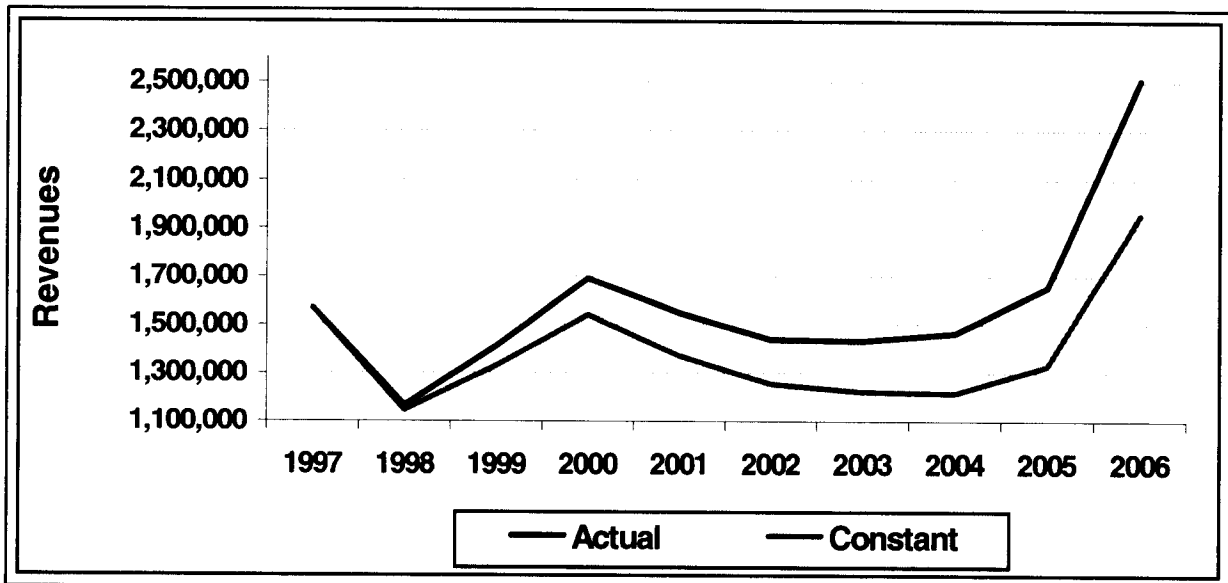


FINES & FORFEITS



GENERAL FUND FINES & FORFEITS

Year	Avg. 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.

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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)	<i>Plan of Government</i> 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 32:41	Code of Ordinances, Title 11 <i>En Banc</i> Order of City Court, 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.

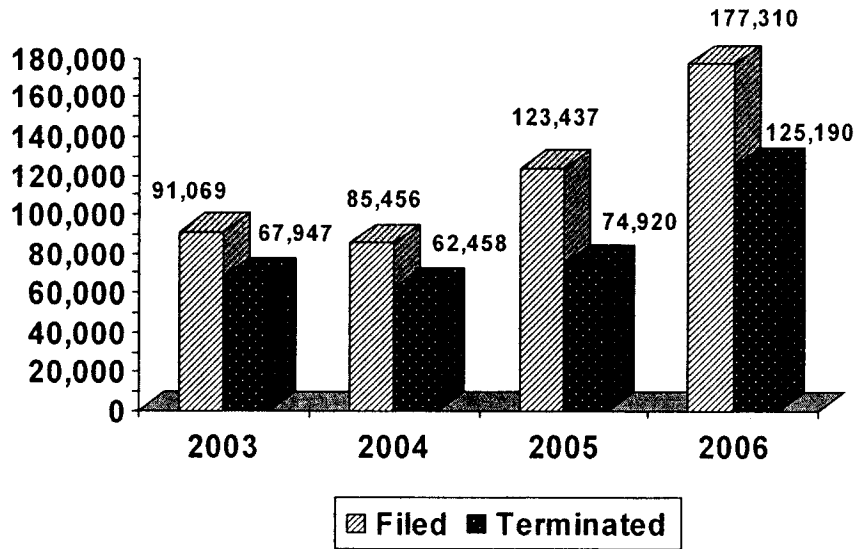
REFUND PROCEDURE, RESTRICTIONS, AND RATE LIMITATIONS:

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%
TOTAL	1,043,251	-11.62%	1,016,124	-2.60%	1,289,088	26.86%	2,019,491	98.74%

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 Parish 002 . . 451300

LEGAL AUTHORIZATION

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