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Justice by Geography: The Role of Monetary Sanctions Across Communities



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Monetary sanctions are a ubiquitous part of court systems. Previous studies have focused largely on these sanctions at the state level or solely on large urban jurisdictions. However, court systems differ considerably across communities of varying population size, composition, and density. This article examines how differences in court structure and organizational dynamics in communities across the rural-urban continuum lead to differences in how court actors consider the role of monetary sanctions. Using interviews with court actors and ethnographic observations in communities across four states, we find that the practical and symbolic nature of monetary sanctions varied by the acquaintanceship density of the court and community. These interpersonal dynamics influenced courtroom considerations, monetary sanctions' relationship to local finances, and actors' positioning toward state-level policy. These findings emphasize the importance of court and community context and structure in assessing the law-in-action both when conducting research and designing reform.

Keywords: monetary sanctions, punishment, acquaintanceship density

Researchers have established that monetary sanctions are a ubiquitous and growing aspect of court systems across the United States (Harris 2016; Martin et al. 2018; Shannon, Huebner

et al. 2020). Monetary sanctions, also referred to as legal financial obligations (LFOs), encompass the wide variety of fines, fees, assessments, and surcharges imposed on individuals

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in the criminal justice system. Following the fiscal pressures of protracted economic downturns, shifts in federal funding, and the high costs of mass incarceration, cities and counties have increasingly turned to monetary sanctions as a form of revenue generation, aiming to shift the burden from taxpayers to system users (Graham and Makowsky 2021; Katzenstein and Waller 2015; Martin 2020). Scholarship to date has focused largely on the consequences of the increased use of monetary sanctions for defendants (Pleggenkuhle 2018; Link 2019; Harris 2016). Less attention has been paid to the local factors that shape the meaning and application of monetary sanctions among court actors in the context of these broader shifts.

Early scholarship on monetary sanctions centered on state-level analyses because the amounts of fines and fees are often dictated by state statute (Harris et al. 2017). However, court systems are highly localized institutions and have significant discretion in how they carry out the law-on-the-books. Local court systems have some autonomy over sentencing decisions, supervision practices, and collection efforts (Olson and Ramker 2001; Shannon, Huebner et al. 2020; Pacewicz and Robinson 2020). Alexes Harris (2016) finds that courts in Washington varied considerably in their use of monetary sanctions in ways that were not explained by the nature of the offense, statute, or defendant characteristics, but rather reflected different localized “punishment cultures.” In addition to local norms and cultures, structural variations of communities and court systems result in distinct constraints in fiscal resources, time, and personnel that impact how justice is performed and enacted (Cebulak 2004; Pruitt et al. 2018; Statz 2021). For example, relative to court systems in large cities, courts in rural and suburban areas tend to have fewer employees, more limited resources, such as fewer public defenders, probation and supervision services, and less programming such as diversion or specialty courts (Huebner, Kras, and Pleggenkuhle 2019; McDonald, Wood, and Pflüg 1996; Pruitt and Colgan 2010; Weisheit, Falcone, and Wells 1999; Statz 2021). We add to this growing scholarship by exploring the influence of these structural and organizational features on monetary sanctions.

Although courts across the United States share some basic features, it is well recognized that local community contexts shape many of the interpersonal dynamics relevant to case outcomes (Ulmer 2019; Ulmer and Kramer 1998; Statz 2021). Communities vary greatly in ways that are difficult to classify. One key axis of variation is acquaintanceship density, which can be used to understand differences across rural, suburban, and urban communities. Acquaintanceship density is defined as the proportion of community residents known to individuals or the degree of familiarity between residents (Weber 1958; Freudenberg 1986). Although it is not the only difference between these types of communities in terms of how the law is carried out, existing legal research, as well as research on monetary sanctions, has highlighted the importance of interpersonal dynamics in court systems through the conceptualization of courts as “inhabited institutions”—which are driven by both the motivations of individuals (Ulmer 2019; Martin, Spencer-Suarez, and Kirk 2022, this volume; Smith, Thompson, and Cadigan 2022, this volume) and the shared goals and norms of courtroom “workgroups”—or members of the court tasked with carrying out the court process (Eisenstein and Jacob 1977; Haynes, Ruback, and Cusick 2010). We extend these two complementary lines of research on acquaintanceship density and courtroom workgroups to understand courts as both inhabited by actors with particular sets of norms, practices, and expectations and as nested within communities that impose external constraints and structures that impact justice processes.

In this article, we explore the relationship between monetary sanctions and interpersonal and structural dynamics of courts and their respective locales, comparing across a spectrum of community population size and density. Court actors in these different community types varied in their conceptualizations of both the practical and symbolic nature of monetary sanctions. Using acquaintanceship density as a lens to view community and structural differences reveals that community context matters in courtroom interactions surrounding monetary sanctions, considerations of local finances, and court actors’ perceived agency and discretion. These differences in LFO regimes

have consequences both to defendants and to local actors' support for reform efforts. Our findings draw on courtroom ethnographies and qualitative interviews with courtroom actors across four states: Georgia, Illinois, Minnesota, and Missouri.

We add to the existing literature in several ways. First, much of what is known about American courts is confined to urban jurisdictions. This research explores further the role of community size and relations in court proceedings. Second, exploring how court actors understand the role of monetary sanctions outside of imposing punishment has serious implications for the success and well-being of defendants. Monetary sanctions reproduce inequality both through the financial burden they impose (Harris 2016; Bing, Pettit, and Slavinski 2022, this volume; Boches et al. 2022, this volume; Harris and Smith 2022, this volume) and through the court's efforts to collect and manage this debt (Cadigan and Kirk 2020; Martin, Spencer-Suarez, and Kirk 2022, this volume). Our findings speak to the importance of considering organizational structure and context when assessing the law-in-action, particularly in examining sanctions that are motivated by multiple incentives, both punishment and funding, as is the case with monetary sanctions.

COURTS, COMMUNITIES, AND ACQUAINTANCESHIP DENSITY

Courtrooms and courthouses are at their core professional organizations, with groups of actors who more often work in cooperation than in conflict (Eisenstein and Jacob 1977). Researchers have found that organizational dynamics at the county or jurisdiction level, such as the relationships and power dynamics between court actors, are particularly important in translating policies and statutes into individual case outcomes (Ulmer 2019). In viewing the courts as organizations, the criminologist Jeffery Ulmer draws on the concept of "inhabited institutions" to detail "how organizational participants constantly interpret and make sense of rules and structures" (2019, 484). Ulmer's research emphasizes the need to examine interpretation, culture, and court processes to understand sentencing outcomes. Several scholars have begun to turn toward the inhab-

ited institutions perspective when examining differences in the imposition of monetary sanctions (Martin, Spencer-Suarez, and Kirk 2022, this volume; Shannon, Harris, et al. 2020; Smith, Thompson, and Cadigan 2022, this volume).

In a similar vein, scholars have conceptualized groups of court actors as workgroups who share similar goals of doing justice, managing cases, and processing defendants and therefore develop routines and norms to accomplish these goals quickly and efficiently (Eisenstein and Jacob 1977; Eisenstein, Fleming, and Nardulli 1988; Galanter 1974; Metcalfe 2016; Haynes, Ruback, and Cusick 2010). These workgroups result in the maintenance of micro-level norms and legal interpretations over time and across cases (Eisenstein, Fleming, and Nardulli 1988; Smith, Thompson, and Cadigan 2022, this volume; Ulmer 2019). They also differ across courts that vary in their social, political, and organizational contexts (Dixon 1995; Ulmer 2019). Significantly, they are influential in determining the sum of monetary sanctions imposed, the amount of time allowed for repayment, and the norms surrounding collection strategies (Martin, Spencer-Suarez, and Kirk 2022, this volume).

Prior work has established that broader community contexts influence interpersonal dynamics within the courtroom, but less attention has been paid to the relevant dimensions and distinguishing features that shape courtroom processes and outcomes. Differences in population size and density—which roughly correspond to differences in rural, urban, and suburban designations (Butler and Beale 1993; Isserman 2005; Tickameyer 2000)—shape the salient concerns and priorities of the court. Thus, even if cultural orientations toward criminal justice and punishment are similar, variation across communities in their structure, size, and resources can affect organizational dynamics and punishment outcomes (Lichter and Brown 2011; Beckett and Beach 2021; Eason, Zucker, and Wildeman 2017). Larger court systems have been found to bring greater opportunities for bureaucratization (Feld 1991; Hagan 1977). Smaller ones often have more stable workgroups made up of more "regular, repeat players" (Eisenstein, Fleming, and Nardulli

1988; Galanter 1974; Metcalfe 2016; Strauss 1993). Policing, prosecutorial, and defense resources may be limited in smaller communities, as is the ability to impose alternative sentences such as community service and drug treatment (Pruitt et al. 2018). Taken together, these differences in structure and resources alter how justice is enacted.

One distinction between communities of different population sizes and densities is the concept of density of acquaintanceship, which refers to the proportion of community residents known to individuals (Weber 1958). Early work on acquaintanceship ratios theorized links to individual-level outcomes (such as psychosocial isolation). William Freudenberg (1986) was among the first to consider the importance of density of acquaintanceship at the community-level. He argues that antecedent characteristics such as population size and density, as well as population dynamics such as residential stability and ethnic homogeneity, could alter the extent of anonymity and acquaintanceship among residents. Subsequently, the density of acquaintanceship shapes how communities cooperatively address community problems, secure public resources, and impose social norms (Flora et al. 1997; Sampson and Groves 1989).

Research generally suggests that despite substantial economic and demographic transformations, residential mobility is lower in rural communities (Fitchen 1994; Foulkes and Newbold 2008; Thiede, Kim, and Valasik 2018). Where populations are smaller, they are more likely to have higher kinship ties and acquaintanceships (Flaherty and Brown 2010; Freudenberg 1986; Weisheit, Falcone, and Wells 1999). Small populations also increase the likelihood of “role homogeneity,” defined as the extent to which community members interact with each other across a number of identities and roles (Flora et al. 1997). In other words, the linkages between persons are reinforced across several daily interactions. Finally, stability contributes to the networks of all communities. Thus, although urban residents report less intimate networks, residents in stable communities also indicate that their acquaintanceships are more expansive (Beggs, Haines, and Hurlburt 1996; Wilkinson 1984; Wirth 1938).

Acquaintanceship density is a useful lens

through which to view differences in interactive court processes on several fronts. First, acquaintanceship densities operate as a pathway for both establishing social norms and resolving violations of those norms, often without the formal intervention of the criminal justice system. According to Donald Black (1976, 47), the degree to which people participate in each other's lives, also termed *relational distance*, shapes whether individuals activate the law, and more important, if such enactments are stylized as adversarial and punitive or remedial and conciliatory. Communities with more dense community ties may choose to resolve disputes (such as loud music, unleashed dogs, and so on) informally, shaping the likelihood that violating behavior enters the court system at all (Leverentz and Williams 2017; Singer 2014; Payne, Berg, and Sun 2005).

Second, acquaintanceship densities contribute to the organizational practices and cultures of the court (Black 1976). Kathryn Fahnestock and Maurice Geiger (1993) note that the interpersonal distances between court actors, as well as between court actors and defendants, generated greater informality in proceedings and, perhaps more consequentially, a longer time for case resolution. Courtroom workgroups in urban environments are relatively stable, often in response to a shared bureaucratic goal of efficient case processing (Ulmer 1995). In rural communities, court actors are more likely to know personally, not only the other court actors, but also the defendant and the victim (Cebulak 2004; Statz 2021). Thus, although anonymity combined with cohesive work groups leads to efficiency in the urban context, the literature suggests that dense and personal acquaintanceships between the courtroom workgroup and the community, when combined with cohesive court actors, also encourages negotiation and informality to resolve cases (Fahnestock and Geiger 1993; Worden and Clark 2019; Statz 2021).

Third, when faced with budgetary constraints, acquaintanceship density can also be a lens through which to examine how communities respond. From the broader frame of entrepreneurial innovation, Jan Flora and her colleagues (1997) argue that the ability of communities to become solvent in the wake of bud-

get shortfalls is dependent on the density of homogeneity of interpersonal networks, which they term *social infrastructure*. Small population communities often have a smaller tax base but need to provide and maintain the same essential buildings and services as larger communities (Tickamyer and Duncan 1990). Often, American municipalities seek to derive revenue primarily from nonresidents by attracting outside investment and sales taxes rather than through property or local income taxes, but communities do not have equal opportunities to shift this burden (Harvey 1989). In the context of neoliberal policy, the decision-sets available to community members depend on the historical and sociostructural features of the community (Brenner and Theodore 2005). For example, Josh Pacewicz and John Robinson (2020) point to decades of racial isolation in Black suburbs of Chicago as a limiting factor for developing new commercial activities. Thus social infrastructures may allow communities to mount a response, but the nature of this response is likely to vary across communities.

In the absence of fiscal opportunities, revenue generation through fines and fees has increasingly become the alternative source of sustaining revenue for local governments (Martin 2020; Fernandes et al. 2019). The precarity of funding streams, particularly as it relates to the judicial branch, results in a monetary myopia, where revenue takes priority over other community needs and goals (Martin 2018). The increased use of monetary sanctions as local revenue generators often tilts the costs of the court system toward marginalized communities that are least able to pay (DOJ 2015; Henricks and Harvey 2017; Brenner and Theodore 2005; Page and Soss 2017; Rios 2019).

Certainly, acquaintanceship is not the only dimension along which communities of different size categorizations may differ. For instance, sociologists have identified differences in community characteristics that range from socioeconomic and demographic patterns to social attitudes and behaviors (Beggs, Haines, and Hurlbert 1996; Glenn and Hill 1977). Although differences across community types may be vast, and though they can also contribute to differential court outcomes across place, prior work argues that acquaintanceship den-

sity is an important contributor to variation in court processing and outcomes (Beggs, Haines, and Hurlbert 1996; Glenn and Hill 1977). The nature and functionality of a community's acquaintanceship density—characterized here across rural, urban, and in some cases, suburban distinctions—shape the entrance of cases into the system (normative expectations), the handling of cases within the system (courtroom workgroups), and the governmental adaptations to increasingly stringent budgetary concerns (monetary myopia). The role of acquaintanceship across a variety of community structures provides a more holistic understanding of the use of fines and fees as both punishment and revenue generation.

DATA AND METHODS

This analysis draws on a subset of data from the Multi-State Study of Monetary Sanctions (Harris, Pattillo, and Sykes 2022, this volume). We include four states in our analysis: Georgia, Illinois, Minnesota, and Missouri. Following initial conversations among the research collaborators of the larger eight state study, we identified similar dynamics and differences between the communities studied in these four states that we wanted to explore further. In particular, these four states share the general trait of having a politically powerful major city (Atlanta, Chicago, Minneapolis, and St. Louis, respectively) and an associated metro area of more than a million residents, as well as a sizable rural area. These traits provide important analytical leverage in contrasting urban and rural experiences. These states also vary by region, court organization, and historical background. In greater Minnesota, for example, tribal lands span many rural counties (Stewart et al. 2022, this volume) and, as in Illinois, the courts are organized under a unified state court system. Georgia and Missouri, by contrast, are characterized by decentralized court systems (Huebner and Giuffre 2022, this volume).

In the original study design, we purposefully sampled court systems in a variety of communities across these states with the explicit purpose of including areas with different population sizes and that varied across political, social, and economic characteristics (for additional information on study design, see Harris, Pattillo, and

Sykes 2022, this volume). Leveraging this variation, we began with a broad research question: how do monetary sanctions operate differently across communities of varying population density and size? After examining the data within our states and discussing similarities and differences across the states, we sharpened our focus to the core question of how court structure and organizational dynamics in these differing communities affect how monetary sanctions are imposed and monitored.

Because of the variation in courts' jurisdictions across these different states, attempting to categorize the communities included in this analysis was particularly difficult. Within county boundaries, populations are distributed unevenly and scholars have documented the challenges in classifying urban and rural spaces, given that broad measures fail to capture its heterogeneity (Ellsworth and Weisheit 1997; Osgood and Chambers, 2000). The dynamics within courtrooms that we explore were most apparent at the two ends of this continuum, rural and urban, and so we discuss these communities at length.

The nature of the suburban communities across and between these states varied greatly, making it more difficult to draw comparisons. In some cases, we studied courtrooms in suburban areas of large urban counties and in others we included suburban counties that included small cities or towns.¹ We focus primarily on the urban-rural dichotomy in the following analysis. Although there are limitations with any geographic coding scheme, the use of qualitative data provides unique insight into the lived experience of courtroom actors and allows us to unpack some of the nuances of court operations that are not possible in a quantitative analysis of this type. We use the general terms *rural*, *urban*, and *suburban* to describe the communities studied. The communities we studied are quite heterogeneous; details on their characteristics are presented in table 1 (see also Harris et al. 2017). One limitation of this analysis is that additional community differences, other than acquaintanceship, may affect these courtroom dynamics. Such

considerations, however, are beyond the scope of this article.

The specific sampling strategy varied across these four states due to differences in how the courts operate (Harris, Pattillo, and Sykes 2022, this volume). Illinois and Minnesota have a single unified court system organized by district and then county. Thus Illinois and Minnesota sample from a greater number of counties but a similar number of court systems as Missouri and Georgia. Courts in Georgia and Missouri are decentralized, with several levels of courts operating independently in counties and cities. In each community sampled in those states, we observed courts at each of the levels. Georgia's court system is organized by three levels—limited jurisdiction, general jurisdiction, and appellate, with five classes of trial-level courts that operate at the county or circuit level. In Missouri, we observed circuit courts, which primarily adjudicate felonies, and municipal courts, which hear cases involving misdemeanor, ordinance, and traffic offenses. We selected the metropolitan region of St. Louis for our study given the attention received by this community after the killing of Michael Brown and the subsequent investigations of the criminal legal system (DOJ 2015).

For this study, we used data from courtroom ethnographic observations and qualitative interviews with court actors including judges, attorneys, probation officers, and clerks. Across the four states, we conducted 910 hours of observations and 248 interviews. Both sets of data were coded using the master codebooks for the overall project (Harris, Pattillo, and Sykes 2022, this volume). We closely examined the following codes in the interview data: normative culture of the court, purpose of LFOs, system strain or efficiency, fiscal politics, defendant characteristics, and decision-maker personal networks, and types and amounts of LFOs. Similarly, we examined the following codes in the observation data: personal networks, neighborhood or community, types and amounts of monetary sanctions, ability to pay, compliance or noncompliance, descriptions of the courtroom, and familiarity among court actors. We

1. Such communities are akin to medium metro and small metro categories as defined by the 2013 NCHS urban-rural classification scheme for counties (Ingram and Franco 2014).

Table 1. County and Community Characteristics

	Population Category	% Poverty	% Black	% Latino
Georgia				
Urban county	>1,000,000	18	44	8
Urban city	200,000–499,999	25	52	6
Suburban county	100,000–249,999	20	4	33
Suburban-urban city	25,000–49,999	27	8	46
Rural county	10,000–24,999	28	50	7
Rural small town	<10,000	36	36	9
Illinois				
Urban city	>1,000,000	23	32	29
Urban-suburban county	500,000–999,999	17	24	25
Urban-suburban county	100,000–249,999	5	7	17
Rural-suburban county	100,000–249,999	15	19	5
Urban-suburban city	50,000–99,999	12	6	11
Rural county	10,000–24,999	6	<1	2
Rural county	10,000–24,999	21	6	3
Rural county	<10,000	36	37	2
Rural county	<10,000	23	32	2
Minnesota				
Urban county	>1,000,000	13	13	7
Urban county	500,000–999,999	17	12	7
Suburban county	100,000–249,999	7	5	4
Suburban county	100,000–249,999	8	6	7
Rural county	25,000–49,999	22	1	2
Rural county	25,000–49,999	10	3	8
Missouri				
Urban-suburban county	500,000–999,999	9	25	3
Urban city	250,000–499,999	25	50	4
Suburban-rural county	50,000–99,999	17	8	2
Rural small town	25,000–49,999	19	4	8
Suburban-rural community	25,000–49,999	25	14	2
Rural small town	10,000–24,999	25	6	11

Source: U.S. Census Bureau 2014.

Note: 2014 American Community Survey five-year averages.

then contrasted findings and considered themes across the different community categories using memos we developed for each state. We have not included the names of these communities to ensure the anonymity of the interview respondents.

FINDINGS

In the analysis, we use acquaintanceship density as a frame to understand how monetary sanctions are used and understood among

court actors across community contexts and within courtroom workgroups. First, we describe how acquaintanceship density influences the organizational dynamics in the day-to-day management of the court and assessment of monetary sanctions. We then consider how local court contexts—conceptualized along lines of acquaintanceship density—influence court actors' perceptions of local funding mechanisms and their role and representation in state policymaking.

Acquaintanceship Within the Courtroom

Consistent with research on courts as permeable institutions (Fahnestock and Geiger 1993), courtroom interactions were influenced by the nature of social relationships outside the courtroom. Acquaintanceship density, whether personal familiarity or lack of it, affected how amounts of monetary sanctions were determined, how defendants' ability to pay were considered, and how unpaid sanctions were managed.

Routinization and Courtroom Workgroups

In urban jurisdictions, court actors cited typical courtroom workgroup routines and familiarity with each other's going rates for offenses when considering monetary sanctions (Eisenstein, Fleming, and Nardulli 1988). Rather than tailoring amounts based on individual circumstances or ability to pay, court actors fell back on broader routines and norms. Although these going rates were broadly observed in the case of monetary sanctions in both amounts and payment schedules in all jurisdictions (see Martin, Spencer-Suarez, and Kirk 2022, this volume), we observed them more frequently in urban jurisdictions. The sheer number of cases processed in larger courts and the limited time available to negotiate each case often resulted in little variation across defendants. Court actors in urban jurisdictions described being too busy to concern themselves with the specifics of monetary sanctions. A prosecutor in an urban Illinois court remarked, "We are so busy and overwhelmed here. The fines and fees is like the absolute least of our concern. I mean it really is." A public defender in an urban Missouri court described the sentencing process. "They read it [the financial sanction] off like it's matter of fact so I don't see any type of thought going into it. That's the same with the prosecutor's recommendation too. There's just a standard number that they shoot out."

Court actors were less likely to be personally familiar with defendants and often relied on broader and less individualized understandings of defendants' economic positions. Court actors expressed awareness that defendants were likely to be indigent and were less likely to impose discretionary fines. In Georgia, a judge in an urban jurisdiction described being

creative in sentencing to avoid imposing an additional fine: "Most of our defendants are indigent. What's the point of assessing a fine? Some crimes statutorily have fines and it is so ingrained in this jurisdiction that we really just don't fine folks because they can't afford it that we tend to pronounce technically illegal sentences because for a drug trafficking offense we say it's 10 years to serve because that's the mandatory minimum and we forget to say it's also \$100,000 fine."

Although some court costs, fees, and assessments were outside the discretion of the court, the presumption of indigency in urban jurisdictions often led court actors to more readily offer payment plans or community service as an alternative to payment to soften the impact of financial penalties. In urban state courts in Missouri, we observed judges regularly waiving fines if the defendant was sentenced to prison or had spent a period in jail. In one urban felony court, we observed a case in which the individual had spent 177 days in jail for a probation violation that was issued because of a new arrest for a drug crime. The judge agreed to time served and waived all costs except for mandatory court costs.

Similarly in Minnesota, urban court actors frequently waived portions of financial penalties, resulting in lower mean amounts of monetary sanctions in larger metro areas than in smaller rural communities or suburban areas. In our ethnographic observations, these interactions were often depersonalized. For example, a judge in a large urban Minnesota courtroom greeted a defendant by saying, "You are the first of many who I will see today, I know that you're taking this seriously. You know it is very dangerous when you drink and drive." In suburban courtrooms in the same county, however, judges sometimes showed more personal familiarity with particular defendants. In another drunk driving case, a suburban court judge asked, "Have we met before?" The answer was yes, on the defendant's previous driving under the influence conviction. "You know, I'm going to bug you because you were here last year and I told you not to do it again and you did it again."

In urban and larger suburban counties, each city may have its own prosecuting entity for misdemeanors and gross misdemeanors. In

contrast, the county prosecutor performs the city prosecutions in many smaller counties. For clients, this means that their cases must often be considered individually and are less likely to be considered jointly, as would often occur in larger jurisdictions. As one public defender told us,

I'm talking about misdemeanors or gross misdemeanors, not felonies. Felonies are handled by the county. If you commit a misdemeanor or gross misdemeanor crime in [Suburb A], you will have court on Monday. No ifs, ands, or buts about it because that's the day that they have court. Let's say you committed a crime there. You drove without a license in [Suburb A]. Then, couple weeks later, you drove without a license in [Suburb B]. Well, then you're going to have court on Wednesday. They can't combine them, because it's two different prosecutors, two different days. Now, you have to come to court two separate times. Well, then you drove without a license again in [Suburb C]. Now, you're coming to court on Tuesday. You know what I mean? . . . They miss court because they were supposed [to] be in three different [places].

Overall, the urban courts had greater capacity to combine such cases but were more likely to be characterized by routinization, anonymity, and less individualization in the sentencing of monetary sanctions.

Acquaintanceship Density as a Double-Edged Sword

In smaller communities, personal relationships were important in garnering flexibility and generating variation in assessing monetary sanctions relative to the going rates of larger jurisdictions. Court staff was pulled from a smaller pool of residents in rural communities and the social ties between legal actors were often stronger. In both our observations and conversations with court actors, we found that personal familiarity mattered in court decision-making. As a defense attorney in Georgia remarked, "I feel like when you're in smaller jurisdictions like that, your relationships are very important. I think it makes you have more op-

tions. I know lady justice is blind, but we all know that who you know sometimes helps your clients. I do think that, from what I hear from many other people, attorneys don't like taking cases here because they feel like their options are limited. I've not really had that experience there. I think I've been treated very fairly, and maybe it is because I was in that community for so long."

In this case, the attorney felt that she was given a better outcome because of her familiarity with the local workgroup, but was concerned that outsiders might not be received as favorably. Similarly, a public defender in Minnesota explained that though judges are inclined to be flexible when it comes to monetary sanctions, they are careful not to request leniency in every case to maintain the strength of the workgroup norms.

The smaller number of court actors and their strong ties to each other also led to a "stickiness" to cultures surrounding monetary sanctions because the very small number of decision-makers have a large influence on amounts and collection practices. Court actors typically held these positions for long periods. For example, in Illinois and Missouri court actors often cycled through the different positions, the public defender becoming the prosecutor and then later the judge within the same court or jurisdiction. In a rural Georgia jurisdiction, the public defender in one traffic court was the judge in a neighboring municipal court. Court actors were described as "related to everybody" and "born here and raised here," and the workplace as one where everyone "knows each other on a first-name basis." We also observed how routinization could be disrupted via personnel change in these counties. In Missouri, one long-standing municipal judge retired during the observation period. Court sessions that followed the retirement were noticeably more chaotic, defendants were generally more confused about procedures, and instances when the new presiding judge would depart from the city attorney's original recommendation, something rare under the former judge, were more frequent.

Although court actors across the rural-urban continuum were familiar with the economic health of their defendants in a broad

sense, in rural courts judges and attorneys were more likely to have personal financial knowledge about the defendant or their family. We observed that this acquaintanceship led to assumptions about ability to pay based on familiarity rather than on a consistent or standardized process. Community stability, and at times, intergenerational involvement in the criminal justice system led to both assumptions surrounding the case itself as well as financial capability. As a court actor in Minnesota remarked, “Oh, yeah. Yeah, I’ve had three generations, in some cases. I had the grandfather, I had the son, and I’ve got the daughter.” Although this greater familiarity between court actors and defendants led to often a more personalized understanding of financial situations, it did not always result in lower financial penalties. Some judges had higher expectations of defendants they knew personally, and at times took a more patronizing approach. One rural judge in Illinois said, “Strictly based on his parents, he could probably get jobs working for about three or four different lucid senior citizens, mowing their grass and stuff, where he could have easily made more than that on a regular basis and still supported his meth habit. Why did he want to go to all that trouble? I don’t get it. It’s a culture that I don’t think we understand or can’t understand.”

This familiarity sometimes led court actors to be less empathetic to the financial struggles of defendants. A Minnesota clerk observed that the culture in some of the rural districts tended to be “a little harder on people than in the metro area” as court actors in smaller communities were more likely to follow the letter of the law than was observed in urban communities. Alternatives to monetary sanctions, such as community service, were more scarce in rural areas. In one small court in Missouri, we observed that litigants were only given one option for community service if they could not pay. Individuals had to work at the county-run recycling center, but the facility was only open during traditional business hours and the nature of the physical work made it untenable for some individuals. This situation often left defendants in more rural communities with fines and fees beyond their reasonable ability to pay, with few options to escape the debt.

Anonymity did not necessarily lead to lenience in rural jurisdictions, particularly for nonresidents, who can be viewed as potential sources of revenue. Rural counties were often explicit in their desire to collect LFOs from nonresidents to shift the burden of revenue generation away from members of their communities, consistent with emerging research in this area (Pacewicz and Robinson 2020). These policies were most evident in counties that were home to major interstate highways or large events such as music festivals. A rural prosecutor in Illinois described taking advantage of truckers driving through, “some of these counties when they get a trucker on a construction zone ticket, they will just gouge them and get all the money that they can out of them.” In Georgia, judges, particularly in traffic court, would assess fines and pay-only probation for drivers passing through but would not offer conversion to community service until the defendant had been on probation for several months. Conversely, in a municipal court within that county, the judge preferred to give local residents several months to attempt to pay off legal debt before placing them on probation. With local residents, court actors in this jurisdiction spent more time discussing the ability to pay and employment situations. Differential treatment in the LFO amounts imposed, collection practices, and consequences for nonpayment within this rural jurisdiction appeared to be related to differences in acquaintanceship between court actors and defendants.

Although acquaintanceship density aligned traditionally along the rural and urban continuum, we did observe one deviant case in the analysis. The municipal courts in the St. Louis suburbs share some of these traits in that the municipalities are tight knit and draw from a small number of court actors (see also Huebner and Giuffre 2022, this volume). Court actors often had a long tenure in the court, were pillars of the community, and had a wariness about outside control, which is consistent with work on acquaintanceship density (Fahnestock and Geiger 1993; Singer 2014). These small municipal courts had similar dynamics of court actors swapping positions. A judge in another part of the state described the court structure: “I heard

that you have a prosecutor in one county and I'm the judge in that county and then you're the judge in one county and I'm the prosecutor, well the city really, the municipality." This familiarity led to a distinct lack of any adversarial atmosphere in the courtrooms and routinization of decision-making, consistent with the urban courts. At the same time, the court actors took more time to hear the perspective of the litigant and, as in Georgia and Illinois, were often lenient with known members of the community while levying higher fines and costs on those who simply traveled through the community or attended a concert or other local event.

Overall, acquaintanceship mattered for how court actors thought about and enacted monetary sanctions in their courtrooms. In urban courts, mechanization of cases and relative anonymity of defendants led to going rates. Defendants were often presumed to be indigent, but few counties had the time for more formal determinations of ability to pay. Familiarity among court actors and between court actors and defendants in smaller courts did lead to more variation in the sentencing process, but personal assumptions and community ties led to sometimes uneven application.

Economic Sanctions as Revenue Generation

Recent research suggests an increasing reliance on economic sanctions to fund local criminal legal systems (Page and Soss 2017; Rios 2019). Our findings indicate that this type of financial extraction is more common in lower courts and rural communities. Across the communities we studied, court actors' perceptions of the importance of monetary sanctions as a tool for funding local courts and governments varied. Whereas urban court actors felt disconnected from the finances of the county, the tight acquaintanceship density between court actors and local budget officials in smaller, rural communities contributed to the perception that court-imposed monetary sanctions were a critical source of court funding. In smaller counties, some court actors mentioned hearing directly from county board officials regarding revenue and community finances. This pressure affected how monetary sanctions were imposed and collected. Although we did find some variations in the aggregate amounts im-

posed across rural, suburban, and urban communities, differences more often resulted from actors' willingness to waive certain fines or fees and the degree to which actors pursued the collection of unpaid debt. This pressure was more often perception than a true balancing of the books, which is consistent with prior theoretical work (Tickamyer and Duncan 1990) and recent work by Kate O'Neil, Tyler Smith, and Ian Kennedy (2022, this volume), who found little county-level difference in the portion of budgets gained from monetary sanctions. Research indicates that judges in rural counties are more likely to sentence individuals to higher LFO amounts and punish nonpayment more harshly, but that increased poverty in these areas may not lead to greater collection (O'Neil, Smith, and Kennedy 2022, this volume; Stewart et al. 2022, this volume).

Monetary sanctions were conceptualized as having a clear dual purpose in the court system among rural court actors, both as a punitive sanction and as essential to local government functioning. A rural prosecutor in Illinois emphasized that though he did not consider the revenue when imposing the amount, he did acknowledge the necessity of financially supporting the court: "Well, we do have to assess fines and court costs in order for the system to function. I mean, there has to be an inflow of money in order to fund the court system too. I don't feel any pressure. I don't think that it's really appropriate to say, 'Well, how much money can we collect in this case? How much money can we make, in a sense, in this case?' I don't think that's appropriate. I think it should be what's the appropriate sanction or penalty for the crime that was committed."

A clerk in a rural jurisdiction in Illinois said, "The purpose of it [monetary sanctions] is to help the government function. County as well as state, how do I feel about it? I feel about that like I feel about everything else in the United States, it's the best we got right now, and until somebody comes by with a better improvement on it, it's the best show in town." Even if this pressure did not always translate to the amount imposed, it often did have an impact on both the strategies and alternatives to payment. In Missouri, nonpayment of economic sanctions was seen as a larger concern in rural areas. A

probation officer remarked, “If the judge is very strict on that, you know they use those funds to pay salaries for the county or whatever, I mean, they want that money paid because that’s how the county operates. So some areas are different. Kansas City, I don’t think that you’re probably going to get anybody revoked up there for court costs.” Court actors in rural jurisdictions more often equated unpaid court debt with issues of funding, both to their salaries and to the system. One superior court judge in a suburban Georgia community explained it this way: “I’ve always felt sorry for the judges in municipal courts. And some state courts, I guess. Maybe magistrate courts. Because the governing body keeps a close watch on how much money comes in.” Court actors across communities were aware of these differences and there was a sense among these court actors that urban jurisdictions were less likely to pursue nonpayment and that there was not the same fiscal pressure from local officials.

Court actors in rural communities were often unaware of either the extent to which monetary sanctions actually were collected or the true impact on the county’s finances, despite the consistent, perceived pressure to contribute to the system’s funding. Nonetheless, regular efforts were made to try to collect money. A defense attorney in a rural Illinois community who was previously a state’s attorney explained: “There were, I don’t remember, let’s say there’s \$200,000 of uncollected fine and costs. Yeah, I made an effort to try and collect those things. Most state’s attorneys make an effort. It’s difficult. That’s why they entered into an agreement with this collection agency. How much revenue that’s generating, I don’t know. I never have seen the statistics for that. I think most state’s attorneys because in the smaller poorer counties, yeah, they need the money and that money comes from criminal fines and costs.”

Data were often poor or unavailable to courtroom actors as to how much courts collected through monetary sanctions. However, particularly in counties where budgets were tight, the general perception was that this revenue was locally significant and affected how court actors considered, imposed, and collected monetary sanctions.

Because fines and fees are often statutorily

dictated, court actors used other avenues to try to buoy the finances of local courts. At times, they considered the financial incentives attached to different charges, particularly traffic charges, which led them to downgrade or upgrade charges to direct funds locally rather than to the state. In Georgia, a rural county traffic judge would routinely downgrade speeding tickets to avoid the imposition of a state-based “super speeder” fee that went to the Department of Driver Services. The judge would instead assess a fine that would be retained by the county. This decision also results in saving points on defendants’ licenses that would otherwise jeopardize their insurance rates and potentially professional driving privileges. As one defense attorney explained, “Somebody can either pay the state super speeder or they can pay more locally, which generates revenue for them, and they’ll reduce the ticket. That’s typically where I see the local . . . mainly in probate courts, where they see it as an opportunity to generate revenue for them, rather than the state. Because they’ve reduced the tickets, so the super speeder, they pay the local folks what they would have paid in super speeder.”

In this way, the court was responsive to the needs of the community and the client. Similarly, a rural prosecutor in Illinois related how counties will negotiate the downgrading of tickets for speeding in a construction zone ticket for higher fines: “So we try to be reasonable but we gotta pay bills too, so we try to make our money that we’ve got to make, but so it’s like a fine balance between the two.” In these examples, court actors express how they attempt to balance financing the country and enacting justice and punishment.

In Missouri, the structure of local monetary sanctions incentivized the use of pretrial detention in local jails using what are called “board bills.” This is one of the key differences in urban and rural communities and has been the topic of substantial policy discussion in the state (Council of State Governments Justice Center 2018). These fees allow the county to charge for the cost per day for room and board in the jail. Court actors indicated that the cost varied greatly depending on the jurisdiction and could quickly become very expensive when coupled with other fines and fees defendants

owed. All jails can charge individuals for jail costs and there is a state reimbursement program as well. Rural jails double dip, and this is a substantial source of income for some rural sheriffs. A Missouri probation officer in an urban jurisdiction explained: “Some of the rural jurisdictions also put board bills in there. So if they’re confined pretrial all their confining costs are rolled up in it, and those can go into the thousands of dollars, which is probably some of the costs that I have the biggest amount of heartburn for. Just because every time they go back for a revocation hearing they get locked up, that bill just gets ratcheted up . . . And it’s just like a never ending . . . for some of our clients who can barely make ends meet, that’s like debtor’s prison.”

Court actors understood that some rural jurisdictions had limited financial means and needed to recoup the costs of local incarceration. However, the sense among court actors was that perhaps these fees also incentivized these communities to revoke individuals on probation and incarcerate more frequently. These practices were not observed in Missouri’s urban courts.

In contrast, court actors in urban jurisdictions did not see themselves as directly responsible for funding the system or their communities. They in fact felt further removed from the revenue-raising arm of local government, and this theme rarely emerged in conversations. Instead, some were skeptical of the destination of this money and less likely to see monetary sanctions as important to the sentence. A prosecutor in an urban court in Illinois remarked, “I don’t know if it’s helping with the budget or not. I don’t know if it’s hurting the people. If it’s supposed to be some sort of deterrent, I highly doubt that it’s the deterrent people think it is. I have no idea if that’s in any way helped with the budget, with the automation, because we’re so automated, all of that. I don’t know.” When asked whether they had a sense of where the money does go, the judge said, “No idea.” Similarly, a defense attorney in the same jurisdiction said that it was not their role to help fund the government: “the money is for the government. Whatever crime was committed against society, there’s no relationship between that and the money. You know the money goes

into the government’s coffers.” In Minnesota, a prosecutor expressed dissatisfaction that rural counties paid close attention: “I guess out in some of the rural counties they actually count the money, so they put it on people, I don’t know. I’m all for high taxes, myself. These people have a hard enough time to go. Wondering where you’re going to sleep the next night, where your next meal’s going to come from. That’s enough to just drive anybody off their rocker.” Urban court actors saw their jobs as separate from the revenue-raising county governments, were more detached from the economic workings of the community, and felt less pressure to support local finances. Viewing this dynamic through the lens of acquaintanceship, the social distance between urban court actors and local governments led to less pressure to consider the dual role of monetary sanctions in their day-to-day imposition and collection of these fines and fees.

Incentives both real and perceived to fund portions of the local court system led court actors to treat the role of monetary sanctions differently in the courts, affecting the charge, amounts imposed, alternatives to payment, and collection attempts. In communities where court actors felt less pressure to fund their local courthouses, monetary sanctions were often lower and consequences for nonpayment less severe.

The Legislature and Policy Change

The legislative landscape around monetary sanctions is constantly changing. Court actors, particularly in rural and suburban areas, frequently meet these reforms with skepticism and frustration. Statutory changes often resulted in adjustments to the amounts of non-discretionary and required fees, costs, and assessments, which court actors interpreted as limiting their discretion and funneling resources from their communities to state coffers. Like Tyler Smith, Christina Thompson, and Michele Cadigan (2022, this volume), we find that legislative changes to monetary sanctions are not implemented uniformly across jurisdictions. Instead, local court actors respond to this legislative coercion by developing localized norms that guide court behavior, interpreting and negotiating the laws’ meaning

among themselves. Court actors across the rural-urban continuum differed in their perceptions and interpretations of these changes. Like the dynamics outlined thus far, the acquaintanceship density of communities influenced how court actors saw themselves situated against the state legislature and how they interacted with each other, which in turn affected their support for legislative changes and their perceptions of their agency to work around these changes.

Court actors in rural and suburban communities often expressed feeling detached or ignored from the legislature and perceived that policy changes were dictated by the needs and whims of the criminal justice systems of the big cities. For example, recent legislative reforms in Missouri capped the amounts of fines that could be assessed for minor traffic violations and precluded imprisonment for failure to pay fines. Several rural judges felt that this limited their discretion. One judge commented, “I think discretion is a really good thing. I think judges need to have discretion. And I think the prosecutors need to have discretion as well, and I think the legislature needs to stick its nose out of it. But that’s about where I think we are right now.” Some research describes this as the “urbanormativity” of policymakers and the law, which privileges cities and urban issues (Fulkerson and Thomas 2019; Statz 2021). Court actors in more rural areas felt that these mandatory fees put undue burdens on residents and did not allow them the flexibility to assess what they deemed appropriate financial sanctions for residents with limited means. The familiarity and tightness of social ties within the community discussed previously led to this greater desire for localized discretion and flexibility. These court actors often felt a greater responsibility to balance community needs and unique community circumstances when considering monetary sanctions.

Legislatively imposed sanctions are often designated for the state’s general fund, rather than for financing local systems. In the states examined, these statutorily imposed fees or costs sometimes funded programs that are far-flung from criminal justice (Harris et al. 2017). For court actors in rural and suburban communities, changes to mandatory fees were often

seen as unfair to the defendant and the county given that these changes frequently resulted in more money being diverted out of the community. In contrast, fines were often discretionary and viewed as the punitive part of the financial sentence. A judge in a suburban jurisdiction in Georgia expressed frustration in his ability to impose a financial penalty he felt was proportional to the crime because of the increased statutory fees and surcharges:

Now, if I didn’t have the surcharges and the more appropriate sentence would have been the \$200 fine, I would give the \$200 fine. But I’m not going to do the \$200 fine because I know the \$100 fine is really a \$200. . . . You know, you have these games going on that I have no control over, and so I’m back to the financial ability of the person to pay. So, you know, I have to be sensitive to that. But I can’t address the proportionality of it because they’re not . . . Because I don’t control that proportionality. That’s added to the fine that I thought was appropriate.

Court actors in smaller communities were well aware of the economic struggles of their clients and the community broadly and thought that they should have the autonomy to levy monetary sanctions that reflected community norms and economic abilities. Mandatory fines and surcharges, though, impinged on the discretion they did have to impose an appropriate sentence.

Court actors also felt that the state was enriching itself through these changes. Court actors in more rural jurisdictions complained that the portion of the mandatory charges that remained locally was shrinking, while the state was profiting off these fees or redirecting funds to address the needs of urban court systems. A rural prosecutor in Illinois commented,

I think that hurts the local government a lot more because where you could expect somebody to pay x amount on all their fines and costs . . . well you’re taking a bigger chunk of that out and sending it to the state, so less of that’s coming to the county. So on the county business side of it, it’s hurting the bottom line, and we’re also hurting because Spring-

field's so screwed up we're hemorrhaging residents so we have less of a tax base, but I don't know maybe we'll fix those things so that people have the ability to pay, I don't know.

Court actors in Minnesota expressed similar themes, suggesting that the state distributed funds unequally, redirecting resources toward big cities. One Minnesota respondent explained: "What happens when we collect supervision fees that go into the general state fund but we don't see the benefits in rural Minnesota of that general state fund. They go to Hennepin and Ramsey [two large urban counties]." Another respondent echoed this theme: "Yeah, they go and pay for roads and freeways downtown." As noted, individuals in smaller communities were keenly aware of the fiscal needs of their communities.

Although recent changes to monetary sanction policy in the study states were often passed in the name of progressive reform, court actors were skeptical as to the local impact of these reforms and felt that their own fiscal needs and discretion in determining sentences were lessened by these efforts. Court actors in rural communities felt that they were being punished for the poor choices made by urban judges and municipalities. This was particularly the case in Missouri where changes had been substantial following the Department of Justice Investigation into Ferguson and the resulting legal changes (see Huebner and Giuffre 2022, this volume). Decision-makers in rural locations often remarked that Ferguson and the state legislative changes directed toward the problems in St. Louis inadvertently and negatively affected well-functioning rural jurisdictions. Specifically, several judges argued blanket reform policies were burdensome and ineffective because judges lost discretion over cases and defense attorneys had fewer negotiating options during plea bargaining. One rural municipal court judge contended, "I'm not saying there weren't any problems in municipal courts because I knew two or three problem courts down here that had problems that were found in the Ferguson investigations, but you used to didn't see that stuff down state like you did out of St. Louis and Jackson county. There were a few,

everywhere you've got a few rotten apples in there." Although Missouri is an exemplary case, court actors in rural communities across these states felt that they were being punished for the poor management of the overstretched courts of the big cities and the resulting reforms that often moved toward greater standardization. Because of the local importance of county finances, court actors saw themselves as being restricted in their ability to be responsive both to the needs of their residents and that the state was siphoning off local funds.

Urban court actors felt similarly, that the legislature was out of touch with court processes but interpreted the day-to-day impact of these changes differently in ways that reflect the differing role monetary sanctions played in their courtrooms. A clerk in Illinois said, "If it was legislatures that made those decisions and it's a statute did they actually ever go into a courtroom or did they have any concept of what they were legislating before it happened?" A judge in an urban Georgia superior court bemoaned the opacity of the system of surcharges and add-ons required by statute as he described the standard sentencing form used in superior courts. "I don't know what all fine surcharges or add-ons are required by the laws, but that suggests that there is a universe of fines that are required and are applicable to the offenses . . . but you can see there's not a discussion of what they are. This form is standard around the state." Another judge in the same jurisdiction described surcharges as "imposed by the legislature" and not something that their county "has just cooked up." This judge further says, "I've never, in the six years of the continuing judicial legal education that we've had, no one's ever explained what all those different fees are." Like the rural court actors, these individuals did not feel that the legislature had their communities' best interests in mind.

However, when changes were made to statutorily imposed monetary sanctions, urban court actors were slower to implement these changes and felt that they had more autonomy. Urban actors often prioritized the going rates of their jurisdiction over the often-changing specialized fees imposed by the legislature or offered more accommodations for those unable to pay. Familiarity among the court actors

and a desire for court efficiency motivated their decision-making, and not necessarily commitments to the community or local budget officials. These court actors were often critical of the idea that they had no autonomy or discretion over even these mandatory charges and felt less responsible to mandate fees exactly as the statute dictated. A defense attorney in an urban jurisdiction in Illinois commented on the variability among judges in his court: “There was one judge who retired who didn’t care about it, and would tell them very bluntly when he gave them whatever the sentence was that he didn’t care about fees and fines, and he would always terminate their probation satisfactorily no matter what they owed, or how much they owed. . . . They always say that they’re not allowed to reduce the fines and costs.” The attorney touches on the fact that despite the belief that little discretion is possible with these mandated costs, judges do have the power to exercise discretion in regard to collection, if they so choose. The need to process cases efficiently and coordinate the large number of actors involved in the process often took priority to policy changes.

Overall, the actors in all communities were wary of legislative changes and mandates, both feeling as though ongoing changes ignored the realities of their courtrooms and communities. Individuals in smaller communities thought that legal changes, particularly mandatory fees and surcharges, limited their ability to respond to the specialized needs of their communities, reflecting the importance of close acquaintanceship ties. In contrast, actors in bigger communities lacked intimate knowledge of their defendants but believed that legislation should allow for efficient and less burdensome imposition of monetary sanctions.

DISCUSSION

In the wake of protracted economic decline and increased fiscal pressures on local governments, a growing body of scholarship has established the pervasiveness of monetary sanctions across U.S. communities (Fernandes et al. 2019; Harris 2016; Huebner and Giuffre 2022, this issue; Martin et al. 2018). As inhabited institutions (Ulmer 2019), courts are shaped in meaningful ways by the local structures in which they are embedded. Thus the application

and meaning of monetary sanctions likely varies by characteristics of the community context. Building on Harris’s (2016) work on the punishment continuum, we highlight local variation in monetary sanctions, focusing on how structural and organizational characteristics impact the local cultures and meaning of this sanction. Drawing on qualitative interviews across communities of different sizes, our study explores the role of acquaintanceship density patterning—one way to conceptualize broad interpersonal differences in community size—in how court actors thought about monetary sanctions and the place of these sanctions in enacting justice.

We find that larger, urban courts are more likely to develop going rates among court actors in efforts to process cases quickly. Relying on shorthand to determine factors such as indigency led to efficient case processing and often lower fines for those who were able to pay quickly. However, individuals who were not able to pay were rarely given much time to describe their needs to the judge or to request special consideration from the court, which could result in protracted court involvement, particularly if they were unable to immediately comply with the conditions of the sentence. In contrast, high acquaintanceship density was more common in more rural locations, characterized by familiarity and personal relationships both between court actors and community members, which allowed for greater flexibility and individualization, although this did not automatically translate to more leniency. Indeed, individuals in rural areas known to the court may be less likely to have fines reduced or fees waived; however, acquaintanceship density could also promote harsher punishment if individuals were viewed as outsiders. Acquaintanceship density does not exist in a vacuum and is conditioned by the nature of the court and the structure of the broader community. These findings also align with other works that note the importance of monetary sanctions as revenue, and the perceived extra benefit of collecting fines from nonresidents (Martin 2020; Pacewicz and Robinson 2020).

More generally, acquaintanceship density shaped the view of court actors around monetary sanctions as a funding source. Actors more

closely linked to municipal and county-level governance bodies were more likely to view finance as a special consideration in how sanctions were applied and used. In contrast, actors operating in more urban areas were less likely to link monetary sanctions decision-making to the economic livelihoods of their communities. These views are also reflected in the broader orientation of local governance toward the legislative policies that guide decision-making. Court actors outside urban areas viewed reform policies with hostility and suggested that they were oriented around the needs and concerns of major metropolitan areas. Moreover, their close relationships to local power structures furthered their feelings that statutes allowed for few instances of discretion without negative consequences for their communities. It is not clear from this work how these translate into legal decision-making. However, given the discretion afforded to actors in this realm, this is an important avenue of inquiry.

Differences between communities were less pronounced in Minnesota, in both the amounts imposed and the perceptions of court actors. This case provides potential insight as to how to mitigate these local pressures. Amounts of monetary sanctions assessed and collected were much lower in Minnesota than in other states because the state legislature has scaled back its reliance on LFOs in recent years. Moreover, individual courts and court actors have comparatively little financial incentive to impose heavy legal financial obligations because the lion's share of the proceeds returns to the state general fund rather than to individual counties or courts. This helps account for the concern some court actors express that imposing heavy fines and fees in greater Minnesota will simply "pay for roads and freeways downtown." Overall, reducing the pressure counties feel to fund themselves through fines and fees would likely result in reduced pressure to impose and collect monetary sanctions. Decreasing these financial penalties is likely beneficial both to defendants in their chances of success in completing their sentences and to counties that often spend more in attempting to collect monetary sanctions than they can recoup (Crowley, Menendez, and Eisen 2020).

Overall, these findings advance the litera-

ture in several ways. First, the expansion of observations beyond urban courts allows for a more nuanced assessment of how courts are inhabited institutions, influenced both by the individuals within the institution and by the broader context. Second, we tie together established characteristics of courtrooms, such as routinization and discretion, to the structural realities that vary immensely across place. Our finding that acquaintanceship density influences both the role and nature of monetary sanctions provides a fuller picture of the factors that lead to varying local legal cultures surrounding monetary sanctions (Harris 2016). Features such as acquaintanceship density and fiscal constraints, which are structural and relational, play a critical part in the assessment, monitoring, and collection of fines and fees across communities. Further work is needed to understand how such factors evolve to establish processual norms. Moreover, future work in this area must grapple with the racialized patterns that often overlay acquaintanceship density patterns, resource constraints, and monetary sanctions. In the context of perpetual policy adjustments, our study suggests that blanket policies, enacted to obtain more equal outcomes across place, may not be nimble enough to meet the varied needs of communities with different resources and acquaintanceship densities.

REFERENCES

- Beckett, Katherine, and Lindsey Beach. 2021. "The Place of Punishment in Twenty-First-Century America: Understanding the Persistence of Mass Incarceration." *Law & Social Inquiry* 46(1): 1–31.
- Beggs, John J., Valerie A. Haines, and Jeanne S. Hurlbert. 1996. "Revisiting the Rural-Urban Contrast: Personal Networks in Nonmetropolitan and Metropolitan Settings." *Rural Sociology* 61(2): 306–25.
- Bing, Lindsay, Becky Pettit, and Ilya Slavinski. 2022. "Incomparable Punishments: How Economic Inequality Contributes to the Disparate Impact of Legal Fines and Fees." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(2): 118–36. DOI: <https://doi.org/10.7758/RSF.2022.8.2.06>.
- Black, Donald J. 1976. *The Behavior of Law*. New York: Academic Press.

- Boches, Daniel J., Brittany T. Martin, Andrea Giuffre, Amarini Sanches, Aubrianne L. Sutherland, and Sarah K.S. Shannon. 2022. "Monetary Sanctions and Symbiotic Harms." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(2): 98–115. DOI: <https://doi.org/10.7758/RSF.2022.8.2.03>.
- Brenner, Neil, and Nik Theodore. 2005. "Neoliberalism and the Urban Condition." *City* 9(1): 101–7.
- Butler, Margaret A., and Calvin L. Beale. 1993. *Rural-Urban Continuum Codes for Metro and Nonmetro Counties*. Washington: U.S. Department of Agriculture.
- Cadigan, Michele, and Gabriela Kirk. 2020. "On Thin Ice: Bureaucratic Processes of Monetary Sanctions and Job Insecurity." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 6(1): 113–31. DOI: <https://doi.org/10.7758/RSF.2020.6.1.05>.
- Cebulak, Wojciech. 2004. "Why Rural Crime and Justice Really Matter." *Journal of Police and Criminal Psychology* 19(1): 71–81.
- Council of State Governments Justice Center. 2018. *Justice Reinvestment in Missouri: A Policy Framework*. Washington, DC: Council of State Governments.
- Crowley, Michael F., Matthew J. Menendez, and Lauren-Brook Eisen. 2020. "If We Only Knew the Cost: Scratching the Surface on How Much It Costs to Assess and Collect Court Imposed Criminal Fees and Fines." *UCLA Criminal Justice Law Review* 4(1): 165–78.
- Dixon, Jo. 1995. "The Organizational Context of Criminal Sentencing." *American Journal of Sociology* 100(5): 1157–98.
- Eason, John M., Danielle Zucker, and Christopher Wildeman. 2017. "Mass Imprisonment Across the Rural-Urban Interface." *Annals of the American Academy of Political and Social Science* 672(1): 202–16.
- Eisenstein, James, Roy B. Flemming, and Peter F. Nardulli. 1988. *The Contours of Justice: Communities and Their Courts*. Boston, Mass.: Little, Brown.
- Eisenstein, James, and Herbert Jacob. 1977. *Felony Justice: An Organizational Analysis of Criminal Courts*. Boston, Mass.: Little, Brown.
- Ellsworth, Thomas, and Ralph A. Weisheit. 1997. "The Supervision and Treatment of Offenders on Probation: Understanding Rural and Urban Differences." *Prison Journal* 77(2): 209–28.
- Fahnestock, Kathryn, and Maurice D. Geiger. 1993. "We All Get along Here." *Judicature* 76(5): 258–63.
- Feld, Barry C. 1991. "Justice by Geography: Urban, Suburban, and Rural Variations in Juvenile Justice Administration." *Journal of Criminal Law and Criminology* 82(1): 156–210.
- Fernandes, April D., Michele Cadigan, Frank Edwards, and Alexes Harris. 2019. "Monetary Sanctions: A Review of Revenue Generation, Legal Challenges, and Reform." *Annual Review of Law and Social Science* 15(1): 397–413.
- Fitchen, Janet M. 1994. "Residential Mobility Among the Rural Poor." *Rural Sociology* 59(3): 416–36.
- Flaherty, Jeremy, and Ralph B. Brown. 2010. "A Multilevel Systemic Model of Community Attachment: Assessing the Relative Importance of the Community and Individual Levels." *American Journal of Sociology* 116(2): 503–42.
- Flora, Jan L., Jeff Sharp, Cornelia Flora, and Bonnie Newlon. 1997. "Entrepreneurial Social Infrastructure and Locally Initiated Economic Development in the Nonmetropolitan United States." *Sociological Quarterly* 38(4): 623–45.
- Foulkes, Matt, and K. Bruce Newbold. 2008. "Poverty Catchments: Migration, Residential Mobility, and Population Turnover in Impoverished Rural Illinois Communities." *Rural Sociology* 73(3): 440–62.
- Freudenberg, William R. 1986. "The Density of Acquaintanceship: An Overlooked Variable in Community Research?" *American Journal of Sociology* 92(1): 27–63.
- Fulkerson, Gregory M., and Alexander R. Thomas. 2019. *Urbanormativity: Reality, Representation, and Everyday Life*. Lanham, Md.: Rowman and Littlefield.
- Galanter, Marc. 1974. "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change." *Law & Society Review* 9(1): 95–160.
- Glenn, Norval D., and Lester Hill Jr. 1977. "Rural-Urban Differences in Attitudes and Behaviors in the United States." *Annals of the American Academy of Political and Social Sciences* 429(1): 36–50.
- Graham, Shannon R., and Michael D. Makowsky. 2021. "Local Government Dependence on Criminal Justice Revenue and Emerging Constraints." *Annual Review of Criminology* 4(1): 331–30.
- Hagan, John. 1977. "Criminal Justice in Rural and

- Urban Communities: A Study of the Bureaucratization of Justice." *Social Forces* 55(3): 597–612.
- Harris, Alexes. 2016. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Foundation.
- Harris, Alexes, Beth M. Huebner, Karin D. Martin, Mary Pattillo, Becky Pettit, Bryan L. Sykes, Christopher Uggen, and April D. Fernandes. 2017. *Monetary Sanctions in the Criminal Justice System*. New York: Arnold Foundation.
- Harris, Alexes, Mary Pattillo, and Bryan L. Sykes. 2022. "Studying the System of Monetary Sanctions." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(1): 1–33. DOI: <https://doi.org/10.7758/RSF.2022.8.1.01>.
- Harris, Alexes, and Tyler Smith. 2022. "Monetary Sanctions as Chronic and Acute Health Stressors: The Emotional and Physical Strain of People Who Owe Court Fines and Fees." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(2): 36–56. DOI: <https://doi.org/10.7758/RSF.2022.8.2.02>.
- Harvey, David. 1989. "From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism." *Geografiska Annaler* 71(1): 3–17.
- Haynes, Stacy H., Barry Ruback, and Gretchen R. Cusick. 2010. "Courtroom Workgroups and Sentencing: The Effects of Similarity, Proximity, and Stability." *Crime and Delinquency* 56(1): 126–61.
- Huebner, Beth M., and Andrea Giuffre. 2022. "Reinforcing the Web of Municipal Courts: Evidence and Implications Post-Ferguson." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(1): 108–27. DOI: <https://doi.org/10.7758/RSF.2022.8.1.05>.
- Huebner, Beth M., Kimberly R. Kras, and Breanne Pleggenkuhle. 2019. "Structural Discrimination and Social Stigma Among Individuals Incarcerated for Sexual Offenses: Reentry Across the Rural–Urban Continuum." *Criminology* 57(4): 715–38.
- Ingram, Deborah D., and Sheila J. Franco. 2014. "2013 NCHS Urban–Rural Classification Scheme for Counties." *Vital Health Statistics* 2(166)(April). Accessed August 10, 2021. https://www.cdc.gov/nchs/data/series/sr_02/sr02_166.pdf.
- Isserman, Andrew M. 2005. "In the National Interest: Defining Rural and Urban Correctly in Research and Public Policy." *International Regional Science Review* 28(4): 465–99.
- Katzenstein, Mary Fainsod, and Maureen R. Waller. 2015. "Taxing the Poor: Incarceration, Poverty Governance, and the Seizure of Family Resources." *Perspectives on Politics* 13(3): 638–56.
- Leverentz, Andrea, and Monica Williams. 2017. "Contextualizing Community Crime Control: Race, Geography, and Configurations of Control in Four Communities." *Criminology* 55(1): 112–36.
- Lichter, Daniel T., and David L. Brown. 2011. "Rural America in an Urban Society: Changing Spatial and Social Boundaries." *Annual Review of Sociology* 37(1): 565–92.
- Link, Nathan W. 2019. "Criminal Justice Debt During the Prisoner Reintegration Process: Who Has It and How Much?" *Criminal Justice and Behavior* 46(1): 154–72.
- Martin, Karin D. 2018. "Monetary Myopia: An Examination of Institutional Response to Revenue from Monetary Sanctions for Misdemeanors." *Criminal Justice Policy Review* 29(6–7): 630–62.
- . 2020. "Law, Money, People: Insights from a Brief History of Court Funding Concerns." *UCLA Criminal Law Review* 4(1): 213–26.
- Martin, Karin D., Kimberly Spencer-Suarez, and Gabriela Kirk. 2022. "Pay or Display: Monetary Sanctions and the Performance of Accountability and Procedural Integrity in New York and Illinois Courts." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(1): 128–47. DOI: <https://doi.org/10.7758/RSF.2022.8.1.06>.
- Martin, Karin D., Bryan L. Sykes, Sarah K.S. Shannon, Frank Edwards, and Alexes Harris. 2018. "Monetary Sanctions: Legal Financial Obligations in US Systems of Justice." *Annual Review of Criminology* 1(1): 471–95.
- McDonald, Thomas D., Robert A. Wood, and Melissa A Pflüg. 1996. *Rural Criminal Justice: Conditions, Constraints, and Challenges*. Salem, Wisc.: Sheffield Publishing.
- Metcalfe, Christi. 2016. "The Role of Courtroom Workgroups in Felony Case Dispositions: An Analysis of Workgroup Familiarity and Similarity." *Law & Society Review* 50(3): 637–73.
- Olson, David E., and Gerard F. Ramker. 2001. "Crime Does Not Pay, but Criminals May: Factors Influencing the Imposition and Collection of Probation Fees." *Justice System Journal* 22(1): 43–46.
- O'Neil, Kate K., Tyler Smith, and Ian Kennedy. 2022. "County Dependence on Monetary Sanctions:

- Implications for Women's Incarceration" *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(2): 157-72. DOI: <https://doi.org/10.7758/RSF.2022.8.2.08>.
- Osgood, D. Wayne, and Jeff M. Chambers. 2000. "Social Disorganization Outside the Metropolis: An Analysis of Rural Youth Violence." *Criminology* 38(1): 81-115.
- Pacewicz, Josh, and John N. Robinson III. 2020. "Pocketbook Policing: How Race Shapes Municipal Reliance on Punitive Fines and Fees in the Chicago Suburbs." *Socio-Economic Review* First published online October 2. Accessed August 10, 2021. <https://doi.org/10.1093/ser/mwaa029>.
- Page, Josh, and Joe Soss. 2017. "Criminal Justice Predation and Neoliberal Governance." In *Rethinking Neoliberalism*, edited by Sanford F. Schram and Marianna Pavlovskaya. New York: Routledge.
- Payne, Brian K., Bruce L. Berg, and Ivan Y. Sun. 2005. "Policing in Small Town America: Dogs, Drunks, Disorder, and Dysfunction." *Journal of Criminal Justice* 33(1): 31-41.
- Pleggenkuhle, Breanne. 2018. "The Financial Cost of a Criminal Conviction: Context and Consequences." *Criminal Justice and Behavior* 45(1): 121-45.
- Pruitt, Lisa R., and Beth A. Colgan. 2010. "Justice Deserts: Spatial Inequality and Local Funding of Indigent Defense." *Arizona Law Review* 52(2): 219-316.
- Pruitt, Lisa R., Amanda L. Kool, Lauren Sudeall, and Michele Statz. 2018. "Legal Deserts: A Multi-State Perspective on Rural Access to Justice." *Harvard Law & Policy Review* 13(1): 15-156.
- Rios, Jodi. 2019. "Racial States of Municipal Governance: Policing Bodies and Space for Revenue in North St. Louis County, MO." *Law & Inequality* 37(2): 235-308.
- Sampson, Robert J., and W. Byron Groves. 1989. "Community Structure and Crime: Testing Social-Disorganization Theory." *American Journal of Sociology* 94(4): 774-802.
- Shannon, Sarah K.S., Alexes Harris, Tyler Smith, Mary Pattillo, Karin Martin, Ilya Slavinski, Robert Stewart, Andrea Giuffre, and Aubrianne Sutherland. 2020. "Court Decision Makers on Fines and Fees: Situating Monetary Sanctions within Their Understandings of Just Punishment." Unpublished manuscript.
- Shannon, Sarah K.S., Beth M. Huebner, Alexes Harris, Karin D. Martin, Mary Pattillo, Becky Pettit, Bryan L. Sykes, and Christopher Uggen. 2020. "The Broad Scope and Variation of Monetary Sanctions: Evidence from Eight States." *UCLA Criminal Law Review* 4(1): 269-81.
- Singer, Simon I. 2014. *America's Safest City: Delinquency and Modernity in Suburbia*. New York: New York University Press.
- Smith, Tyler, Kristina J. Thompson, and Michele Cadigan. 2022. "Sensemaking in the Legal System: A Comparative Case Study of Changes to Monetary Sanctions Laws." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(1): 63-81. DOI: <https://doi.org/10.7758/RSF.2022.8.1.03>.
- Statz, Michele. 2021. "On Shared Suffering: Judicial Intimacy in the Rural Northland" *Law & Society Review* 55(1): 5-37. <https://doi.org/10.1111/lasr.12537>.
- Stewart, Robert, Brianna Watters, Veronica Horowitz, Ryan P. Larson, Brian Sargent, and Christopher Uggen. 2022. "Native Americans and Monetary Sanctions." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8(2): 137-56. DOI: <https://doi.org/10.7758/RSF.2022.8.2.07>.
- Strauss, Anselm. 1993. *Continual Permutations of Action*. New York: Aldine de Gruyter.
- Thiede, Brian C., Hyojung Kim, and Matthew Valasik. 2018. "The Spatial Concentration of America's Rural Poor Population: A Postrecession Update." *Rural Sociology* 83(1): 109-44.
- Tickamyer, Ann R. 2000. "Space Matters! Spatial Inequality in Future Sociology." *Contemporary Sociology* 29(6): 805-13.
- Tickamyer, Ann R., and Cynthia M. Duncan. 1990. "Poverty and Opportunity Structure in Rural America." *Annual Review of Sociology* 16(1): 67-86.
- Ulmer, Jeffery T. 1995. "The Organization and Consequences of Social Pasts in Criminal Courts." *Sociological Quarterly* 36(3): 587-605.
- . 2019. "Criminal Courts as Inhabited Institutions: Making Sense of Difference and Similarity in Sentencing." *Crime and Justice* 48(1): 483-522.
- Ulmer Jeffery T., and John H. Kramer. 1998. "The Use and Transformation of Formal Decision-Making Criteria: Sentencing Guidelines, Organizational Contexts, and Case Processing Strategies." *Social Problems* 45(2): 248-67.

- U.S. Census Bureau. 2014. "2010–2014 American Community Survey 5-year Public Use Microdata Samples". Retrieved from data.census.gov.
- U.S. Department of Justice, Civil Rights Division (DOJ). 2015. *Investigation of the Ferguson Police Department*. Washington: Government Printing Office.
- Weber, Max. 1958. *The City*. Translated and edited by Don Martindale and Gertrud Neuwirth. First published in 1921. New York: Free Press.
- Weisheit, Ralph A., David N. Falcone, and L. Edward Wells. 1999. *Crime and Policing in Rural and Small-Town America*, 2nd ed. Prospect Heights, Ill.: Waveland Press.
- Wilkinson, Kenneth P. 1984. "Rurality and Patterns of Social Disruption." *Rural Sociology* 49(1): 23–36.
- Wirth, Louis. 1938. "Urbanism as a Way of Life." *American Journal of Sociology* 44(1): 1–24.
- Worden, Alissa Pollitz, and Alyssa M. Clark. 2019. "Misdemeanor Justice in Rural Courts." In *Lower Criminal Courts*, edited by Alisa Smith and Sean Maddan. New York: Routledge.