

PRIVATE PROBATION

The Return of Debtors' Prisons

The “End of Debtors’ Prison Act of 2016” can protect our justice system and the poor from the damaging influence of private, for-profit probation companies. The Southern Poverty Law Center, which works to protect low-income people from these predatory companies, endorses this legislation introduced by U.S. Rep. Mark Takano of California.

What is “pay-only” private probation?

In some municipal courts, when somebody cannot immediately pay a fine for a traffic ticket or other minor offense, the court refers that person to a private probation company to establish a payment plan. If they can’t pay, the company threatens to send them to court, often resulting in jail time for violating “probation.”

Do people really go to jail for debt?

Yes. For example, Harriet Cleveland, a Montgomery, Alabama grandmother, was jailed for missing payments, even though she had paid more than she originally owed. Many others forgo basic necessities to avoid jail.

Are debtors’ prisons still legal in the United States?

Debtors’ prisons were abolished almost 200 years ago. The U.S. Supreme Court ruled in 1983 that it was unconstitutional to send people to prison because they are too poor to pay.

Do these companies provide traditional probation services?