

For Immediate Release

Media Contact:
Rebecca L. Gorley
rgorley@archcitydefenders.org
(855) 724-2489 x1025

Maplewood’s unlawful “warrant recall bond” acts as a paywall that bars access to the court

ArchCity Defenders files lawsuit against City of Maplewood for “pay-to-play” cash bail system that violated the civil rights of thousands

St. Louis, Mo. (November 1, 2016) - ArchCity Defenders has filed a federal class action lawsuit against the City of Maplewood for implementing and enforcing an illegal, racially biased cash bail system that exploits low-income people to generate revenue for the City. Maplewood issues many thousands of arrest warrants every year for failure to pay minor traffic fines, or failure to appear at a traffic hearing. When a citizen calls Maplewood’s court, however, a [voicemail recording](#) states that a person cannot cancel an arrest warrant unless they personally make a cash payment to the city—the only way to avoid arrest is to pay, whether you have the money or not. Maplewood’s so-called “warrant recall bonds” represent a new variation on an old theme. The bond paywall blocks access to Maplewood’s justice system, and creates a “pay-to-play” system whereby only those with money can even get past the courthouse door.

“Poor people and people of color have known about Maplewood’s policies for years,” said Thomas Harvey, Executive Director of ArchCity Defenders. “Our clients say Maplewood’s police and court practices have prohibited them from driving through, shopping, and even living in Maplewood.”

Tycko and Zavareei, LLP, a Washington DC-based law firm, commented, “we are proud to partner again with ArchCity Defenders to correct the wrong that has been done to thousands of low-income people in St Louis,” said Jeff Kaliel, co-counsel with Tycko and Zavareei.

Several minimum wage jobs exist in Maplewood and low-income drivers have been targeted, ticketed and arrested while commuting on main thoroughfares to work. Maplewood’s court does not inquire into a person’s ability to pay their subsequent tickets and court fines, rather, it demands payment or threatens jail time. People have diverted income from disability checks, and part-time paychecks in order to avoid jailing. If a person cannot afford to pay or is not able to come to court, Maplewood charges a “warrant recall bond.” The “warrant recall bond” is the cash bond that blocks access to justice by creating a “pay-to-play” system that only the wealthy can afford. In this scenario, a Defendant must pay Maplewood \$500-800 in order to recall the warrant, schedule a new court date, see a judge, file a motion to reduce the amount of the bond, or even get information about the charges against them. If they cannot pay, they are subject to arrest. To requiring a money payment just to get the most basic access to the justice system is contrary to our legal system’s most fundamental values of fairness and due process.

Ms. Cecelia Webb, one of the named plaintiffs, is a hardworking wife and mother who, as a result of Maplewood’s exploitative and unconstitutional practices, has lost her sense of safety in addition to her full-time job. Ms. Webb, a survivor of police misconduct in Maplewood, was told

that in order to be freed from the City's jail she would have to pay hundreds of dollars. Ms. Webb's husband and pastor paid \$850 bond to buy her freedom from jail. The night that she had been targeted, arrested and jailed by Maplewood police over traffic tickets, she lost her full-time job that provided health insurance and benefits to her family. Months later, Ms Webb has expressed a lingering fear when driving, due to her traumatic experience in Maplewood.

ArchCity Defenders seeks declaratory, injunctive and compensatory relief.

The entire complaint, available [here](#), follows a federal class action filed yesterday against the City of Florissant for running a debtors' prison. More information on that complaint can be found [here](#). ArchCity Defenders has now filed 17 federal class action lawsuits against cities alleging debtors' prisons, denial of the right to counsel, and an unconstitutional cash bail scheme.

[ArchCity Defenders](#), is a nonprofit civil rights law firm committed to providing holistic legal advocacy and to combating the criminalization of poverty and state violence against poor people and people of color.

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