



EQUAL JUSTICE UNDER LAW

400 Seventh Street NW, Suite 602
Washington, D.C. 20004
www.equaljusticeunderlaw.org

For more information contact:
Heather Pritchett 202-670-3713
hpritchett@equaljusticeunderlaw.org

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Class Certification Victory for Hundreds of Texans Charged Pre-Trial Fees

Anderson County, Texas – A federal class action challenging pre-trial fees in Anderson County, Texas secured a critical victory this week when the court granted class certification to the plaintiffs. In Anderson County, many pre-trial arrestees — who have not been found guilty of any crime — are required to not only pay bail to get out jail, but they must also pay drug testing fees and monthly bond supervision fees to *stay* out of jail, undermining the presumption of innocence central to the American justice system.

Anderson County requires pre-trial arrestees placed on bond supervision to pay these fees without consideration of their ability to pay. If they fall behind on payments, they can be sent to jail and have a hold put on their driver's licenses. This practice means that money is the determinant of freedom versus incarceration. Plaintiffs in the case, Paul Estrada and Edward Leroy Perkins, are on pre-trial bond supervision in Anderson County. They are required to pay these fees and are subject to jail and other negative outcomes if they do not pay.

This week, the Court granted class certification in the case, giving the green light to move forward with the case on behalf of hundreds of others affected by these abusive pre-trial fees. A similar lawsuit brought by Equal Justice Under Law in Ravalli County, Montana also won class certification just one week ago. These timely victories in two different parts of the country are a strong indication that these abusive practices are on the path to being dismantled.

This suit was filed in partnership with The Law Office of Charles W. Nichols, P.C. in 2022. Phil Telfeyan, Executive Director of Equal Justice Under Law, says, “Our justice system is anything but just when it punishes people for being poor. Anderson County treats those with financial means differently than those without means, allowing for a debtors’ prison for those who have not been found guilty of a crime, but simply cannot afford pre-trial fees. This class certification victory, paired with our recent class certification victory in Ravalli County, Montana, gives us confidence that an end to these discriminatory policies is possible.”

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Equal Justice Under Law is a legal nonprofit dedicated to achieving equality in our justice system by litigating against wealth-based discrimination. Since its founding in 2014, Equal Justice Under Law has filed 44 lawsuits in 18 states targeted at ending unequal practices in our justice system.