
Jenny A. Durkan, Mayor
Mariko Lockhart, Director

Date: 7.28.2020
To: Council President M. Lorena González & Councilmember Lisa Herbold, Chair of Public Safety and Human Services Committee
From: Mariko Lockhart, Director, Seattle Office for Civil Rights
Subject: **Monetary Sanctions Report**

The attached report, *An Analysis of Court Imposed Monetary Sanctions in Seattle Municipal Courts, 2000-2017*, was commissioned by the Seattle Office for Civil Rights (SOCR) in response to Council [Resolution 31367](#), which established the [Reentry Workgroup](#) and requested an inventory and assessment of the City's current imposition and collections of fines and fees for criminal violations and infractions as well as the impact of such on reentry. This report was co-authored by Dr. Alexes Harris and Dr. Frank Edwards. Data was provided by Seattle Municipal Court's Research, Planning and Evaluation Group. Included in this report's recommendations is a call for an examination of the value of imposing fines and fees altogether, which SOCR strongly encourages the City undertake as part of our ongoing efforts to reshape public health and safety in Seattle.

In sharing previous drafts of the report with SMC, SOCR has engaged in thoughtful dialogue with SMC, the report authors, as well as Reentry Workgroup representatives from Columbia Legal Services, about differences in terminology, methodology, and some key findings of the report. We are grateful for the expertise provided by the report authors, our colleagues at SMC, and consultation provided by Columbia Legal Services, and their willingness to engage throughout this process. While there may be differing opinions regarding some of the findings, there is also agreement. Most of the monies collected by SMC are from traffic fines and fees, and Black individuals and people of color disproportionately bear the financial burden, due to the nature of the tickets they were given by traffic and parking enforcement.

While SOCR is pleased that the report found that SMC imposes the lowest median fine and fee amounts in almost all sanction categories compared to other limited jurisdiction courts in Washington, fines and fees are still harmful to the disproportionately Black and Brown individuals who are involved with the Court. SOCR recognizes that when it comes to the disparate and harmful impacts of parking and traffic infractions, we must also pursue solutions at the legislative and enforcement levels since SMC is unable to suspend infraction-related monetary sanctions required under local and state statutes once a ticket is issued.

There is still room to make changes in how the City approaches monetary sanctions, from how fines and fees are levied through their collection. While the report doesn't focus on the impact of fines and fees on reentry, the report does highlight the need to evaluate how the City can invest in upstream approaches to reduce the disproportionate impact of monetary sanctions on Black communities. While SMC monetary sanctions may not cause later incarceration, there is a correlation that warrants further examination.



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We look forward to the outcomes of the work being done through the City and King County partnership with [PolicyLink's Cities and Counties Fine and Fees Justice that](#) will examine how to address certain unjust fines and fees. Additionally, as stated above, among the report's recommendations is for the City and SMC to interrogate the penological goals of imposing any monetary sanctions at all along with statewide stakeholders. We include parking and trafficking fines under this umbrella since like criminal sanctions, these fines are also used to enforce laws. This report compels us to explore more equitable means to deter behaviors. SOCR would like to elevate this deeply insightful recommendation from Drs. Edwards and Harris and encourages the City at large to answer this question as part of our current efforts to re-envision community health and safety.

Racial and other disparities are found at every level of our criminal legal system from parking and law enforcement to prosecution to the Court. Changes at any level of our criminal legal system will be felt throughout the whole system. For instance, as the City reinvests law enforcement dollars into non-punitive forms of public health and safety, the caseloads of the City Attorney's Office and SMC, as well as the City's use of jail beds, will most likely shrink, potentially leaving more dollars for reinvestment into community-owned public health and safety.

We must work with communities most impacted by our criminal legal system to evaluate the role of our Court and prosecutors in conjunction with our discussions around policing to avoid unintended consequences and missed opportunities as we build a public safety approach that is just, safe, and equitable for all communities in our city.