

The Debt for Being Poor

By Kristopher J. Govea

The ACLU has recently published a report entitled "In For A Penny: The Rise of America's New Debtors' Prisons" in which courts around the nation are violating a Supreme Court decision ordering that a person's liability to pay court fees be investigated before imprisoning them. This means that a person who is released from prison after paying all the debt to society can actually find themselves back in prison for failing to pay his/her debt in legal fees, despite their inability to pay them.

The lesson of the story is that a person who owes \$400 in fines and court costs could spend time in jail that costs the state up to \$3,000, which happened to a man in New Orleans.

More so than just a raised eyebrow, the aforementioned report should also reveal an important truth about the nature of our judicial system. When it is more logical to pay \$3,000 to have an inmate that couldn't pay \$400, we have to ask ourselves if the people in control of the system are just that stupid, or, do they have an agenda that is more concern with their pockets?

Let's be honest about something: prison is a business and a business is only as successful as how much it makes. If I am a McDonald's fast food restaurant owner then my business is to sell Big Macs. The more I sell the more profitable and ipso facto, more successful I am. It would be foolish of me, then, to create a Big Mac that person need eat once and be satisfied. The same is true of prisons and those who operate ----and with today's private prisons--- own them.

For a government, investors group, or any other group of people, to invest millions of dollars to build a prison, hire personnel and then watch as the inmates come and go, never to return would be considered a bad business move. Prison profiteers needs prison, therefore, they thrive on crime.

Many of these people have a great deal of political influence and can use this to establish laws that cover a broad spectrum of the population. They can influence policy to actually target certain crimes of people in policing. They can use their business in a capitalist economy. Free enterprise means freedom to make a dollar as long as you have a dollar to begin with.

"Debtors prisons" do what all prisons do: target poor people. Once again, business competition and if one cannot compete then one has no hope of surviving. Like every other industry there is a consumer base, or specific group one's product is geared towards. For prisons that consumer

base is poor people. Why? Because poor people lack the means to defend themselves in money driven system.

This is a simple case of picking on the small guy. A more politically correct term favored by prison profiteers and defenders of free market capitalism is "social Darwinism." Poor people are not only at a disadvantage economically, but in the social arena as well. Most of these poor people have been violated in some respects yet lack the funds to have adequate representation to challenge these injustices. How can a homeless person who has been the victim of police brutality file a suit against a department with top attorneys at its disposal? David and Goliath is not a fair analogy.

The affects of the agenda in is much deeper than just more jail time. Poor people who cannot afford to pay court fees or a few hundred dollars, more than likely can't afford to miss work for a given amount of time. This only compounds there problems.

Take a father trying to feed his children. On a low-paying part-time job, he can't afford to take a loss in any area of his finances. An unpaid parking ticket turns into a warrant for which he goes to jail. He can't pay the fines so he gets more jail time. As a result, he loses his job and is now in a desperate situation. The temptation of crime lures him. As he sees his babies without proper food, clothing and when the eviction notice is hanged on the door, shelter. A crime is committed and he fills a bed space in prison, but more importantly, he fills the pockets of those prison profiteers. The cycle continues.

The prison industrial complex is just that. It is also a repressive system that is interconnected with other branches of government to ensure that the only people that country, the rich, get richer and the poor get jail. One in every twenty-eight children have a parent that is incarcerated which if one is a prison investor, is good business.

The ACLU's report on "Debtor's Prisons" is only shocking because a report was made and it is only illogical to those who do not have an understanding as to how and why these penal institutions function. These courts are merely a by-product of a system that is designed to prey on the poor as it is fueled by greed. All that is needed is a sign saying: "U.S. Prison Industry-2.3 million and Counting Served."

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Sources: "In for A Penny: The Rise of America's New Debtor's Prisons" <http://www.aclu.org/prisoners-rights-racial-justice/penny-rise-americas-new-debtors-prisons>

Report: "Modern Day Debtor's Prisons Devastating the Poor" by Charlene Muhammad, *Final Call*, 10-19-10.