

Tate v. Short

Petitioner accumulated fines of \$425 on nine convictions in the Corporation Court of Houston, Texas, for traffic offenses. He was unable to pay the fines because of indigence. Though Texas law provides only for fines for such offenses, it requires that persons unable to pay must be incarcerated for sufficient time to satisfy their fines, at the rate of \$5 per day, which in petitioner's case meant an 85-day term. The state courts denied his petition for habeas corpus.

The Court held that it is a denial of equal protection to limit punishment to payment of a fine for those who are able to pay it but to convert the fine to imprisonment for those who are unable to pay it. However, the State is not powerless to enforce judgments against those financially unable to pay a fine, but may choose from among a variety of solutions or devise new ones.