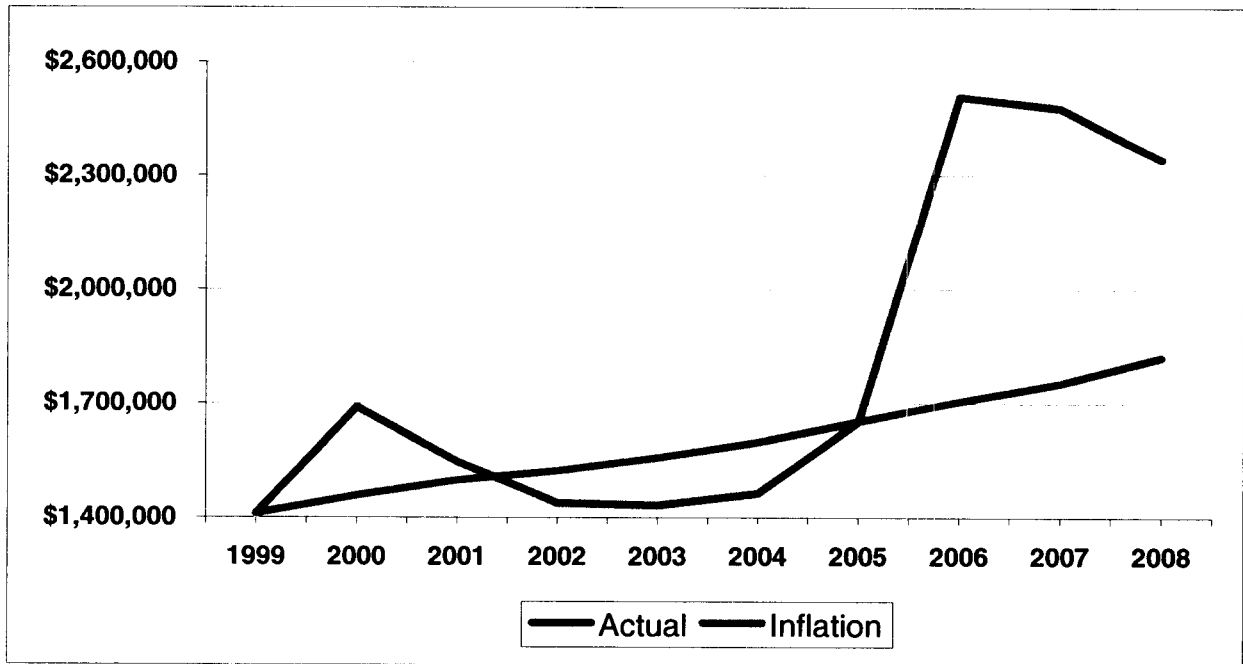


# FINES & FORFEITS



Year	Average CPI-U	Actual	Inflation
1999	166.6	\$1,409,358	\$1,409,358
2000	172.2	1,689,015	1,456,731
2001	177.0	1,546,660	1,497,337
2002	179.9	1,438,317	1,521,870
2003	184.0	1,431,893	1,556,554
2004	188.9	1,463,484	1,598,006
2005	195.3	1,652,475	1,652,147
2006	201.6	2,507,568	1,705,442
2007	207.3	2,476,517	1,753,661
2008	215.2	2,342,771	1,820,491

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. Collections increased substantially in 2006 due largely to the increase in various City Court fines that resulted at least in part from the sudden increase in population because of the influx of Hurricane Katrina evacuees.

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**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 13:1872, et seq. 13:2002 15:571.11 L (3) 15:571.11 O	<i>Plan of Government</i> Section 11:04

**INTERPRETATION OF LEGAL AUTHORIZATION:**

**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 L (3) 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. L.R.S. 15:571.11 O allows the payment of fines by credit card.

**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.

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

CITY COURT CRIMINAL FINES (CITY)				ACCOUNT NUMBER 001 . . 450101				
MONTH	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	18,649	7.54%	24,194	7.56%	31,083	9.48%	34,644	11.59%
February	25,863	18.00%	28,998	16.63%	31,509	19.10%	37,005	23.97%
March	23,835	27.63%	48,672	31.84%	35,321	29.88%	37,149	36.40%
April	17,050	34.52%	24,124	39.38%	33,319	40.04%	27,126	45.47%
May	16,999	41.40%	25,328	47.30%	23,048	47.08%	25,896	54.13%
June	20,451	49.67%	25,504	55.27%	25,676	54.91%	21,251	61.24%
July	19,928	57.72%	23,568	62.63%	26,632	63.04%	20,172	67.99%
August	16,457	64.38%	28,160	71.44%	27,797	71.52%	16,605	73.54%
September	23,626	73.93%	23,826	78.88%	26,663	79.65%	17,281	79.32%
October	25,942	84.42%	24,009	86.39%	25,360	87.39%	24,179	87.41%
November	20,762	92.81%	24,882	94.16%	23,685	94.62%	17,580	93.29%
December	17,787	100.00%	18,673	100.00%	17,635	100.00%	20,047	100.00%
TOTAL	247,349	3.33%	319,938	29.35%	327,728	2.43%	298,935	-6.56%

NOTE: 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	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	2,679	3.85%	4,778	5.33%	16,080	14.63%	741	1.14%
February	1,278	5.69%	3,506	9.24%	5,151	19.32%	4,900	8.67%
March	12,305	23.38%	6,770	16.79%	2,464	21.56%	319	9.16%
April	4,271	29.52%	15,886	34.51%	3,964	25.17%	7,015	19.93%
May	9,843	43.68%	16,826	53.27%	10,706	34.91%	700	21.01%
June	13,154	62.59%	10,186	64.64%	6,059	40.43%	5,175	28.96%
July	3,078	67.02%	7,206	72.67%	2,779	42.95%	7,950	41.17%
August	2,559	70.70%	9,183	82.91%	15,144	56.74%	6,727	51.51%
September	6,589	80.17%	1,155	84.20%	1,576	58.17%	668	52.53%
October	1,136	81.81%	7,026	92.04%	6,100	63.72%	1,200	54.38%
November	6,341	90.92%	5,513	98.19%	15,043	77.41%	10,322	70.23%
December	6,312	100.00%	1,625	100.00%	24,825	100.00%	19,377	100.00%
TOTAL	69,545	-63.05%	89,660	28.92%	109,891	22.56%	65,094	-27.40%

NOTE: In 2004, forfeitures experienced an increase due to a more aggressive pursuit of bond forfeiture judgments. Therefore, 2005 forfeitures reflect a decrease because collecting and processing the backlog from previous years had been completed.

## CITY COURT TRAFFIC FINES

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

### LEGAL AUTHORIZATION

FEDERAL	STATE	LOCAL
N/A	Louisiana Revised Statutes 32:41 15:571.11 (O)	Code of Ordinances, Title 11 <i>En Banc</i> Order of City Court, effective 01/01/09

### INTERPRETATION OF LEGAL AUTHORIZATION:

**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. **L.R.S. 15:571 O** allows payment of fines by credit card.

**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 January 1, 2009**, 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.

### 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.

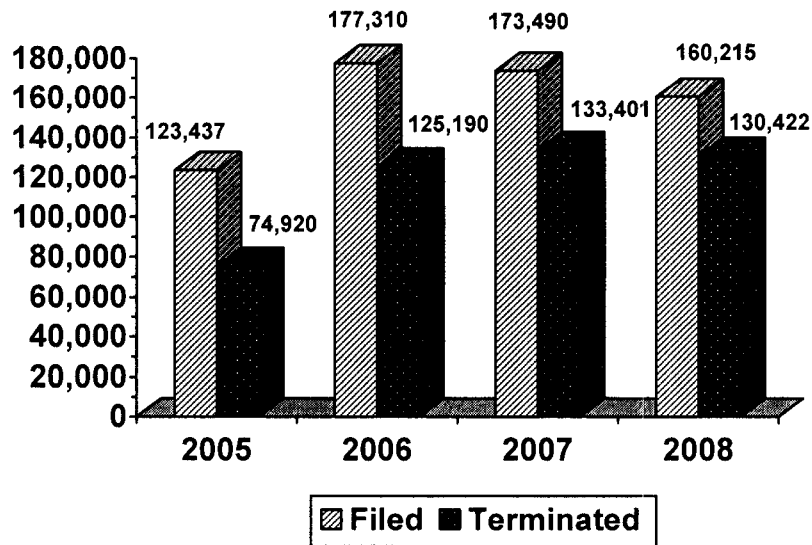
### COMPUTATION OF FEE:

The City Court *en banc* order effective January 1, 2009, 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.

MONTHLY COLLECTIONS WITH CUMULATIVE PERCENTAGES FOR THE LAST FOUR YEARS:

CITY COURT TRAFFIC FINES (CITY)				ACCOUNT NUMBER 001 . . 450103				
MONTH	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	71,057	5.51%	142,042	7.03%	163,878	8.54%	160,467	8.58%
February	98,648	13.16%	183,384	16.11%	162,390	17.00%	170,329	17.68%
March	107,359	21.49%	252,954	28.64%	163,065	25.50%	188,246	27.74%
April	93,152	28.72%	153,712	36.25%	160,317	33.86%	163,982	36.50%
May	93,569	35.98%	180,905	45.21%	157,595	42.07%	159,204	45.01%
June	101,208	43.83%	162,306	53.25%	146,431	49.70%	157,208	53.41%
July	112,178	52.53%	147,048	60.53%	156,965	57.88%	165,164	62.24%
August	101,364	60.39%	176,116	69.25%	184,696	67.51%	150,735	70.29%
September	123,150	69.95%	154,699	76.91%	158,649	75.78%	121,626	76.79%
October	122,278	79.43%	159,064	84.79%	183,780	85.36%	160,497	85.37%
November	115,222	88.37%	162,781	92.85%	147,559	93.05%	131,099	92.38%
December	149,903	100.00%	144,480	100.00%	133,386	100.00%	142,608	100.00%
TOTAL	1,289,088	26.86%	2,019,491	56.66%	1,918,711	-4.99%	1,871,165	-2.48%

NOTE: Fluctuations in revenues from traffic fines result in part from number of tickets issued. 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. Traffic cases filed and terminated, including DWI and parking cases, were as follows:



## PARISH PARKING FINES

REVENUE TYPE	FUND . . OBJECT
Fines and Forfeits	Parish            002 . . 451004

### LEGAL AUTHORIZATION

FEDERAL	STATE	LOCAL
N/A	Louisiana Revised Statutes 32:41 32:42	Code of Ordinances, Title 11, Chapter 28 <i>En Banc</i> Order of City Court, effective 01/01/09

### INTERPRETATION OF LEGAL AUTHORIZATION:

**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. **L.R.S. 32:42** confers the same powers on local parochial authorities for the regulation of traffic on public roads within their territorial limits but outside corporate limits of any municipality.

**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 local and state traffic regulations. Chapter 28, §11:401 (a) provides that the city police chief is responsible for the enforcement of parking laws inside the corporate limits of the city of Baton Rouge, and that the EBRP Sheriff is responsible for the enforcement of parking laws and ordinances in all areas of the parish, including the corporate limits of a municipality. Chapter 28, §11:401 (c) provides that the Clerk of City Court is responsible for the collection of all monetary penalties imposed under this ordinance except those imposed following an adjudicatory hearing before a Justice of the Peace. The *en banc* order of January 1, 2009, provides the most recent fines schedule.

### COLLECTION AND TRANSMITTAL OF FUNDS:

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

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

### DISTRIBUTION OF PROCEEDS:

This account was set up to receive the 40% of fines from parking tickets issued by the Sheriff. The remaining 60% is sent to the Sheriff's Office.

### 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 a parking violation** must pay a fine.

### COMPUTATION OF FEE:

The City Court *en banc* order effective January 1, 2009, 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.

MONTHLY COLLECTIONS WITH CUMULATIVE PERCENTAGES FOR THE LAST FOUR YEARS:

PARISH PARKING FINES (PARISH)				ACCOUNT NUMBER 002 . . 451004				
MONTH	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	0	0.00%	0	0.00%	0	0.00%	1,660	6.20%
February	0	0.00%	0	0.00%	0	0.00%	2,120	14.11%
March	0	0.00%	0	0.00%	0	0.00%	3,470	27.07%
April	0	0.00%	0	0.00%	0	0.00%	3,360	39.62%
May	0	0.00%	0	0.00%	0	0.00%	0	39.62%
June	0	0.00%	0	0.00%	0	0.00%	0	39.62%
July	0	0.00%	0	0.00%	0	0.00%	0	39.62%
August	0	0.00%	0	0.00%	0	0.00%	9,407	74.74%
September	0	0.00%	0	0.00%	0	0.00%	0	74.74%
October	0	0.00%	0	0.00%	0	0.00%	1,400	79.97%
November	0	0.00%	0	0.00%	0	0.00%	3,364	92.53%
December	0	0.00%	0	0.00%	48,505	100.00%	2,000	100.00%
TOTAL	0	0.00%	0	0.00%	48,505	100.00%	26,781	-44.79%

NOTE: The Sheriff began issuing parking tickets in 2007, and this account was set up at that time to receive the City-Parish's 40% share of the fines from tickets issued by the Sheriff. Fluctuations in revenues from traffic fines result in part from number of tickets issued.

## ABC BOARD FINES

REVENUE TYPE	FUND . . OBJECT
Fines and Forfeits	City            001 . . 451300 Parish          002 . . 451300

### LEGAL AUTHORIZATION

FEDERAL	STATE	LOCAL
N/A	Louisiana Revised Statutes Title 26	Code of Ordinances Title 1, § 1:150-154  Ordinance 14472, 08/27/08  ABC Board Order, 3/19/92, as amended

### INTERPRETATION OF LEGAL AUTHORIZATION:

**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 parish 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 14472**, adopted August 27, 2008, 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.

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

ABC BOARD FINES (CITY)				ACCOUNT NUMBER 001 . . 451300				
MONTH	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	2,950	7.22%	6,000	8.53%	1,750	3.02%	1,325	2.15%
February	5,182	19.90%	7,638	19.39%	4,584	10.92%	6,976	13.49%
March	4,900	31.89%	6,485	28.61%	4,081	17.96%	4,995	21.60%
April	6,000	46.58%	2,250	31.81%	7,466	30.83%	6,252	31.76%
May	3,500	55.14%	5,545	39.70%	6,625	42.25%	6,716	42.68%
June	1,380	58.52%	6,460	48.88%	5,750	52.16%	1,320	44.82%
July	2,300	64.15%	4,435	55.19%	11,905	72.68%	7,290	56.67%
August	2,800	71.00%	7,295	65.56%	745	73.97%	5,000	64.79%
September	1,000	73.45%	6,750	75.16%	2,920	79.00%	4,012	71.31%
October	2,800	80.30%	10,610	90.25%	6,610	90.40%	8,085	84.45%
November	5,800	94.49%	6,460	99.43%	2,660	94.98%	6,800	95.49%
December	2,250	100.00%	400	100.00%	2,910	100.00%	2,773	100.00%
TOTAL	40,862		70,328		58,006		61,544	

ABC BOARD FINES (PARISH)				ACCOUNT NUMBER 002 . . 451300				
MONTH	2005		2006		2007		2008	
	\$	%	\$	%	\$	%	\$	%
January	0	0.00%	0	0.00%	750	5.48%	0	0.00%
February	3,472	62.21%	2,073	25.43%	3,540	31.37%	3,002	15.59%
March	250	66.69%	1,383	42.40%	891	37.88%	1,325	22.48%
April	145	69.29%	145	44.18%	550	41.91%	0	22.48%
May	0	69.29%	0	44.18%	0	41.91%	655	25.88%
June	19	69.63%	750	53.38%	500	45.56%	9,500	75.22%
July	0	69.63%	0	53.38%	4,175	76.09%	0	75.22%
August	145	72.23%	0	53.38%	0	76.09%	760	79.17%
September	0	72.23%	0	53.38%	3,270	100.00%	250	80.47%
October	500	81.19%	2,050	78.53%	0	100.00%	2,250	92.16%
November	1,050	100.00%	1,750	100.00%	0	100.00%	0	92.16%
December	0	100.00%	0	100.00%	0	100.00%	1,510	100.00%
TOTAL	5,581		8,151		13,676		19,252	
COMB/% Chg	46,443	135.11%	78,479	68.98%	71,682	-8.66%	80,796	12.71%

NOTE: 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.