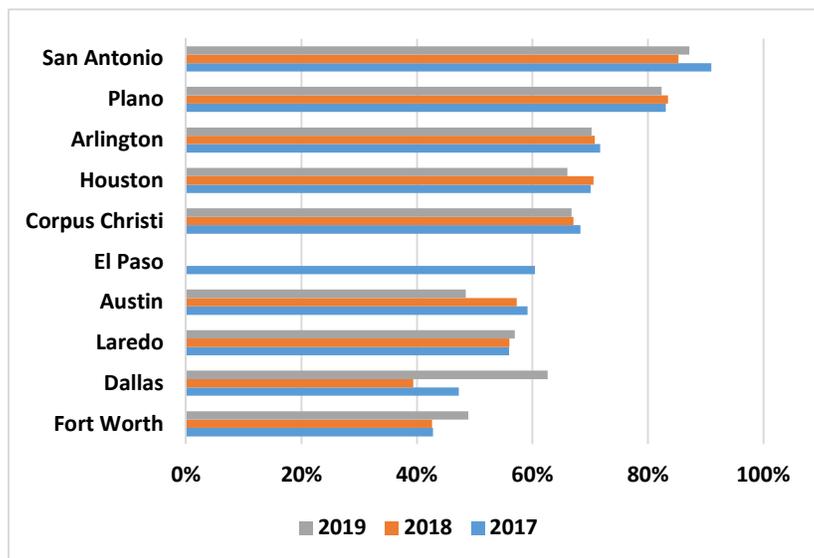


The Relationship Between the OmniBase Program and Court Collections

The OmniBase Program, formally known as the Failure to Appear/Pay Program, is an enforcement tool that Texas criminal courts may use, at their discretion, to attempt to collect fines and costs. Through the Program, courts prevent people from renewing their driver’s licenses with “OmniBase holds” until all fines and costs have been paid or otherwise resolved. The OmniBase Program has a profound negative impact on people already struggling financially, driving them into a cycle of debt and poverty by taking away their ability to legally drive.ⁱ Because of that, courts should opt not to use OmniBase holds. Furthermore, data from large municipal courts in Texas indicates that using the Program is not necessary to collect fines and fees, so opting out should not lead to decreased court collections.

Collection Rates: Municipal Courts in 10 Largest Cities, 2017-19ⁱⁱ



The rate at which Texas municipal courts collect fines and costs varies considerably. San Antonio’s 2019 collection rate was the highest among the ten most populous Texas cities at nearly 90%, compared to Austin and Fort Worth at the bottom, both of which had rates slightly less than 50%. The rate at which courts use OmniBase also varies considerably, and importantly, high OmniBase hold rates do not mean high collection rates. The Dallas Municipal Court had the highest OmniBase hold rate in 2018, yet its collection rate was second from the bottom. On the other hand, the Plano and Arlington municipal courts were among the highest collection rates and either did not use OmniBase holds or placed relatively few holds compared to other courts.

Courts are not intended to be revenue generators, and decisions about sentencing and enforcement should be designed to achieve equal justice for all—not to maximize court collections. Still, court collections are often seen as a rough approximation of compliance with court judgments. To that end, policymakers should know that abandoning use of the Omnibase Program can be done without negatively impacting a court’s ability to enforce judgments.

OmniBase New Hold Rates vs. Collection Rates, 2018ⁱⁱⁱ

	New OmniBase Holds	OmniBase Hold Rate	Collection Rate Rank
Dallas	39,498	28%	9th
Laredo	13,151	25%	7th
Corpus Christi	12,173	21%	5th
Houston	65,349	13%	4th
El Paso	16,165	10%	unknown
San Antonio	14,989	7%	1st
Austin	5,262	5%	6th
Arlington	175	0%	3rd
Fort Worth	0	0%	8th
Plano	0	0%	2nd

To increase compliance, courts should focus on expanding access to court, providing clear notices about people’s obligations and options, and imposing sentences that people have the ability to pay into account ultimately increases compliance, and as a result, can increase collection rates.^{iv} Most importantly, by not using OmniBase, people who are already struggling financially will be able to resolve what they owe to the court without being pushed further into debt.

ⁱ For more on these harms, visit <http://bitly.com/drivenbydebtDallas> and <http://stories.texasappleseed.org/driven-by-debt>.

ⁱⁱ Data from Texas Ofc. of Court Admin. Collection Improvement Program. Rate calculated based on sum of total amount collected out of the sum total amount assessed for each year. Notes: The final month of data for 2019 was missing for Dallas and Fort Worth. Because this is a calculation of a rate over the course of an entire year that is generally stable month to month, it should not impact the rate significantly. Also, El Paso failed to report data for most of 2017-19. The 2017 rate was calculated based on only two months worth of data for that year.

ⁱⁱⁱ Data from Texas Dept. of Public Safety. Calculations based on total holds placed in 2018 vs. total new criminal cases.

^{iv} For more, visit <http://txcourts.gov/media/1442212/ff-indicators.pdf>.

For More Information: Mary Mergler, Texas Appleseed, mmergler@texasappleseed.net
Emily Gerrick, Texas Fair Defense Project, egerrick@fairdefense.org