



Criminal and Traffic Surcharges Imposed and Collected, 2010-2015

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Current Minnesota Statute 357.021 subd. 6 states, “the court shall impose and the court administrator shall collect a \$75 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense.” **Table 1** shows cases (which includes one or more charges) sentenced in years 2010-2015 where the criminal/traffic surcharge was imposed (though the surcharge amount varies depending on the date of the offense), differentiated by whether the defendant had been represented by a public defender at any point in the case.

The surcharge revenue collection rate (the surcharge revenue collected from the year of sentence through August 2018 divided by the total imposed) for cases sentenced 2010-2015 ranged from 94.2% for cases sentenced in 2010 to 87.3% in cases sentenced in 2015. In each category, the surcharge revenue collection rate trends upward as the time since sentence year (and thus the length of the collection period) increases.

**TABLE 1. Criminal/Traffic Surcharge Imposed and Revenue Collected
(through Aug-2018) on Cases Sentenced 2010-2015**

		<i>Non-Public Defender Cases</i>	<i>Public Defender Cases</i>	<i>Total</i>
2010	Number of Cases	595,807	52,487	648,294
	Surcharges Imposed, Total	\$44,216,990	\$2,767,491	\$46,984,480
	Surcharge Revenue Collected, Total	\$42,732,236	\$1,537,472	\$44,269,708
	Surcharge Revenue Collection Rate	96.6%	55.6%	94.2%
2011	Number of Cases	541,735	53,733	595,468
	Surcharges Imposed, Total	\$40,327,926	\$2,910,561	\$43,238,486
	Surcharge Revenue Collected, Total	\$38,765,678	\$1,505,705	\$40,271,383
	Surcharge Revenue Collection Rate	96.1%	51.7%	93.1%
2012	Number of Cases	539,706	56,335	596,041
	Surcharges Imposed, Total	\$40,166,886	\$3,081,899	\$43,248,784
	Surcharge Revenue Collected, Total	\$38,537,099	\$1,548,057	\$40,085,156
	Surcharge Revenue Collection Rate	95.9%	50.2%	92.7%
2013	Number of Cases	513,534	58,151	571,685
	Surcharges Imposed, Total	\$38,298,785	\$3,252,475	\$41,551,260
	Surcharge Revenue Collected, Total	\$36,657,817	\$1,595,405	\$38,253,221
	Surcharge Revenue Collection Rate	95.7%	49.1%	92.1%
2014	Number of Cases	464,105	60,210	524,315
	Surcharges Imposed, Total	\$34,194,332	\$3,815,058	\$38,009,390
	Surcharge Revenue Collected, Total	\$32,586,192	\$1,754,746	\$34,340,938
	Surcharge Revenue Collection Rate	95.3%	46.0%	90.3%
2015	Number of Cases	415,512	59,302	474,814
	Surcharges Imposed, Total	\$30,117,163	\$3,892,466	\$34,009,630
	Surcharge Revenue Collected, Total	\$28,056,229	\$1,621,973	\$29,678,202
	Surcharge Revenue Collection Rate	93.2%	41.7%	87.3%



Surcharge collection was significantly higher each year for *non-public defender cases*, ranging from **96.6% in 2010** sentenced cases to **93.2% in 2015** sentenced cases. The surcharge revenue collection rate for cases where the defendant had been represented by a *public defender* at any point in the case ranged from **55.6% for 2010** cases to **41.7% for 2015** cases.

At least some of the surcharge revenue collected in Table 1 followed at least one “collections” related event (i.e., some part of an unpaid balance was referred to a collections agency to be collected, typically the Department of Revenue). Currently available data do not allow for distinguishing collections referrals related to unpaid surcharges from other unpaid balances (fines, fees, etc.), therefore **Table 2** shows the percent of cases with at least one collections-related event differentiated by whether the defendant had been represented by a public defender at any point in that case and the year sentenced. Consistent with Table 1, public defender cases were significantly more likely to have a collections related event than non-public defender cases.

	<i>Non-Public Defender Cases</i>	<i>Public Defender Cases</i>	<i>Total</i>
2010	17.9%	62.2%	21.5%
2011	15.8%	61.8%	20.0%
2012	15.2%	59.2%	19.3%
2013	15.3%	59.1%	19.8%
2014	12.5%	63.6%	18.3%
2015	12.7%	63.3%	19.1%

Data: Data was received through a data request from the Minnesota State Court Administrator’s Office. Due to data quality, public defender status in some cases was imputed based on available secondary indicators when primary indicators were not present. Further, “Public Defender Cases” includes cases in which a public defender represented the defendant *at any point*, thus if a defendant hired a private attorney after they were represented by a public defender, they would be included.

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