateful to the North Carolina Administrative Office of the Courts (AOC) for sharing these data, and for Daniel Bowes and the [North Carolina Justice Center](#) for requesting these data and providing feedback on the analysis.

The Duke Center for Science and Justice data website was created by [Caroline Levenson](#), Duke Class of 2022, and a Duke Technology Scholar, as part of an independent study supervised by Professor [Maria Tackett](#), in the Duke Department of Statistical Science. At the Duke [Center for Science and Justice](#), Professor Brandon Garrett and Post-doctoral Fellow William Crozier helped develop of this website. Digital Resource Librarian Sean Chen set up the hosting for this website.

The entirety of this dataset is available on the interactive website. These data were collected on January 10, 2020. Therefore, the data is current as of that date. We note that while age was not provided in the original data, it was calculated based on the defendant's birthday and disposition date. Interested readers can use the website to view FTCs by county, as well as other factors such as: defendant demographic information, charge type, length of FTC, and cured versus uncured FTCs. Interactive filters allow the user to generate tables and graphical visualizations. For example, a user who wanted to learn about the relationship between a defendant's race and FTC length in Durham county could use the interactive features to generate a bar chart and table displaying this information.

We would be grateful for any feedback on these data and displays. We can be reached at [dukecsj@law.duke.edu](mailto:dukecsj@law.duke.edu).

## More Resources:

Our Duke Center of Science and Justice Blog is at <https://sites.law.duke.edu/csblog/>

William Crozier and Brandon Garrett, *Driven to Failure: Analyzing Driver's License Suspension in North Carolina*, 69 Duke Law Journal 1585 (2020), at <https://dlj.law.duke.edu/article/driven-to-failure-crozier-vol69-iss7/>

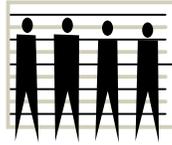
Karima Modjadidi, William Crozier, and Brandon Garrett, *Undeliverable: Suspended Driver's Licenses and the Problem of Notice*, U.C.L.A. Criminal Law Review \_\_ (2020), at <https://www.ssrn.com/abstract=3489255>

North Carolina Poverty Research Fund, *Court Fines and Fees: Criminalizing Poverty in North Carolina* (2017), <http://www.ncpolicywatch.com/wp-content/uploads/2018/01/Court-Fines-and-Fees-Criminalizing-Poverty-in-NC.pdf>

North Carolina ACLU, "At All Costs: The Consequences of Rising Court Fines and Fees in North Carolina" (2019), at [https://www.acluofnorthcarolina.org/sites/default/files/field\\_documents/aclu\\_nc\\_2019\\_fines\\_and\\_fees\\_report\\_17\\_singles\\_final.pdf](https://www.acluofnorthcarolina.org/sites/default/files/field_documents/aclu_nc_2019_fines_and_fees_report_17_singles_final.pdf).

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## About the Duke Center for Science and Justice:



A central goal of the Duke Center for Science and Justice is to convey the results of research to stakeholders in the criminal justice system.

Examples of this work include:

### Accuracy

Building on Professor Brandon Garrett's studies of the causes of wrongful convictions in cases of people exonerated by post-conviction DNA testing, Duke researchers are studying how to better explain to jurors the fallibility of evidence such as eyewitness memory and fingerprint comparisons.

### Risk

Duke researchers are studying why judges often do not follow recommendations of risk assessments to divert offenders from prison to the community, and why more resources may be needed to promote alternatives to incarceration. Researchers are collaborating with the Durham County District Attorney's Office to implement and study alternatives to pre-trial detention and to incarceration.

### Needs

A report released by Garrett and his team documented how more than 1.2 million people in North Carolina have suspended driver's licenses, the long-term consequences of those suspensions, and the resulting racial and class-based disparities. The study was made possible through a collaboration with the N.C. Justice Center and the N.C. Supreme Court's Access to Justice Commission.



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