

**AN ANALYSIS OF COURT IMPOSED
MONETARY SANCTIONS IN SEATTLE
MUNICIPAL COURTS, 2000-2017**

**Frank Edwards, Assistant Professor, School of Criminal Justice
Rutgers University**

**Alexes Harris, Professor, Dept. of Sociology
University of Washington**

RESEARCH QUESTIONS:

1. Extent and characteristics of unpaid debt
2. Impact of SMC fines and fees on people who cannot afford them
3. Exploration of racial disparities in traffic and non-traffic infractions
4. Comparison of the City of Seattle LFO process with other cities in WA State

DEFINITION, DATA AND ANALYSIS

- Monetary Sanctions: LFO treated as inclusive of all financial debts imposed by a court because of a criminal charge or infraction
 - Includes here traffic citation, court sentenced fines and fees
- Data: Cited or convicted cases 2000-2017 from SMC via the JIS
- Analysis: Frank Edwards conducted statistical analyses using the R statistical programming language
 - Comparisons to other jurisdictions use data from WA AOC of LFO sentencing in WA Municipal courts between 2000-2014

CHARACTERISTICS OF SMC DEBT

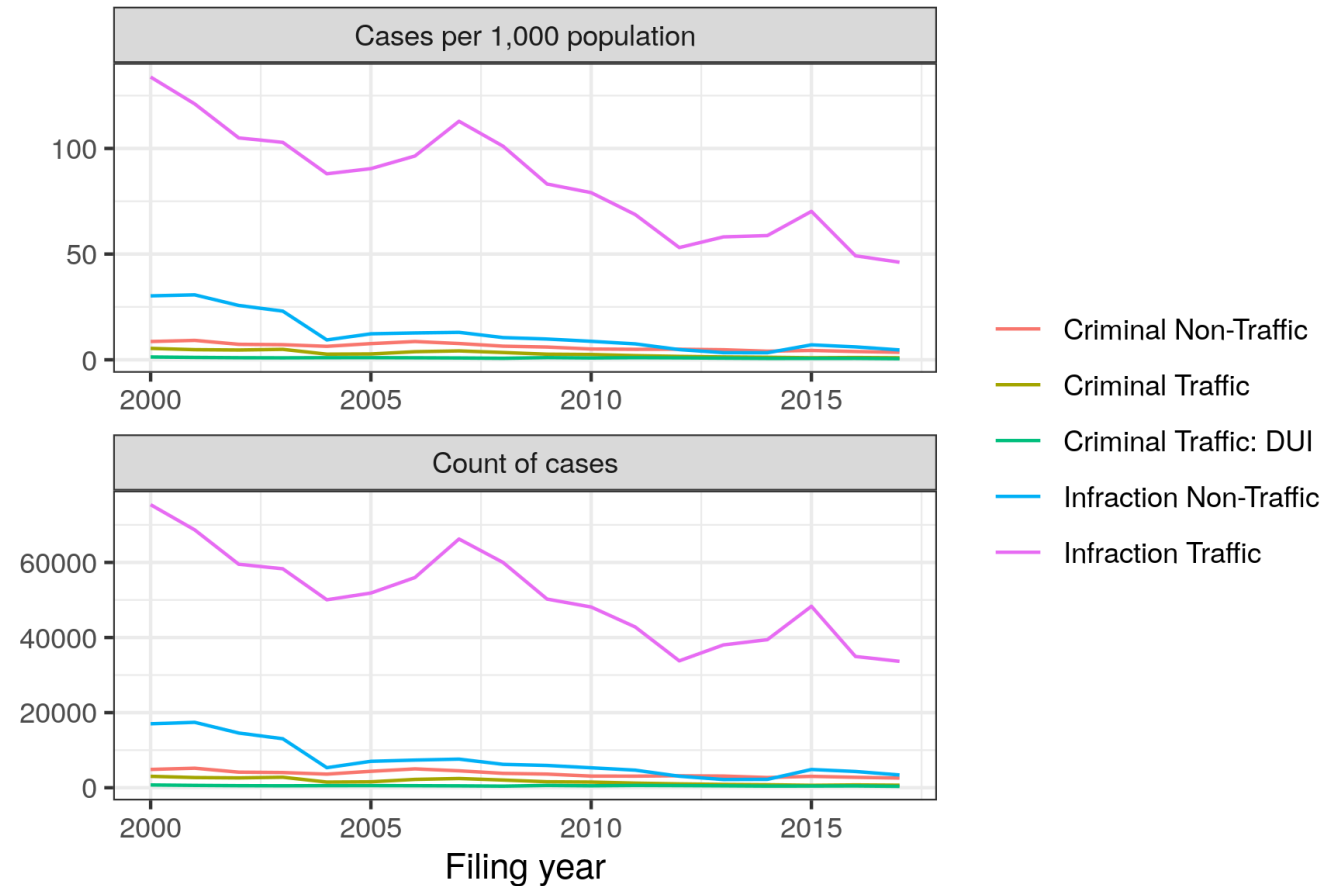
MEDIAN ANNUAL TOTAL SMC MONETARY SANCTIONS BY CASE TYPE: 2000 – 2017, INFLATION ADJUSTED

| Case type | Originally ordered | After court adjustment | % Adjusted from Original | Paid | % Paid from Adjusted |
|-------------------------------|--------------------|------------------------|--------------------------|--------------|----------------------|
| Infraction Traffic | \$ 24,467,354 | \$ 9,471,204 | 39% | \$ 8,080,052 | 85% |
| Infraction Non-Traffic | \$ 824,678 | \$ 406,969 | 49% | \$ 283,779 | 70% |
| Criminal Traffic | \$ 3,598,035 | \$ 579,825 | 16% | \$ 528,681 | 91% |
| Criminal Traffic: DUI | \$ 4,033,011 | \$ 642,556 | 16% | \$ 543,827 | 85% |
| Criminal Non-Traffic | \$ 12,041,164 | \$ 356,704 | 3% | \$ 304,264 | 85% |

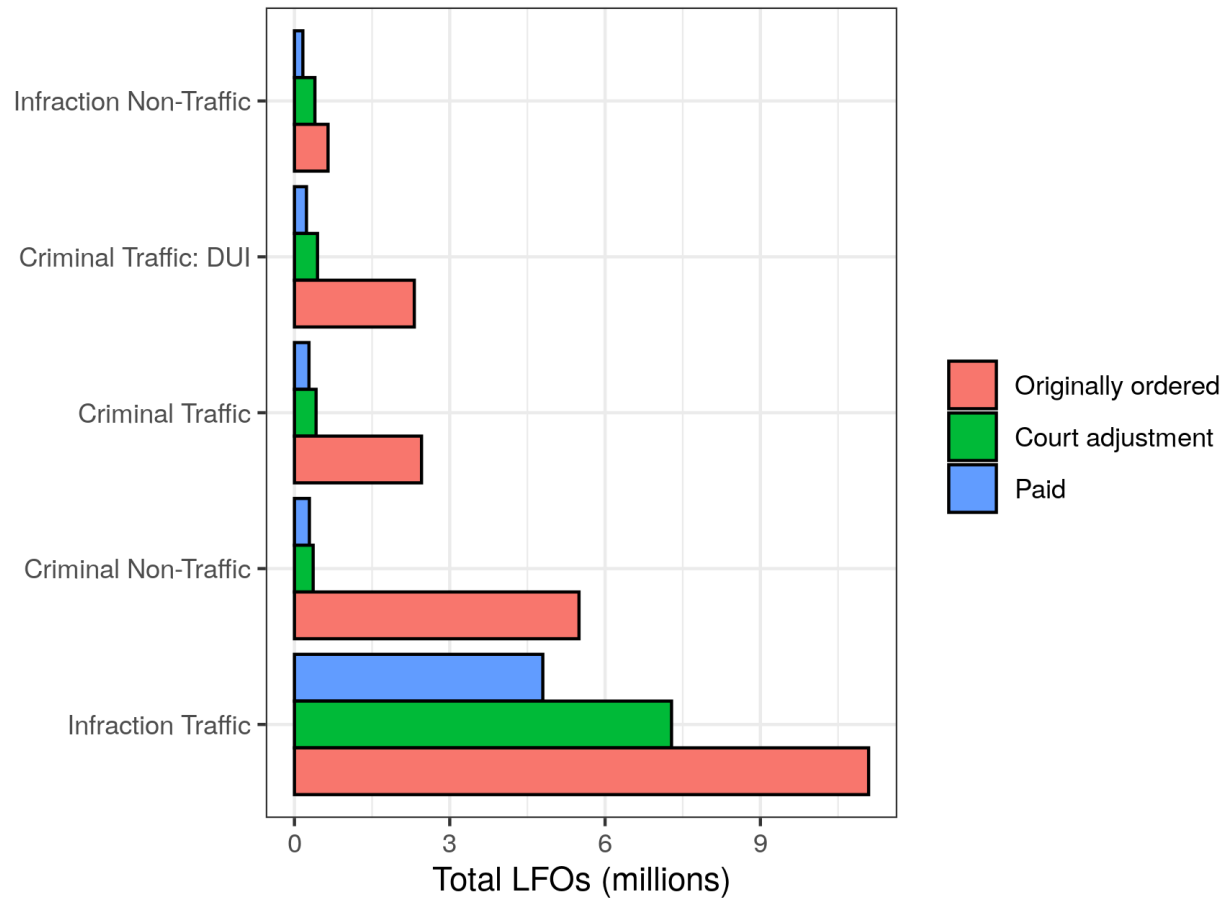
**DISTRIBUTION OF CASES WITH MONETARY
SANCTIONS IN SMC BY CASE TYPE, 2000-
2017 (N = 40,672).**

| Case Type | % of Total Cases |
|--------------------------------|-------------------------|
| Traffic Infractions | 83% |
| Non-Traffic Infractions | 8% |
| Non-Traffic Criminal | 6% |
| Criminal Traffic | 2% |
| DUI | 1% |

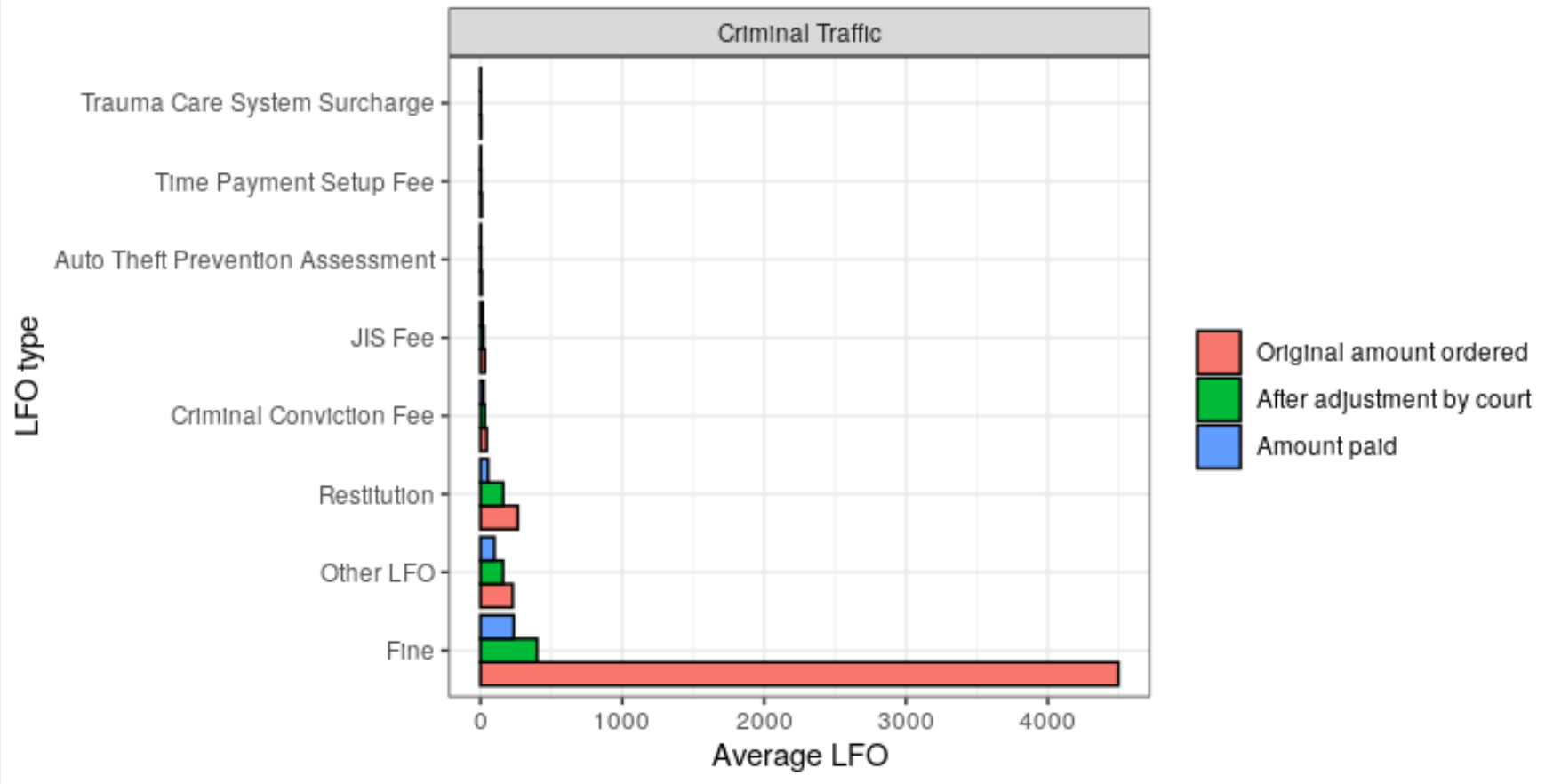
SMC CASES WITH MONETARY SANCTIONS, 2000 - 2017



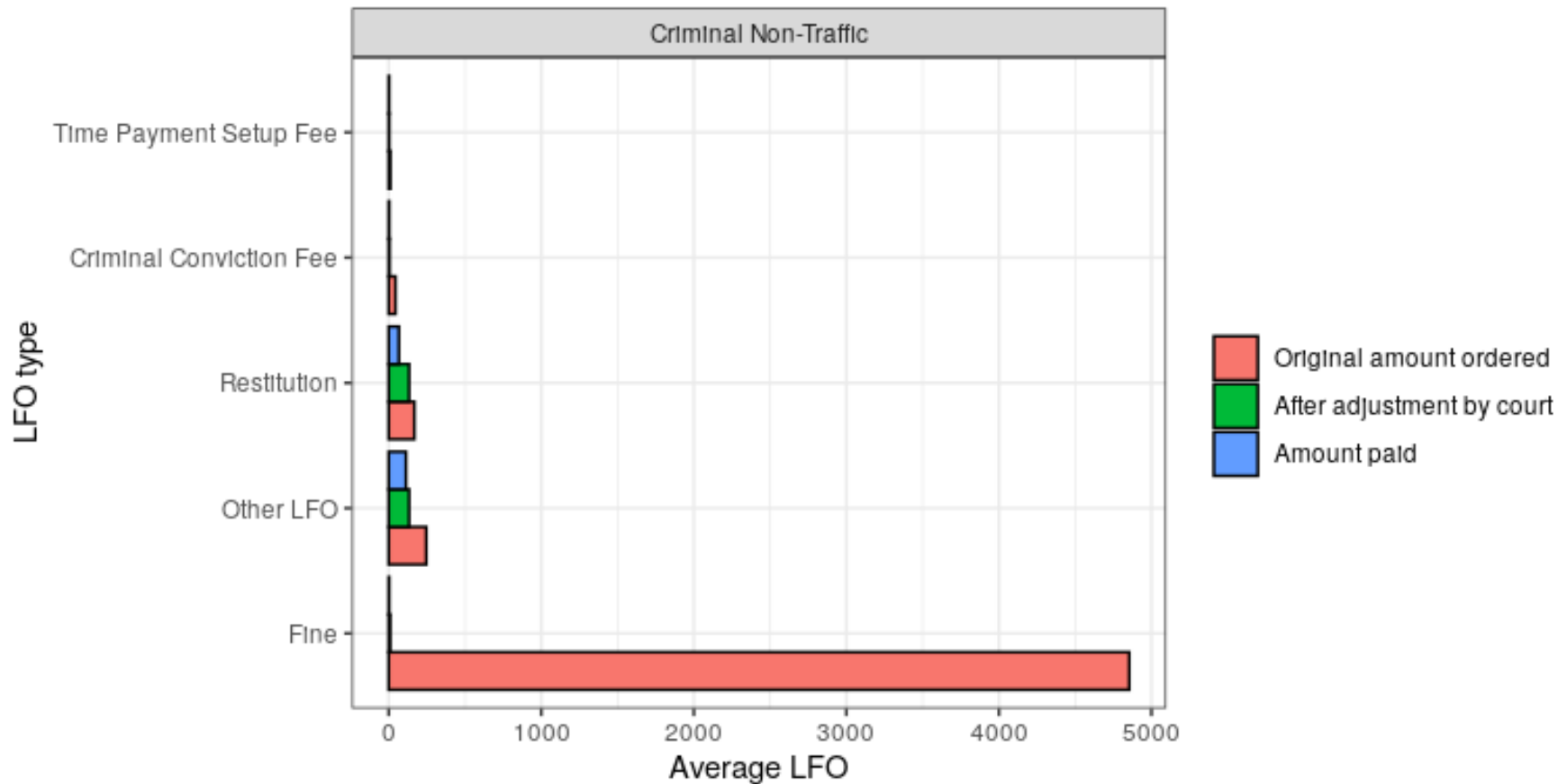
TOTAL SMC DEBT ORIGINALLY ORDERED, AFTER COURT ADJUSTMENT, AND PAID BY CASE TYPE, 2017



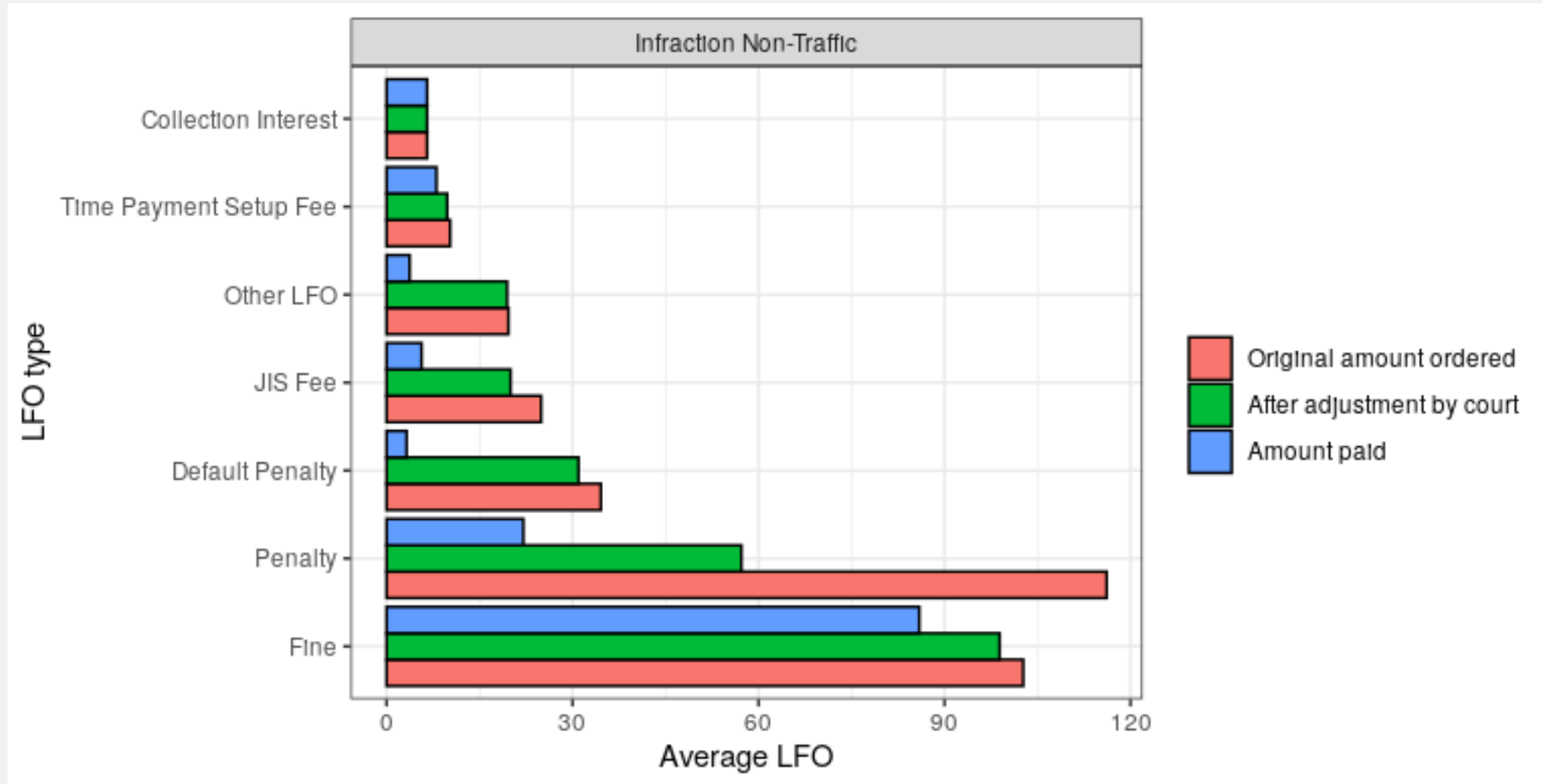
AVERAGE AMOUNTS ORDERED, ADJUSTED, AND PAID: CRIMINAL TRAFFIC



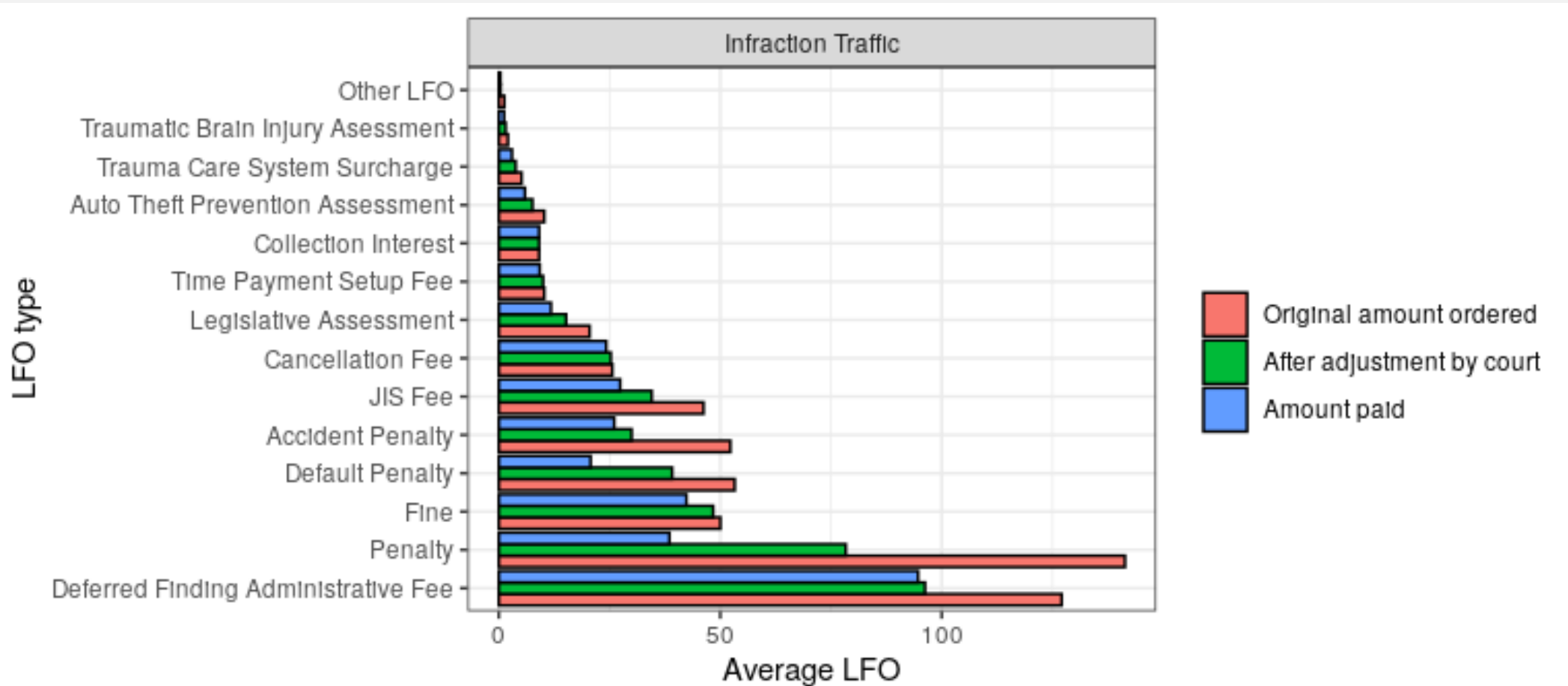
AVERAGE AMOUNTS ORDERED, ADJUSTED, AND PAID: CRIMINAL NON-TRAFFIC



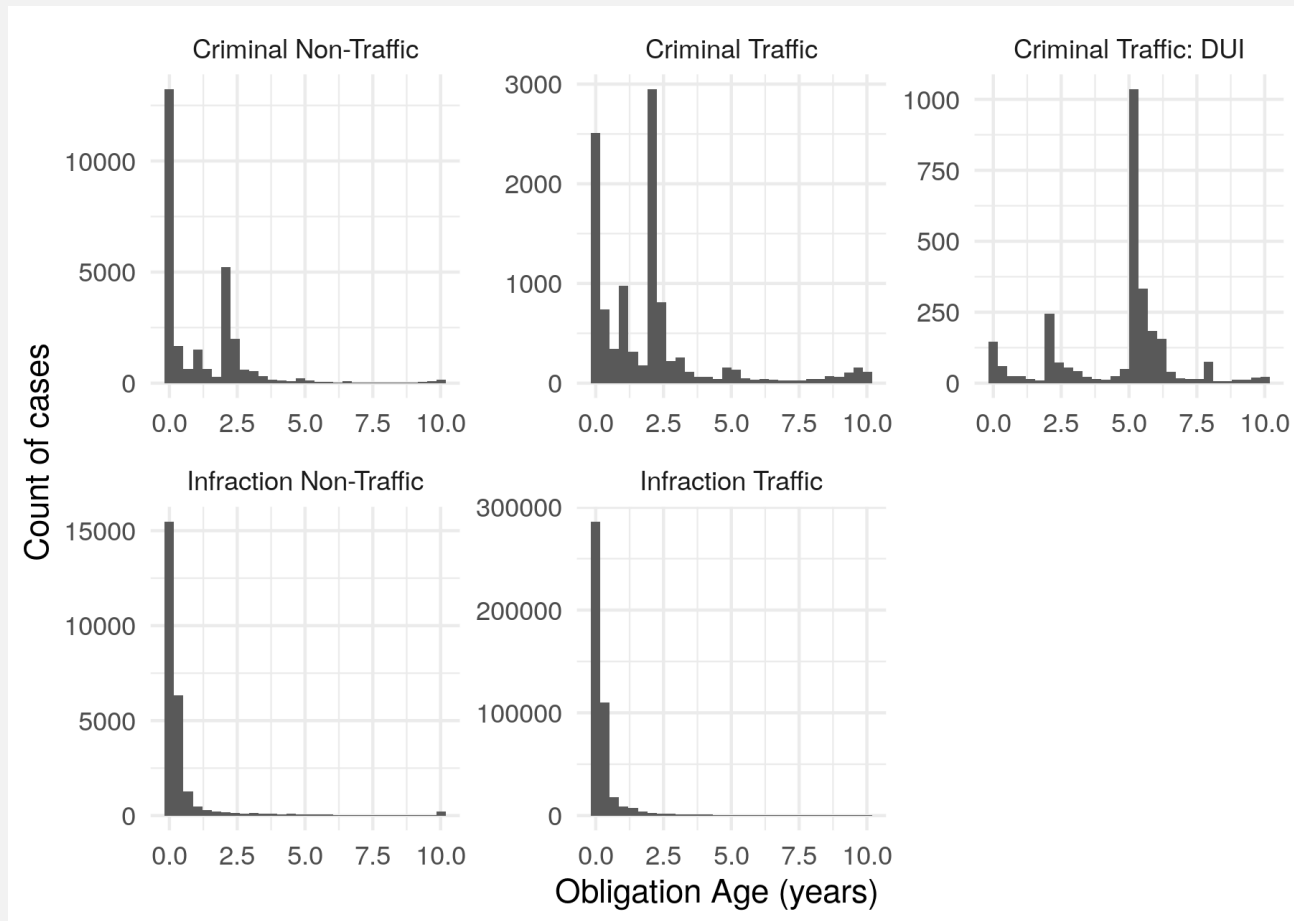
AVERAGE AMOUNTS ORDERED, ADJUSTED, AND PAID: NON-TRAFFIC INFRACTIONS



AVERAGE AMOUNTS ORDERED, ADJUSTED, AND PAID: TRAFFIC INFRACTIONS

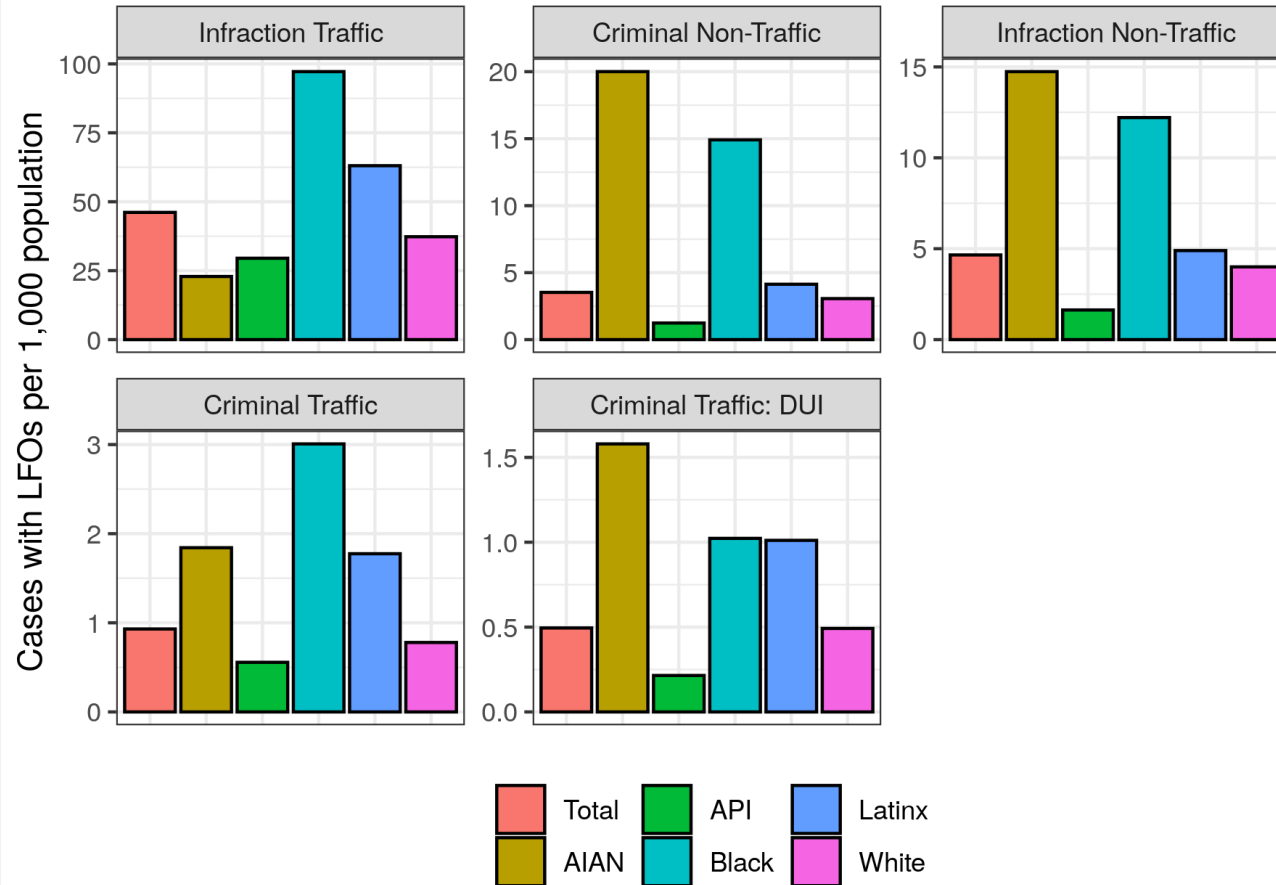


AGE OF ACCOUNTS AT CLOSING DATE BY CASE TYPE, 2007 - 2017

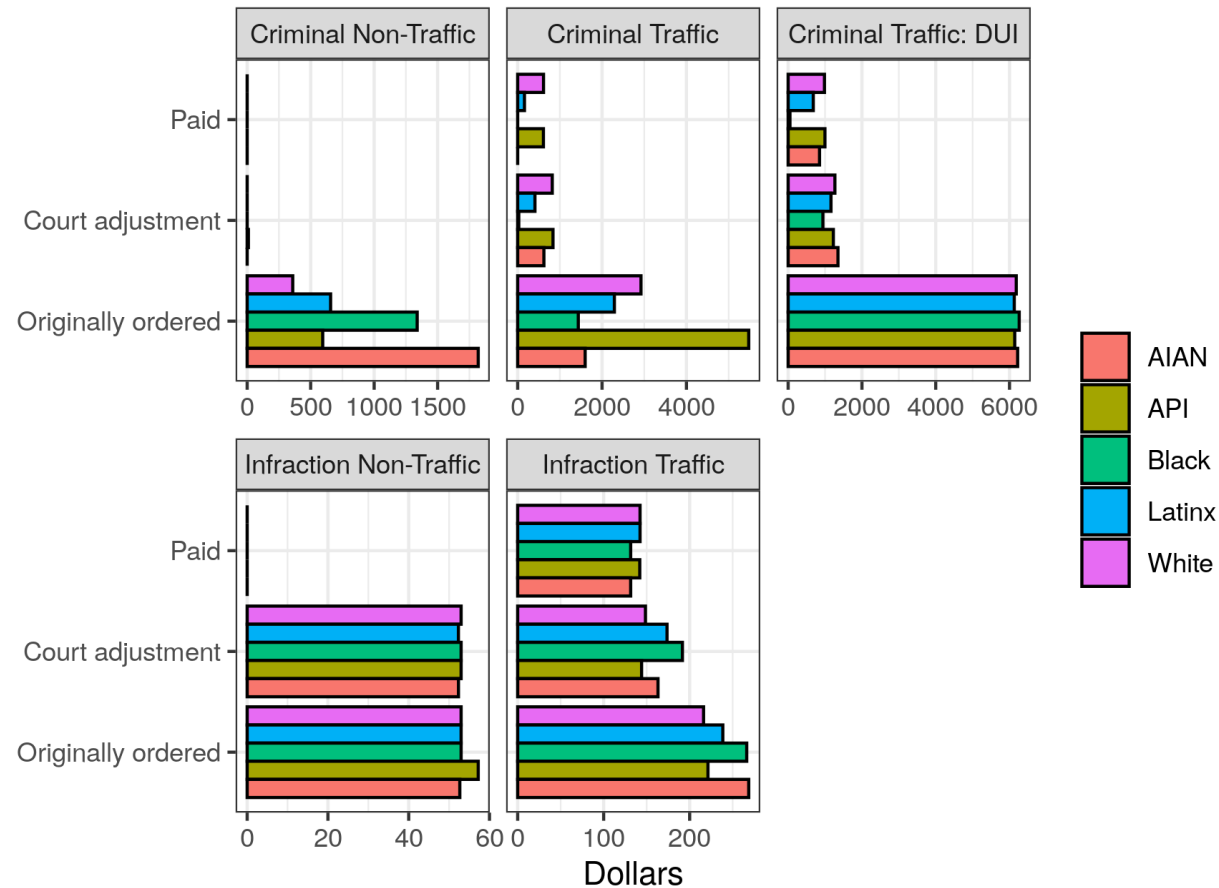


RACE, ETHNICITY, AND SMC DEBT

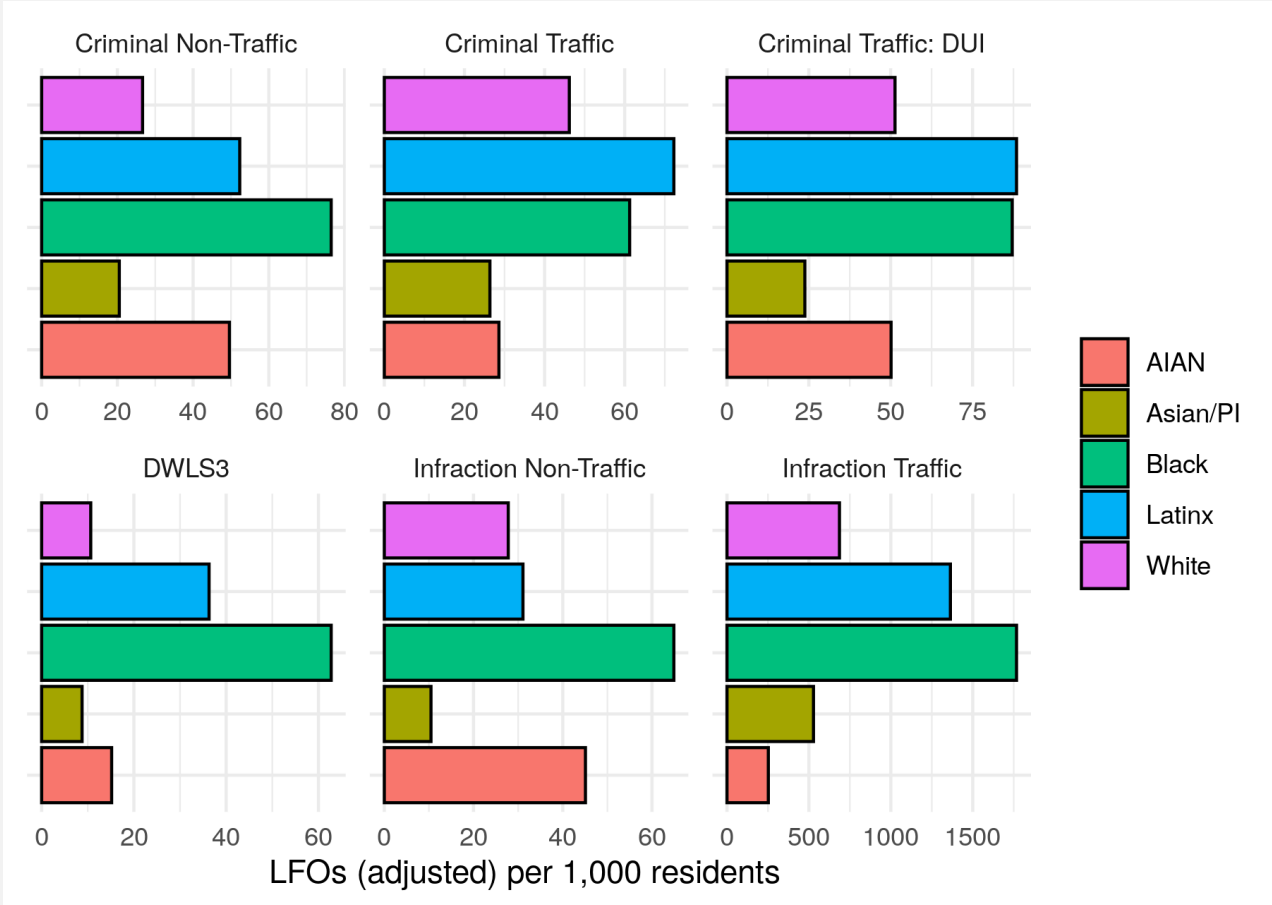
CASES WITH MONETARY SANCTIONS IN SMC PER 1,000 POPULATION BY RACE/ETHNICITY, 2017



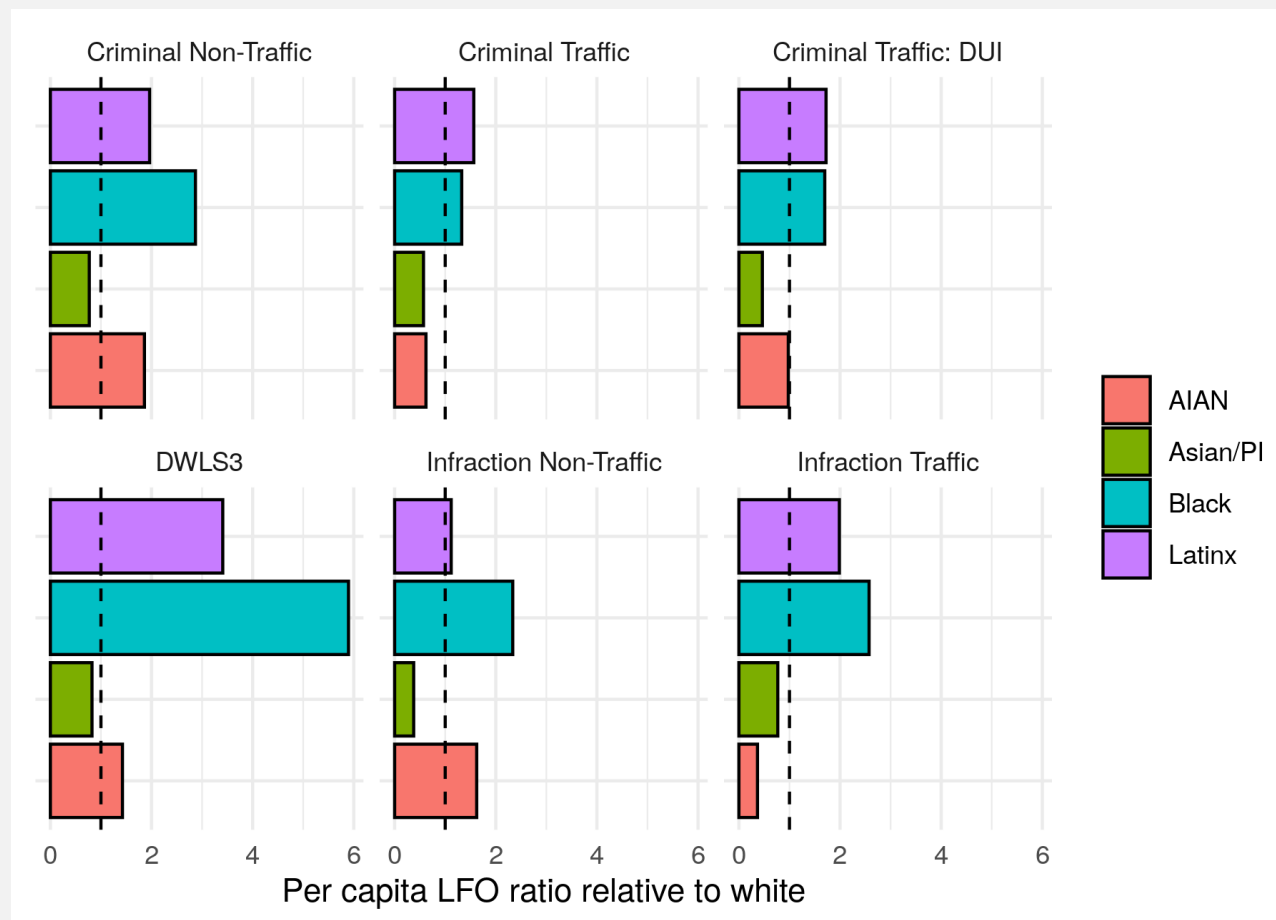
MEDIAN CASE-LEVEL DEBT BY CASE TYPE BY RACE/ETHNICITY, 2015 - 2017



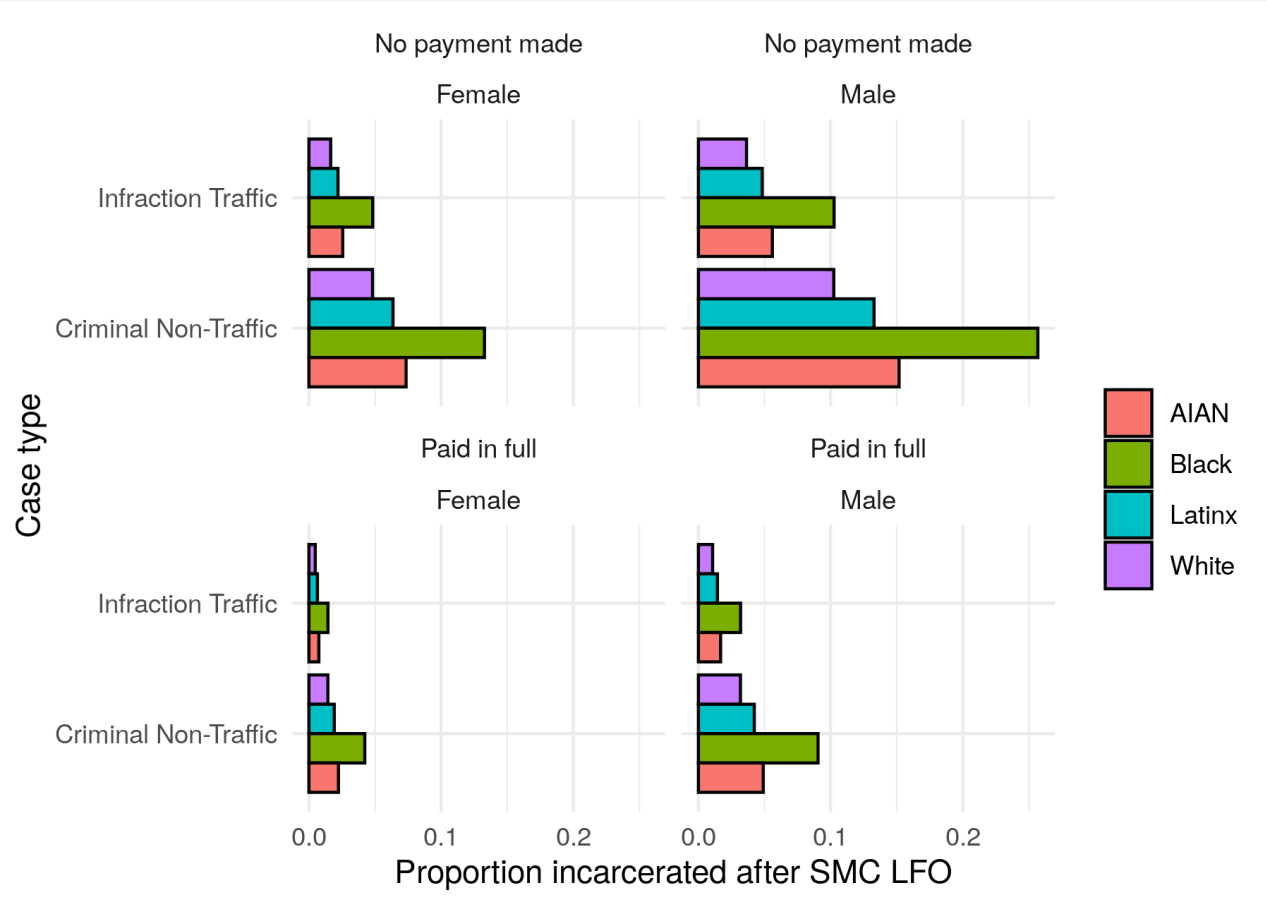
ADJUSTED SMC DEBT PER 1,000 RESIDENTS BY RACE/ETHNICITY AND CASE TYPE, 2017.



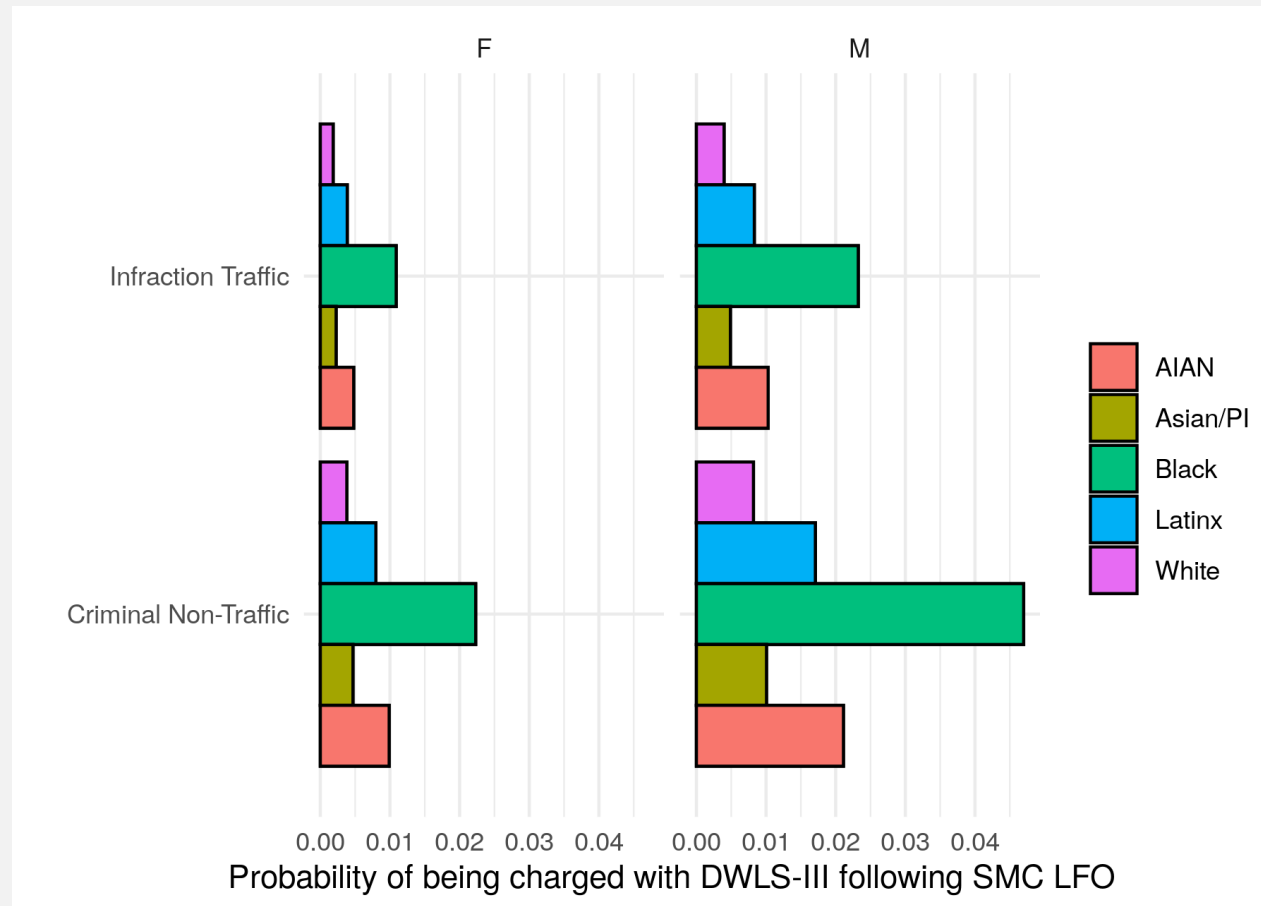
RATIO OF ADJUSTED SMC LFO DEBT PER 1,000 RESIDENTS BY RACE/ETHNICITY RELATIVE TO WHITE, 2014



PROPORTION OF SMC DEBTORS SENTENCED TO INCARCERATION THROUGH WA SUPERIOR COURTS

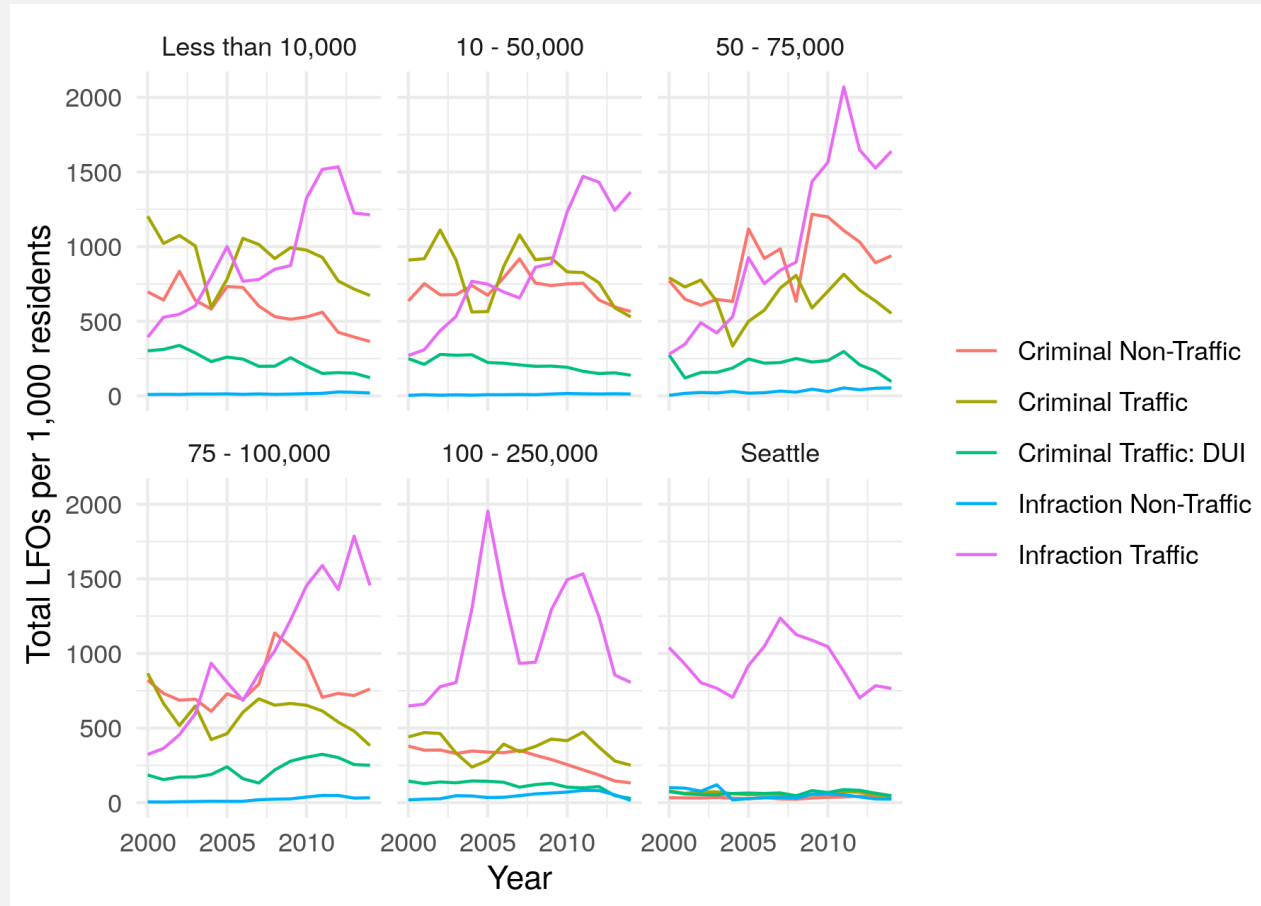


PROPORTION CHARGED WITH DRIVING WITH A SUSPENDED LICENSE (3) AFTER BEING CHARGED WITH AN SMC LFO

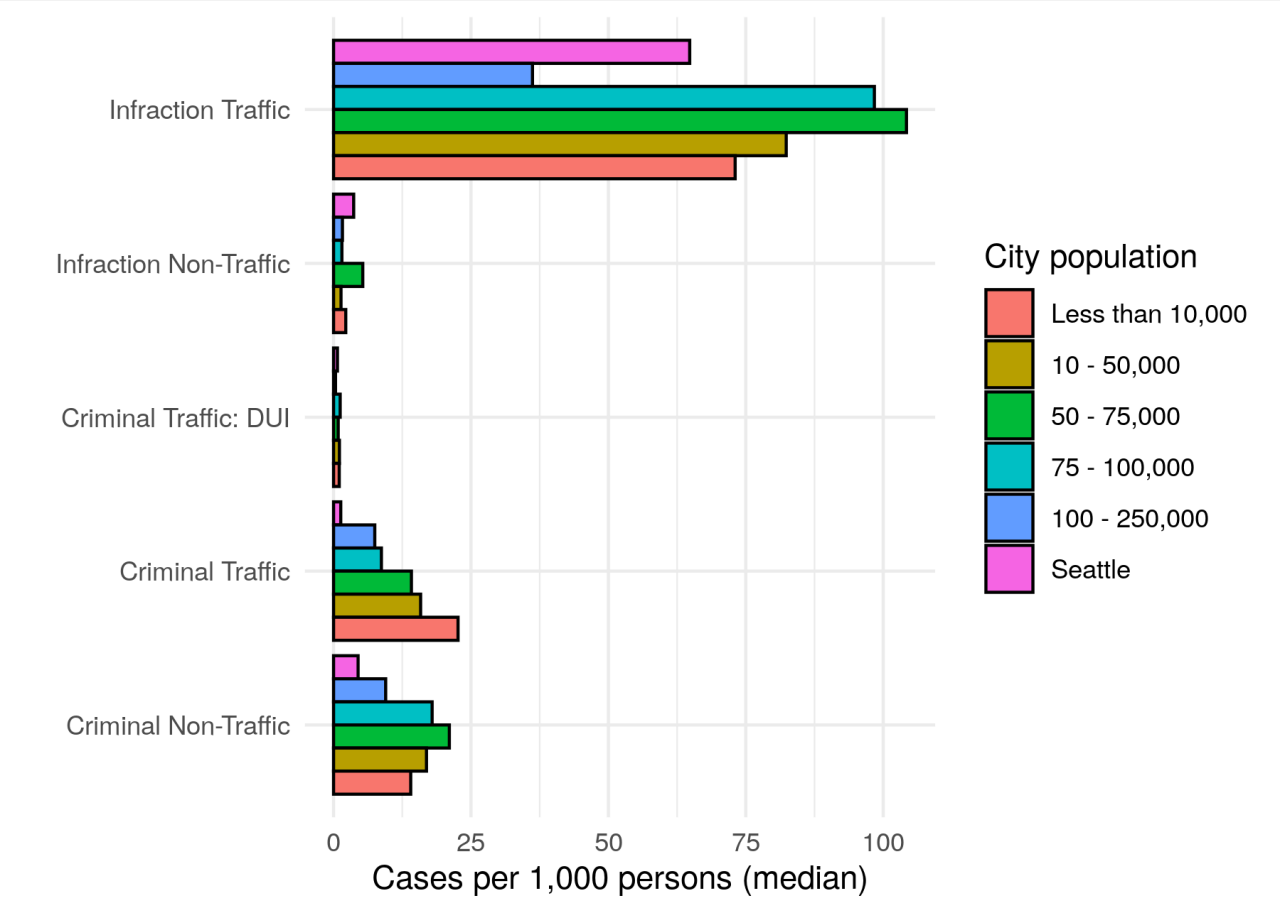


COMPARISON OF SMC DEBT TO
OTHER WASHINGTON MUNICIPAL
COURTS

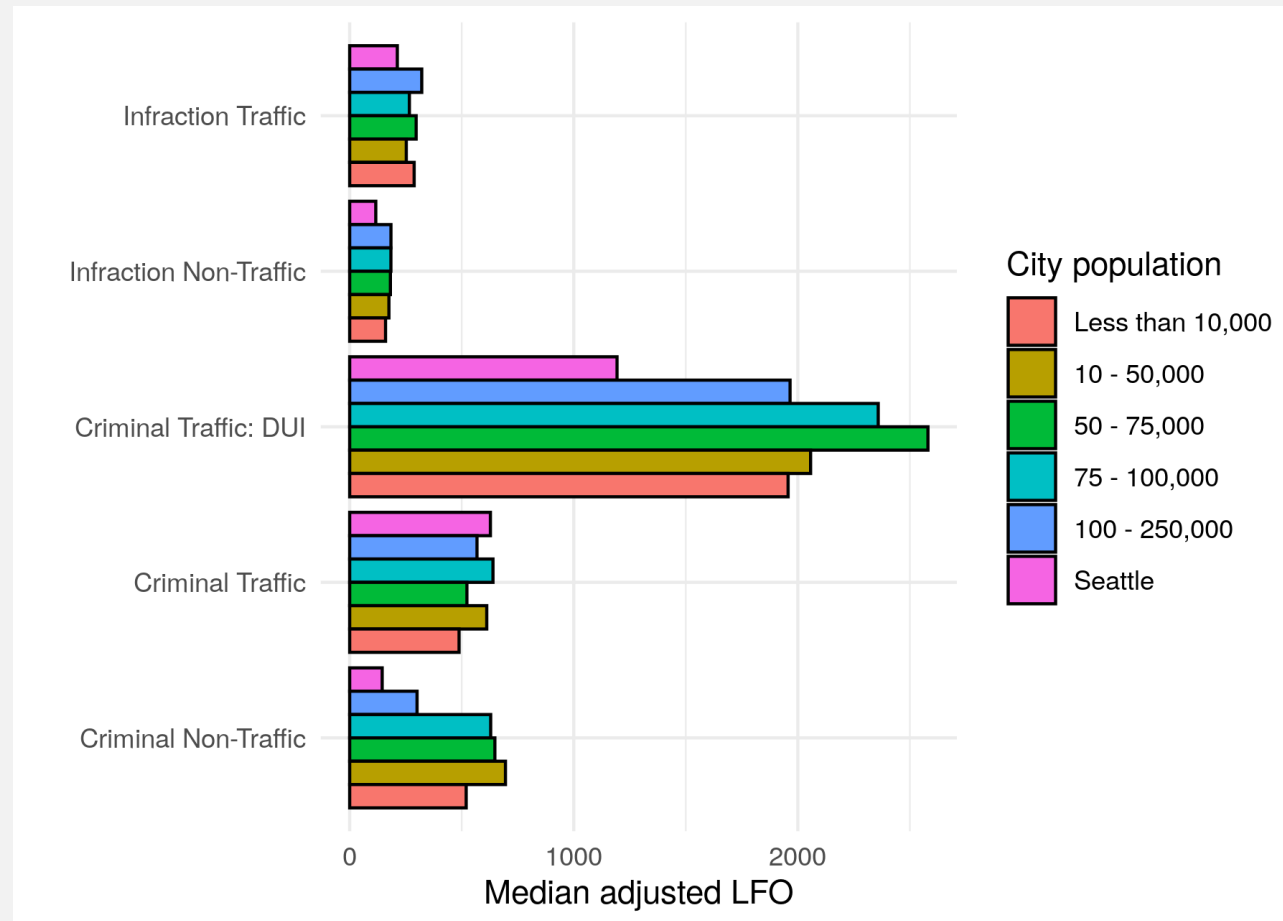
ADJUSTED DEBT PER 1,000 RESIDENTS IN WASHINGTON MUNICIPAL COURTS, BY POPULATION SIZE OF CITY



CASES PER 1,000 PERSONS IN WASHINGTON MUNICIPAL COURTS, 2014



MEDIAN LFO ORDERED (ADJUSTED) IN WASHINGTON MUNICIPAL COURTS BY POPULATION SIZE OF CITY, 2017



SUMMARY OF FINDINGS

1. Remarkable decline in cases filed in SMC between 2000-2017
2. People sentenced criminal traffic cases tended to have LFO accounts open for longer periods of time compared to other types of cases
3. For each class of case, Black men and women are significantly more likely than peers to be sentenced to incarceration through a WA Sup Ct following a PAID SMC LFO

SUMMARY OF FINDINGS

4. For each class of case, Black men and women are significantly more likely than peers to be sentenced to incarceration through a WA Sup Ct following a UNPAID SMC LFO
5. People of color have a higher likelihood than White people to be charged with a DWLS3 following a SMC LFO sentence. Especially pronounced for Black drivers.

POLICY RECOMMENDATIONS

- SMC Judges should continue to assess individuals' abilities to pay in all circumstances
- Judges should continue to waive discretionary costs when people indicate they have little to no ability to pay
- Policies at the state and local should interrogate the necessity for add-on financial penalties such as interest, time payment set-up fee, JIS fee, default penalties, deferred finding admin fee
- State policy should decouple non-payment from criminal matters and suspension of driver's licenses
- State and local jurisdictions should conduct regular monitoring and analysis for LFO sentencing and collections

QUESTIONS

Contact:

Frank Edwards, School of Criminal Justice

Rutgers University

Frank.Edwards@Rutgers.edu

Alexes Harris, Dept. of Sociology

University of Washington

yharris@uw.edu