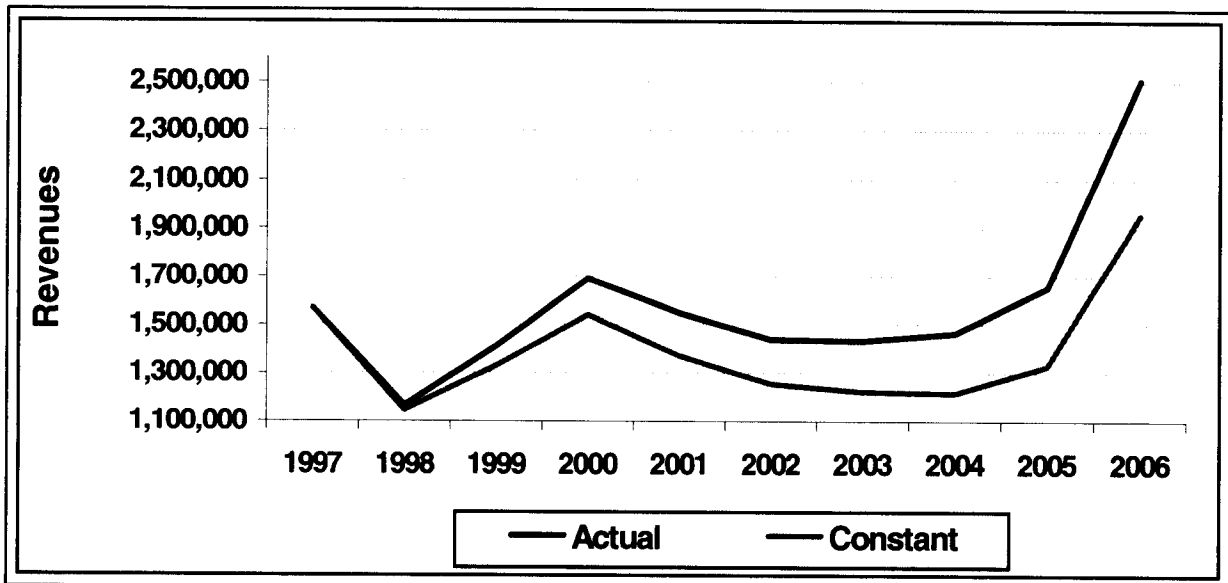


# FINES & FORFEITS



## GENERAL FUND FINES & FORFEITS

| Year | Avg.<br>CPI-U | Actual      | Constant    |
|------|---------------|-------------|-------------|
| 1997 | 160.5         | \$1,567,444 | \$1,567,444 |
| 1998 | 163.0         | \$1,162,126 | \$1,144,302 |
| 1999 | 166.6         | \$1,409,358 | \$1,327,301 |
| 2000 | 172.2         | \$1,689,015 | \$1,538,946 |
| 2001 | 177.0         | \$1,546,660 | \$1,371,022 |
| 2002 | 179.9         | \$1,438,317 | \$1,254,430 |
| 2003 | 184.0         | \$1,431,893 | \$1,221,000 |
| 2004 | 188.9         | \$1,463,484 | \$1,215,567 |
| 2005 | 195.3         | \$1,652,475 | \$1,327,564 |
| 2006 | 201.6         | \$2,507,568 | \$1,951,575 |

On average, approximately 76% of total General Fund collections in this category come from City Court Traffic Fines. Fluctuations are related mainly to the number of tickets issued in a given year and, to a lesser extent, to the number of tickets processed by the court, tickets dismissed, fines suspended, and other court actions.

**This page is intentionally left blank.**

**CITY COURT CRIMINAL FINES  
CITY COURT FORFEITURES**

| REVENUE TYPE       | FUND . . OBJECT |                |             |
|--------------------|-----------------|----------------|-------------|
| Fines and Forfeits | City            | 001 . . 450101 | Fines       |
|                    | City            | 001 . . 450102 | Forfeitures |

**LEGAL AUTHORIZATION**

| FEDERAL | STATE  | LOCAL                                      |
|---------|--|--|
| N/A     | Louisiana Revised Statutes<br>13:1872, et seq.<br>13:2002<br>15:571.11 L (3) | <i>Plan of Government</i><br>Section 11:04 |

**INTERPRETATION OF LEGAL AUTHORIZATION:**

**Federal:** N/A

**State:** **L.R.S. 13:1872-1902** contains general provisions for city courts. **L.R.S. 13:2002** states that fines, forfeitures, costs, and penalties imposed in criminal prosecutions by the City Court of Baton Rouge are to be paid into the City General Fund. **L.R.S. 15:571.11** provides that, as of June 22, 1993, proceeds of bond forfeitures would be divided equally among the prosecutor, the court, the law enforcement agency involved, and the indigent defender program.

**Local:** **Section 11.04 of *The Plan of Government*** of the City of Baton Rouge and the Parish of East Baton Rouge creates a City Court of the City of Baton Rouge, which has jurisdiction over the territorial area of the City of Baton Rouge. The criminal jurisdiction of the City Court includes cases involving the violation of any city or parochial ordinance and is limited to offenses not punishable by imprisonment at hard labor.

**COLLECTION AND TRANSMITTAL OF FUNDS:**

**Collector:** The Clerk of City Court.

**Transmittal:** Remitted daily to Finance Department–Revenue Division.

**DISTRIBUTION OF PROCEEDS:**

From 6/22/93 through 12/31/98, bond forfeitures were distributed 25% each to the City General Fund, the City Court Judicial Expense Fund, the City Constable Court Costs Fund, and the indigent defender program. Beginning 1/1/99 the City Court Judicial Expense Fund was eliminated, and its portion is deposited into the General Fund.

**PAYOR OF FEE:**

Criminal fines may be imposed by the City Court judges on **persons convicted of criminal offenses in the City Court of Baton Rouge**. **Persons who post bonds but fail to appear in court** forfeit the amount posted.

**COMPUTATION OF FEE:**

The City Court criminal fines are set at the discretion of the judges of City Court, within the limitations of state statutes and local ordinances.

**REFUND PROCEDURE, RESTRICTIONS, AND RATE LIMITATIONS:**

None.

**MONTHLY COLLECTIONS WITH CUMULATIVE PERCENTAGES FOR THE LAST FOUR YEARS:**

| CITY COURT CRIMINAL FINES (CITY) |         |         |         | ACCOUNT NUMBER 001 . . 450101 |         |         |         |         |
|----------------------------------|---------|---------|---------|-------------------------------|---------|---------|---------|---------|
| MONTH                            | 2003    |         | 2004    |                               | 2005    |         | 2006    |         |
|                                  | AMOUNT  | %       | AMOUNT  | %                             | AMOUNT  | %       | AMOUNT  | %       |
| January                          | 28,906  | 12.43%  | 21,905  | 9.15%                         | 18,649  | 7.54%   | 24,194  | 7.56%   |
| February                         | 29,537  | 25.13%  | 23,998  | 19.18%                        | 25,863  | 18.00%  | 28,998  | 16.63%  |
| March                            | 27,443  | 36.93%  | 24,735  | 29.51%                        | 23,835  | 27.63%  | 48,672  | 31.84%  |
| April                            | 16,727  | 44.12%  | 19,535  | 37.67%                        | 17,050  | 34.52%  | 24,124  | 39.38%  |
| May                              | 15,691  | 50.87%  | 19,803  | 45.94%                        | 16,999  | 41.40%  | 25,328  | 47.30%  |
| June                             | 18,818  | 58.96%  | 17,693  | 53.33%                        | 20,451  | 49.67%  | 25,504  | 55.27%  |
| July                             | 16,842  | 66.21%  | 19,893  | 61.64%                        | 19,928  | 57.72%  | 23,568  | 62.63%  |
| August                           | 12,966  | 71.78%  | 18,436  | 69.34%                        | 16,457  | 64.38%  | 28,160  | 71.44%  |
| September                        | 16,045  | 78.68%  | 21,517  | 78.33%                        | 23,626  | 73.93%  | 23,826  | 78.88%  |
| October                          | 18,630  | 86.69%  | 18,462  | 86.04%                        | 25,942  | 84.42%  | 24,009  | 86.39%  |
| November                         | 14,167  | 92.78%  | 17,608  | 93.40%                        | 20,762  | 92.81%  | 24,882  | 94.16%  |
| December                         | 16,783  | 100.00% | 15,799  | 100.00%                       | 17,787  | 100.00% | 18,673  | 100.00% |
| TOTAL                            | 232,555 | -10.02% | 239,384 | 2.94%                         | 247,349 | 3.33%   | 319,938 | 29.35%  |

NOTES: Fluctuations from one year to the next reflect the number and amounts of fines imposed by the judges.

| CITY COURT FORFEITURES (CITY) |         |         |         | ACCOUNT NUMBER 001 . . 450102 |        |         |        |         |
|-------------------------------|---------|---------|---------|-------------------------------|--------|---------|--------|---------|
| MONTH                         | 2003    |         | 2004    |                               | 2005   |         | 2006   |         |
|                               | AMOUNT  | %       | AMOUNT  | %                             | AMOUNT | %       | AMOUNT | %       |
| January                       | 36,797  | 26.85%  | 46,218  | 24.56%                        | 2,679  | 3.85%   | 4,778  | 5.33%   |
| February                      | 1,755   | 28.13%  | 1,725   | 25.47%                        | 1,278  | 5.69%   | 3,506  | 9.24%   |
| March                         | 650     | 28.60%  | 15,903  | 33.92%                        | 12,305 | 23.38%  | 6,770  | 16.79%  |
| April                         | 12,288  | 37.57%  | 1,616   | 34.78%                        | 4,271  | 29.52%  | 15,886 | 34.51%  |
| May                           | 13,790  | 47.63%  | 16,471  | 43.53%                        | 9,843  | 43.68%  | 16,826 | 53.27%  |
| June                          | 2,049   | 49.13%  | 34,820  | 62.03%                        | 13,154 | 62.59%  | 10,186 | 64.64%  |
| July                          | 25,391  | 67.66%  | 15,591  | 70.31%                        | 3,078  | 67.02%  | 7,206  | 72.67%  |
| August                        | 19,551  | 81.92%  | 15,752  | 78.68%                        | 2,559  | 70.70%  | 9,183  | 82.91%  |
| September                     | 4,084   | 84.90%  | 15,532  | 86.93%                        | 6,589  | 80.17%  | 1,155  | 84.20%  |
| October                       | 5,379   | 88.83%  | 3,562   | 88.83%                        | 1,136  | 81.81%  | 7,026  | 92.04%  |
| November                      | 11,692  | 97.36%  | 15,249  | 96.93%                        | 6,341  | 90.92%  | 5,513  | 98.19%  |
| December                      | 3,620   | 100.00% | 5,783   | 100.00%                       | 6,312  | 100.00% | 1,625  | 100.00% |
| TOTAL                         | 137,046 | 688.71% | 188,222 | 37.34%                        | 69,545 | -63.05% | 89,660 | 28.92%  |

NOTES: The 2003 and 2004 increases are attributed to a more aggressive pursuit of bond forfeiture judgments. Forfeitures decreased in 2005 because collecting and processing the backlog from previous years had been completed. Revenues are expected to remain at or near the 2005 level, as collections on forfeitures are now being processed as they occur.

## CITY COURT TRAFFIC FINES

| REVENUE TYPE       | FUND . . OBJECT                |
|--------------------|--------------------------------|
| Fines and Forfeits | City            001 . . 450103 |

### LEGAL AUTHORIZATION

| FEDERAL | STATE                               | LOCAL  |
|---------|-------------------------------------|--|
| N/A     | Louisiana Revised Statutes<br>32:41 | Code of Ordinances, Title 11<br><br><i>En Banc</i> Order of City Court,<br>effective 11/5/02 |

### INTERPRETATION OF LEGAL AUTHORIZATION:

**Federal:** N/A.

**State:** **L.R.S. 32:41** gives local municipal authorities the power to adopt ordinances regulating traffic on highways other than state-maintained highways within their corporate limits. They may also adopt ordinances regulating traffic on state-maintained highways within their corporate limits as long as such ordinances do not establish regulations different from or in addition to the provisions of this statute, unless such additions or supplements are approved in writing by the Department of Public Safety. In addition, this statute allows the municipal ordinance to provide for such penalties as are consistent with the authority granted by the local municipal charter or state statute under which the municipal government operates.

**Local:** **Title 11 (Traffic Code) of the Code of Ordinances** of the City of Baton Rouge and the Parish of East Baton Rouge provides for the enforcement of street traffic regulations in the city and all of the state vehicle laws applicable to street traffic in the city by the Traffic Division of the Police Department. The ***en banc* order of November 5, 2002**, provides the most recent fines schedule for traffic violations.

### COLLECTION AND TRANSMITTAL OF FUNDS:

**Collector:** The Clerk of City Court.

**Transmittal:** Remitted daily to Finance Department–Accounting Division.

### DISTRIBUTION OF PROCEEDS:

Not applicable.

### PAYOR OF FEE:

Every driver of any type of vehicle, as well as certain non-motorized traffic, is required to obey the traffic ordinances of the city and the state. **Drivers found guilty of violating a traffic ordinance** may be sentenced to pay a fine.

### COMPUTATION OF FEE:

The City Court *en banc* order effective November 5, 2002, set forth a schedule of fines to be imposed for traffic infractions unless otherwise specifically ordered by the assigned judge, which schedule is on file in the Budgeting Division of the Finance Department.

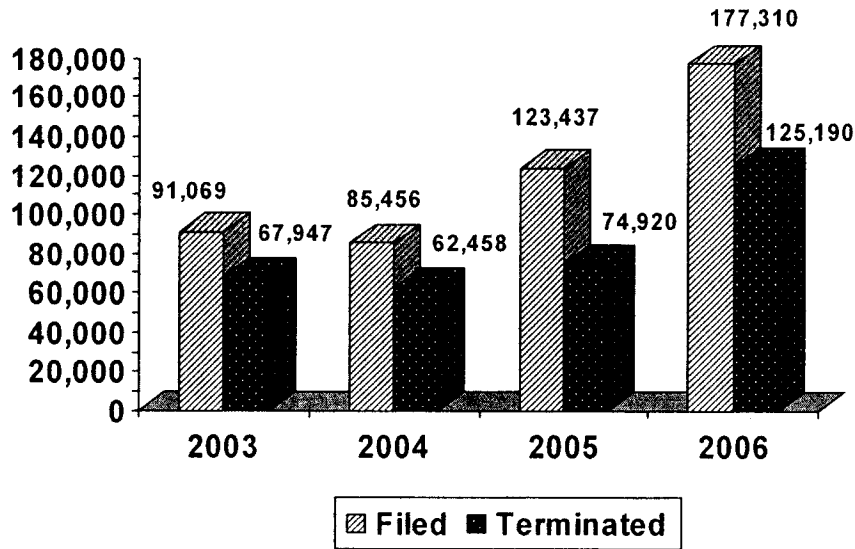
### REFUND PROCEDURE, RESTRICTIONS, AND RATE LIMITATIONS:

None.

**MONTHLY COLLECTIONS WITH CUMULATIVE PERCENTAGES FOR THE LAST FOUR YEARS:**

| CITY COURT TRAFFIC FINES (CITY) |                  |                |                  | ACCOUNT NUMBER 001 . . 450103 |                  |               |                  |               |
|---------------------------------|------------------|----------------|------------------|-------------------------------|------------------|---------------|------------------|---------------|
| MONTH                           | 2003             |                | 2004             |                               | 2005             |               | 2006             |               |
|                                 | AMOUNT           | %              | AMOUNT           | %                             | AMOUNT           | %             | AMOUNT           | %             |
| January                         | 89,003           | 8.53%          | 81,047           | 7.98%                         | 71,057           | 5.51%         | 142,042          | 7.03%         |
| February                        | 105,839          | 18.68%         | 101,235          | 17.94%                        | 98,648           | 13.16%        | 183,384          | 16.11%        |
| March                           | 105,552          | 28.79%         | 112,948          | 29.05%                        | 107,359          | 21.49%        | 252,954          | 28.64%        |
| April                           | 80,448           | 36.51%         | 89,669           | 37.88%                        | 93,152           | 28.72%        | 153,712          | 36.25%        |
| May                             | 79,400           | 44.12%         | 84,479           | 46.19%                        | 93,569           | 35.98%        | 180,905          | 45.21%        |
| June                            | 72,033           | 51.02%         | 87,361           | 54.79%                        | 101,208          | 43.83%        | 162,306          | 53.25%        |
| July                            | 91,365           | 59.78%         | 92,009           | 63.85%                        | 112,178          | 52.53%        | 147,048          | 60.53%        |
| August                          | 80,910           | 67.53%         | 76,968           | 71.42%                        | 101,364          | 60.39%        | 176,116          | 69.25%        |
| September                       | 85,841           | 75.76%         | 72,913           | 78.60%                        | 123,150          | 69.95%        | 154,699          | 76.91%        |
| October                         | 92,651           | 84.64%         | 72,717           | 85.75%                        | 122,278          | 79.43%        | 159,064          | 84.79%        |
| November                        | 75,534           | 91.88%         | 64,099           | 92.06%                        | 115,222          | 88.37%        | 162,781          | 92.85%        |
| December                        | 84,675           | 100.00%        | 80,679           | 100.00%                       | 149,903          | 100.00%       | 144,480          | 100.00%       |
| <b>TOTAL</b>                    | <b>1,043,251</b> | <b>-11.62%</b> | <b>1,016,124</b> | <b>-2.60%</b>                 | <b>1,289,088</b> | <b>26.86%</b> | <b>2,019,491</b> | <b>98.74%</b> |

NOTE: Fluctuations in revenues from traffic fines result in part from number of tickets issued. The large increase for 2005 may be attributed to increased enforcement by the Police department, as well as an increase in population in the last third of 2005 due to Hurricane Katrina. Traffic cases filed and terminated, including DWI and parking cases, were as follows:



Other factors that influence collections are the fact that the amounts of the standard fines for each offense are changed from time to time by order of the City Court judges, and the fact that the judges may impose or suspend the fine in any given case.

## ABC BOARD FINES

| REVENUE TYPE       | FUND . . OBJECT   |
|--------------------|---|
| Fines and Forfeits | City            001 . . 451300<br>Parish         002 . . 451300 |

### LEGAL AUTHORIZATION

| FEDERAL | STATE                                  | LOCAL  |
|---------|--|--|
| N/A     | Louisiana Revised Statutes<br>Title 26 | Code of Ordinances<br>Title 1, § 1:150-154<br>Ordinance 13126, 11/23/04<br>ABC Board Order, 3/19/92,<br>as amended |

### INTERPRETATION OF LEGAL AUTHORIZATION:

**Federal:** N/A.

**State:** **Title 26 of the Louisiana Revised Statutes** is the state Alcoholic Beverage Control Law, which regulates all aspects of alcoholic beverages and their manufacture, sale, dispensing, consumption, etc., in the state.

**Local:** **Title 1, § 1:150, of the Code of Ordinances**, provides for the creation of the Alcoholic Beverage Control Board for the purpose of regulating all premises licensed or permitted to sell or serve wine, beer, or liquor and specifies the procedures for the various Board actions, including denial, revocation, or suspension of a liquor permit. **Section 1:152** grants to the ABC Board the authority to levy any fine for certain specified causes, including violation of any ordinance that regulates the sale or distribution or processing of alcoholic beverages or that regulates premises licensed to sell, distribute, or process alcoholic beverages. **Ordinance 13126**, adopted November 23, 2004, is the current **Wine, Beer, and Liquor Ordinance**. This is the ordinance that regulates the sale, dispensing, and consumption of alcoholic beverages. **The ABC Board Order** of 3/19/92, as amended, establishes and sets out the **Fines Schedule** for the imposition and collection of fines and penalties to be assessed against applicants, permit holders, or licensees who are found guilty of violations of the Wine, Beer, and Liquor Ordinance.

### COLLECTION AND TRANSMITTAL OF FUNDS:

**Collector:** Parish Attorney's Office.

**Transmittal:** Deposited daily, with cash receipt form sent to Finance Department–Revenue Division.

### PAYOR OF FEE:

**Any person found guilty by the ABC Board of a violation of the Wine, Beer, and Liquor Ordinance** may be ordered to pay a fine.

### COMPUTATION OF FEE:

See the Fines Schedule on file in the Finance Department–Budgeting Division. In addition, if a fine is not paid within the prescribed time, penalties and subpoena costs may be assessed.

### COMPUTATION OF FEE:

The maximum fine that may be assessed is \$500.00, except in certain cases of sale of liquor to minors, when there is a mandatory fine of \$750 or \$1,000.

## MONTHLY COLLECTIONS WITH CUMULATIVE PERCENTAGES FOR THE LAST FOUR YEARS:

| ABC BOARD FINES (CITY) |        |         |        | ACCOUNT NUMBER 001 . . 451300 |        |         |        |         |
|------------------------|--------|---------|--------|-------------------------------|--------|---------|--------|---------|
| MONTH                  | 2003   |         | 2004   |                               | 2005   |         | 2006   |         |
|                        | AMOUNT | %       | AMOUNT | %                             | AMOUNT | %       | AMOUNT | %       |
| January                | 450    | 3.73%   | 500    | 4.23%                         | 2,950  | 7.22%   | 6,000  | 8.53%   |
| February               | 4,299  | 39.32%  | 4,722  | 44.15%                        | 5,182  | 19.90%  | 7,638  | 19.39%  |
| March                  | 1,950  | 55.46%  | 1,095  | 53.41%                        | 4,900  | 31.89%  | 6,485  | 28.61%  |
| April                  | 570    | 60.18%  | 995    | 61.82%                        | 6,000  | 46.58%  | 2,250  | 31.81%  |
| May                    | 150    | 61.42%  | 650    | 67.31%                        | 3,500  | 55.14%  | 5,545  | 39.70%  |
| June                   | 495    | 65.52%  | 750    | 73.66%                        | 1,380  | 58.52%  | 6,460  | 48.88%  |
| July                   | 1,150  | 75.04%  | 1,375  | 85.28%                        | 2,300  | 64.15%  | 4,435  | 55.19%  |
| August                 | 300    | 77.52%  | 141    | 86.47%                        | 2,800  | 71.00%  | 7,295  | 65.56%  |
| September              | 1,190  | 87.37%  | 50     | 86.90%                        | 1,000  | 73.45%  | 6,750  | 75.16%  |
| October                | 100    | 88.20%  | 400    | 90.28%                        | 2,800  | 80.30%  | 10,610 | 90.25%  |
| November               | 225    | 90.07%  | 900    | 97.89%                        | 5,800  | 94.49%  | 6,460  | 99.43%  |
| December               | 1,200  | 100.00% | 250    | 100.00%                       | 2,250  | 100.00% | 400    | 100.00% |
| TOTAL                  | 12,079 |         | 11,828 |                               | 40,862 |         | 70,328 |         |

| ABC BOARD FINES (PARISH) |        |         |        | ACCOUNT NUMBER 002 . . 451300 |        |         |        |         |
|--------------------------|--------|---------|--------|-------------------------------|--------|---------|--------|---------|
| MONTH                    | 2003   |         | 2004   |                               | 2005   |         | 2006   |         |
|                          | AMOUNT | %       | AMOUNT | %                             | AMOUNT | %       | AMOUNT | %       |
| January                  | 675    | 9.70%   | 150    | 1.89%                         | 0      | 0.00%   | 0      | 0.00%   |
| February                 | 3,352  | 57.84%  | 1,280  | 18.04%                        | 3,472  | 62.21%  | 2,073  | 25.43%  |
| March                    | 400    | 63.59%  | 700    | 26.87%                        | 250    | 66.69%  | 1,383  | 42.40%  |
| April                    | 200    | 66.46%  | 250    | 30.03%                        | 145    | 69.29%  | 145    | 44.18%  |
| May                      | 450    | 72.92%  | 0      | 30.03%                        | 0      | 69.29%  | 0      | 44.18%  |
| June                     | 450    | 79.39%  | 895    | 41.32%                        | 19     | 69.63%  | 750    | 53.38%  |
| July                     | 600    | 88.01%  | 25     | 41.64%                        | 0      | 69.63%  | 0      | 53.38%  |
| August                   | 400    | 93.75%  | 100    | 42.90%                        | 145    | 72.23%  | 0      | 53.38%  |
| September                | 100    | 95.19%  | 276    | 46.38%                        | 0      | 72.23%  | 0      | 53.38%  |
| October                  | 185    | 97.85%  | 2,050  | 72.24%                        | 500    | 81.19%  | 2,050  | 78.53%  |
| November                 | 0      | 97.85%  | 750    | 81.71%                        | 1,050  | 100.00% | 1,750  | 100.00% |
| December                 | 150    | 100.00% | 1,450  | 100.00%                       | 0      | 100.00% | 0      | 100.00% |
| TOTAL                    | 6,962  |         | 7,926  |                               | 5,581  |         | 8,151  |         |
| COMB/% Chg               | 19,041 | -28.55% | 19,754 | 3.74%                         | 46,443 | 135.11% | 78,479 | 68.98%  |

NOTE: The main reason for the decrease in 2003 is that there were fewer arrests for violations of the Wine, Beer, and Liquor Ordinance.

Revenues increased dramatically in 2005 and 2006 due to the imposition of the mandatory fines set forth in sections 9.B and 9.C of the Wine, Beer, and Liquor Ordinance, as well as an overall increase in individual fines for all classes of offenses.