

December 2021

Legal Financial Obligations in Washington State: *Background, Statutes, and 50-State Review*

The 2021 Washington State Legislature directed the Washington State Institute for Public Policy (WSIPP) to study legal financial obligations (LFOs)—monetary sanctions imposed on individuals convicted of a crime—in Washington State.¹

The legislature directed WSIPP to study the following:

- 1) Amounts of LFOs imposed and collected,
- 2) Statutes that allow for LFO imposition,
- 3) Court budget process and its relationship to LFOs,
- 4) Programs funded by LFOs in WA, and
- 5) How other states fund their court systems, and whether they use LFOs.

WSIPP is required to produce two reports (see the [WSIPP Study Assignment](#) box on the next page). This preliminary report provides background and context surrounding the use of LFOs in Washington State and addresses two topics within the larger assignment.

[Section I](#) introduces WSIPP's assignment and describes the current policy context. [Section II](#) presents a discussion and summary of Washington statutes that allow for the imposition of LFOs. [Section III](#) examines how other states fund their court systems, including using LFOs. [Section IV](#) summarizes the report and discusses limitations. Finally, [Section V](#) outlines research plans for WSIPP's final report on LFOs. The final report is due to the Legislature by December 2022.

Summary

Legal financial obligations (LFOs) are monetary sanctions imposed on individuals convicted of a crime. The 2021 Washington State Legislature directed WSIPP to study LFOs.

In Washington, mandatory LFOs must be imposed for each misdemeanor or felony conviction. Recent research from the Administrative Office of the Courts (AOC) indicates that nearly 90% of LFOs imposed by superior courts from 2014-2016 went uncollected during the same time. This suggests that courts were not collecting revenue and individuals with outstanding LFOs remained involved with the criminal justice system.

In this preliminary report, WSIPP studied statutes that allow for the imposition of LFOs and how other states fund their court systems. We found the following:

- 376 unique references to LFOs across 250 RCWs.
- Four LFOs are mandatory for convictions in a superior court and three are mandatory in courts of limited jurisdiction.
- Every state allows for the imposition of LFOs, but it is unclear how LFOs are connected to court funding in other states.
- In 2019, local funding accounted for a higher percentage of Washington's judicial spending than in 41 other states.

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¹ Engrossed Substitute Senate Bill 5092. Chapter 334, Laws of 2021.

This report does not address the amount of LFOs imposed and collected (parts a and b of the legislative assignment), nor does it discuss the relationships between LFOs and court budgets (part d) or programs funded by LFOs (part e). WSIPP plans to address those questions in the final report.

WSIPP Study Assignment

*Study legal financial obligations as defined in RCW 9.94A.030 and make a preliminary report to the legislature by **December 1, 2021**, and a final report by **December 1, 2022**.*

The study should explore the following topics:

- a) The amounts of legal and financial obligations imposed over the last three years;*
- b) The total amounts of outstanding and the total amounts collected annually, including annual collection rates; including all restitution, costs, fees, fines, penalty assessments, and interest, disaggregated;*
- c) Statutes which allow for the imposition of legal and financial obligations;*
- d) The percentage of the judicial branch's budget which has been supported by legal and financial obligations since the system's inception;*
- e) The programs funded by legal financial obligations; and*
- f) How other states fund their court system including but not limited to whether they use legal financial obligations to provide support.*

ESSB 5092, Chapter 334, Laws of 2021, Section 610

I. Background

In this section, we provide background on monetary sanctions and the related policy context in Washington. First, we define LFOs and give a brief overview of relevant literature. Second, we describe Washington's court system and highlight the role of LFOs. Lastly, we discuss recent LFO policy changes in Washington and explain their relationship to the court system.

What are LFOs?

In the United States, upon conviction for a crime in a trial court, an individual may incur monetary sanctions as part of their sentence. These monetary sanctions, which can include fines, fees, restitution, and any surcharges associated with their case (see [Glossary of Terms](#) on the next page), are commonly known as legal financial obligations (LFOs). In some instances, the term LFO is a catch-all for any monetary sanction, including parking tickets, non-criminal moving violations, and other civil violations. However, this report series focuses only on LFOs associated with an adult criminal charge.² In Washington, everyone convicted of a crime receives an LFO unless they meet specific criteria (see [Impacts on Individuals](#) and [Section II](#) below). LFOs in Washington do not expire. If an individual fails to pay off their LFO, they remain under court jurisdiction.³

² While the legislative assignment directs WSIPP to study LFOs imposed by superior courts, as defined in [RCW 9.94A.030](#), we also include LFOs applied to misdemeanor cases in all court levels. WSIPP chose this focus based on legislative input, other RCWs related to LFOs in lower courts, and conversations with judges, court clerks, prosecutors, academic researchers, the Administrative Office of the Courts

(AOC), and other relevant stakeholders. Representative Tarra Simmons, Washington State House of Representatives, 23rd Legislative District (personal communication, July 2021) and [1989 Session Laws of the State of Washington. Chapter 252, Laws of 1989](#).

³ [RCW 9.94A.760\(5\)](#).

[History of LFOs in the U.S. and Washington State](#)

LFO Overview. Monetary sanctions as a punishment pre-date the United States and have existed in the U.S. criminal justice system since its inception.⁴ Today, they persist in some capacity in every state.⁵ There is no single set of federal laws or policies governing the imposition and enforcement of LFOs.⁶ As a result, LFO laws and policies differ across states and often across counties and municipalities within states. While LFOs have always existed in the U.S., their use has been more common since the 1980s when states more consistently codified financial penalties and criminal justice systems expanded.⁷ As more individuals were charged with crimes and financial sanctions codified, more people were subject to LFOs, and criminal debt grew.⁸ For example, between 1991 and 2004, the percent of people incarcerated who also had monetary sanctions rose from 25% to 66%.⁹

⁴ Miethe, T., & Lu, H., (2005). *Punishment: A comparative historical perspective*. Cambridge, UK: Cambridge University Press.

⁵ Harris, A. (2016). *A pound of flesh: Monetary sanctions as a permanent punishment for the poor*. New York, NY: Russell Sage Foundation.

⁶ Harris, A., Huebner, B., Martin, K., Pattillo, M., Pettit, B., Shannon, S., . . . Fernandes, A. (2017). *Monetary sanctions in the criminal justice system*. A report to the Laura and John Arnold Foundation.

⁷ Greenberg, C., Meredith, M., & Morse, M. (2016). *The growing and broad nature of legal financial obligations: evidence from Alabama court records*. *Connecticut Law Review* (48)4, 1079-1089.

⁸ Ruback, B. (2015). *The benefits and costs of economic sanctions: considering the victim, the offender, and society*. *Minnesota Law Review*, 99, 1779-1836.

⁹ Harris, A., Evans, H., & Beckett, K. (2010). Drawing blood from stones: Legal debt and social inequality in the

Glossary of Terms

Fines: Monetary penalties imposed as punishment as part of sentencing for a criminal offense. Typically, fines are associated with a specific crime or crime type.

Fees: Refer to monetary penalties intended to reimburse states or municipalities to cover costs associated with operating court systems.

Restitution: Court-ordered payment from people convicted of crimes to victims intended to compensate victims for their loss.

Surcharge: Any additional monetary charge associated with an LFO.

LFO Theory. As criminal justice systems expanded, LFOs rose to prominence as a mechanism that both levied punishment and allowed courts to recoup costs. In theory, the threat of a fine could deter a person from committing a crime.¹⁰ Similarly, restitution can act as a way for individuals convicted of a crime to repay victims, and fees allow courts to recoup some costs from individuals who interact with the criminal justice system. LFOs may serve as an alternative to forms of punishment that carry more stigma (i.e., incarceration and formal supervision)¹¹ and could also cost governments less than those alternatives.¹²

contemporary United States. *American Journal of Sociology* 115(6), 1753-1769.

¹⁰ A 1991 study found that individuals who were given a financial penalty were less likely to have a subsequent arrest or incarceration compared to those who received a jail sentence. However, they used a limited sample of cases in Los Angeles municipal courts and conducted analysis that did not fully account for differences between those who were given monetary sanctions and those who received sentences. The study also noted that the differences may be driven by the negative impacts of incarceration opposed to the positive impacts of the monetary sanctions. Gordon, M., & Glaser, D. (1991). The use and effects of financial penalties in municipal courts. *Criminology* (29)4, 651-676.

¹¹ Ruback, B. (2011). The abolition of fines and fees: Not proven and not compelling. *Criminology & Public Policy* (10)3, 569-581.

¹² Morris, N., & Tonry, M. (1990). *Between prison and probation: Intermediate punishments in a rational sentencing*

In practice, it is unclear whether LFOs are an effective tool for deterring crime, and in the U.S., most people who are sentenced to pay LFOs receive them in addition to—not instead of—other types of punishment.¹³ In Washington, past research indicates that many LFOs go unpaid because people are unable to pay them.¹⁴ For example, a 2017 progress report from the Washington State Supreme Court Minority and Justice Commission found that about 6% of LFOs imposed from 2014 to 2016 in superior courts were collected during the same timeframe.¹⁵

Impacts on Individuals. Inability to pay off criminal debt can have lasting impacts on individuals even after completing all other conditions of their sentence. Some LFOs accrue interest meaning the amount someone owes can grow if they are not making payments or if their payments are smaller than the amount of interest their account accrues.¹⁶ Additionally, LFOs do not expire. If someone fails to pay off an LFO they remain under court jurisdiction for

life.¹⁷ If a payment is missed, courts can set “show cause” hearings where people must explain why “they should not be punished for noncompliance.”¹⁸ If a court determines someone has the means to pay but has not, an individual may be sentenced to jail, work release, home detention, or some other alternative confinement.¹⁹ Similarly, if an individual fails to appear for a show cause hearing, the judge may issue a warrant for their arrest.

While LFOs do not expire, individuals with LFOs can petition the court to waive or reduce the amount they owe on non-mandatory LFOs.²⁰ Judges have the authority to waive or convert non-mandatory LFOs previously imposed but can only do so if they are petitioned.²¹ This includes discretionary fines and fees and non-restitution interest. Recently, some Washington courts have hosted events referred to as “reconsideration days” where judges hear multiple LFO reduction petitions in a single day.²²

system. (NCJ Number 12304). United States Department of Justice Office of Justice Programs.

¹³ Beckett, K., & Harris, A. (2011). On cash and conviction: Monetary sanctions as misguided policy. *Criminology and Public Policy* (10)3, 509-537. This paper reviews both empirical and theoretical literature on LFOs.

¹⁴ Washington State Office of Public Defense. (2019). *2018 status report on public defense in Washington State*. Olympia, WA and Harris (2016) pgs. 7-9.

¹⁵ The same report indicated that about 5% of LFOs imposed were collected in courts of limited jurisdiction for the same period. Washington State LFO Stakeholder Consortium (2018). *2017-2019 Progress report*. 2018 LFO Symposium.

¹⁶ Before the 2018 Washington State Legislative Session, interest accrued on all LFOs. House Bill 1783 eliminated new interest on all non-restitution LFOs. Twelve percent simple interest still accrues on restitution. *Engrossed Second Substitute House Bill 1783, Chapter 269, Laws of 2018*.

¹⁷ RCW 9.94A.760(5).

¹⁸ RCW 9.94A.6333(3)(a) and Keenan, D. (2021). *2021: Gender Justice Study, Chapter 15 Legal financial obligations*. Olympia, WA. Washington State Supreme Court Gender and Justice Commission.

¹⁹ *Ibid.*

²⁰ RCW 10.82.090(1).

²¹ If the court finds that a violation for failure to pay was not willful, it may (1) modify the terms of payment, (2) reduce or waive non-restitution LFOs, or (3) convert the non-restitution LFOs to community restitution at a rate of no less than the state minimum wage. RCW 9.94A.6333(3)(f) and 9.94B.040(4)(f). If the court finds that the violation was not willful and the defendant is indigent, they must address the LFO using one of the above options. *Washington State Superior Courts: 2018 Reference Guide on LFOs*. RCW 10.101.010(3)(a)-(c). A forthcoming report from the Washington State Supreme Court Minority and Justice Commission will present results from a survey of court judges which includes question about waiving non-mandatory LFOs.

²² Binion, A. (2019, April 10). *Event gives people a chance to get out from under overwhelming legal debt*. *Kitsap Sun* and Krell, A. (2021, April 16). *Sign-ups available to get help seeking relief from Pierce County court debt*. *The News Tribune*.

Washington State Courts and LFOs

Washington State operates a non-unified court system. In a non-unified system, courts do not operate under a standard set of rules or procedures. Instead, local jurisdictions (e.g., counties and municipalities) are responsible for operating their courts.

Court System Structure. In Washington State, there are four tiers of state courts: supreme court, court of appeals, superior court, and courts of limited jurisdiction (CLJ) which include both district and municipal court. The focus of this report is superior, district, and municipal courts and the associated LFOs. [Exhibit 1](#) summarizes those courts and their jurisdictions.

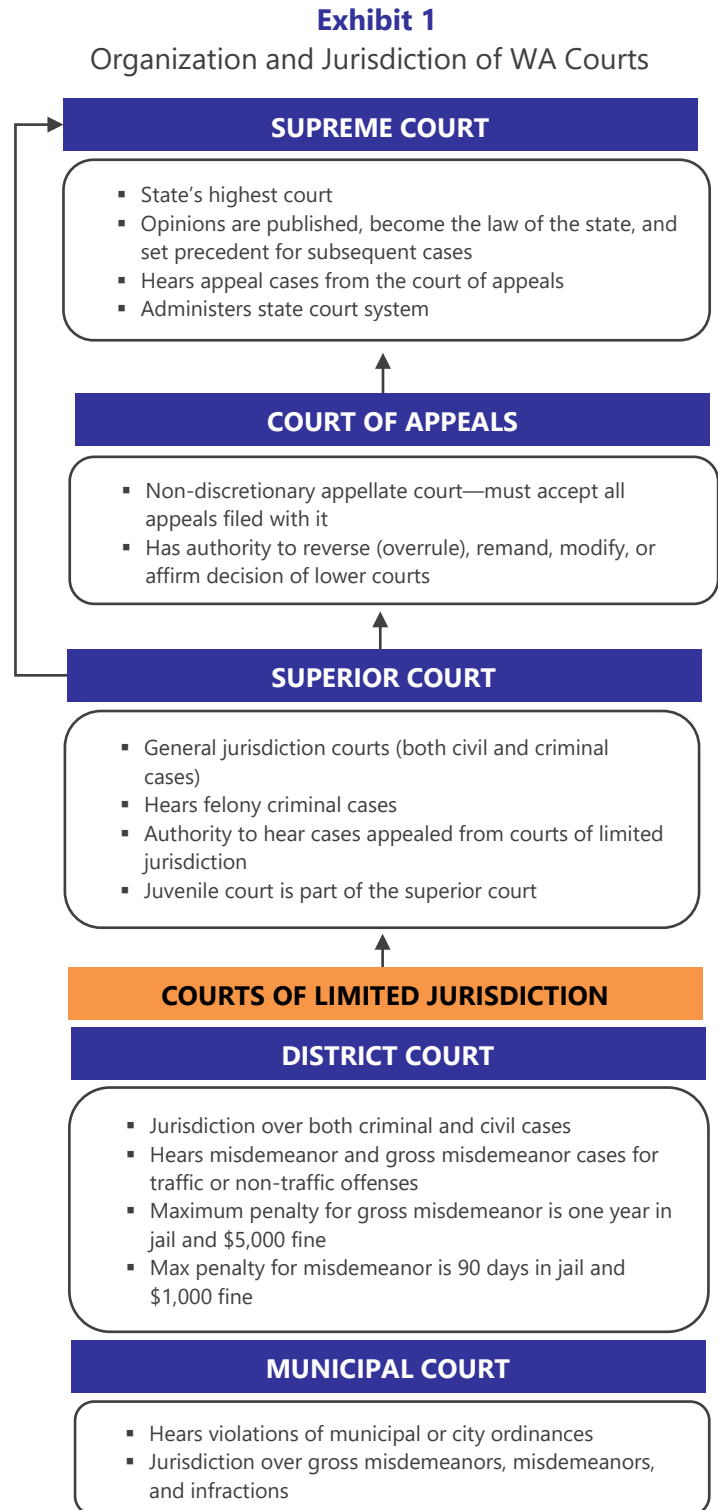
Local governments are responsible for the majority of funding for the courts in their jurisdiction.²³ Thirty-nine superior and 61 district courts are funded mainly by their county, and 229 municipal courts are funded almost exclusively by cities.²⁴

Historically, Washington State has provided a low share of funding versus local sources compared to other states.²⁵

²³ AOC Commission on Justice, Efficiency and Accountability. *Funding our courts: Finding a balance.*

²⁴ *Ibid.* State funds pay half of the salaries of superior court judges and a smaller portion of district court judges.

²⁵ Carlson, A., Harrison, K., & Hudzik, J. (2008). *Adequate, stable, equitable, and responsible trial court funding:*



Reframing the state vs. local debate. (Doc. No. 223973) Justice Management Institute funded by the National Institute of Justice and Board for Judicial Administration Court Funding Task Force. (2009). *Justice in jeopardy status report.*

Revenue and Local Governments. LFOs are a source of revenue. When someone makes a payment on their LFOs, courts collect the funds and apply the payment to the individual's account in a particular order as dictated by statute. Restitution, including interest, is paid first followed by fees and then fines.²⁶ Courts then remit the funds to their fiscal agent (counties for superior and district courts and cities for municipal courts) monthly and provide a report detailing the types of LFOs that were paid off and the corresponding accounts where the funds should go.²⁷ Fiscal agents are then responsible for depositing the funds to the proper accounts.

Municipalities keep some of the funds and send the rest to the state. Various statutes allowing for the imposition of LFOs (see [Section II](#)) have different formulas for how much money is retained locally and how much is sent to the state. Some of the collected revenue is earmarked for specific uses dictated by the Revised Code of Washington (RCW). For example, fines collected from the Victim Penalty Assessment, a mandatory LFO for felony charges in Washington, are allocated to the Victim Fund and must be used to fund programs that benefit victims of crimes. The state facilitates many of the LFOs that are earmarked for specific uses. Any funds not earmarked for a specific use go to either municipal or state general funds.

While the amount of LFOs collected is small compared to the amount imposed, LFO revenue accounts for a meaningful amount of some court and municipality budgets. That is, without access to LFO revenue it may be financially difficult for some courts to continue operations at or around their current level.²⁸ WSIPP plans to compare court budgets with the amount of revenue received from LFOs in the final report (see [Final Report Plan](#)).

²⁶ [RCW 9.94A.760](#).

²⁷ Some courts contract with collection agencies to facilitate collection. Collection agencies may impose additional fees and surcharges up to 50% of the LFOs owed to courts for the

first \$100,000 of LFOs. Contracts with collection agencies likely differ by court. [RCW 19.16.500](#).

²⁸ [House Bill Report HB 1412, February 2021](#) and Washington State Association of Counties Representative, (personal communication, August 2021).

Current Policy Context. Recent policy changes aim to decrease the number and amount of LFOs imposed across the state.²⁹ The 2018 Washington Legislature passed E2SHB 1783, which eliminated interest on non-restitution LFOs and interest accrual while incarcerated, made it unlawful to jail someone who cannot pay LFOs, created more explicit standards for determining a person's ability to pay LFOs, and prioritized allocation of restitution for victims.³⁰

In 2021, HB 1412 and SB 5486 proposed further changes, which would have limited the use of LFOs, though the measure did not pass.³¹ The summary of public testimony from a Washington State Association of Counties representative suggests that counties are not opposed to decreasing LFOs—which would reduce county revenue—but would require other funding sources to help fund courts if HB 1412, SB 5486, or similar legislation passed.³² The same testimony suggests that counties are limited in their ability to raise money and that reducing LFOs would result in a loss of revenue for counties that struggle to keep up with their obligations, which include funding the courts.

²⁹ The Washington State Supreme Court's decision in *Washington v. Blake* will have a large impact on LFOs. We do not discuss the impact or potential impacts in this report but will in the final report.

³⁰ E2SHB 1783.

³¹ Second Substitute House Bill 1412 (2021), Senate Bill 5486 (2021), and House Bill Report HB 1412 (February 2021).

³² House Bill Report HB 1412 (February 2021).

II. LFO Statutes in Washington

In this section, we report on the Washington State statutes that allow for the imposition of LFOs. First, we describe our review process. Next, we explain which LFOs can be imposed in different court types and for different crime classifications. Finally, we synthesize the statutes, providing counts of RCWs that enable LFO imposition, a description of RCW titles where LFOs are most common, and describe mandatory LFOs in different court levels.

Review Process

The Washington Supreme Court Minority and Justice Commission built and maintains a list of statutes that allow for the imposition of LFOs.³³ The Commission provided WSIPP with this list³⁴ and WSIPP used it as the foundation for our review. We cross-checked the list against current RCWs and found that it was up to date including bills passed during the 2021 Legislative Session.

Results

Washington's statutes dictate which LFOs can or must be imposed in different situations. The applicable LFOs differ both by court type and crime severity. That is, mandatory LFOs differ between superior courts and courts of limited jurisdiction, and many LFOs are imposed based on crime severity (e.g., felony vs misdemeanor). A misdemeanor conviction could result in a different LFO amount depending on the court type, and different mandatory fee amounts are imposed in superior courts for felonies compared to other crime types.

The review identified 376 references to unique LFOs and rules governing their application across 250 RCWs. Rules include topics such as payment plans, mental illness exceptions, and collection agency contracts. The complete compiled list of LFOs can be found in [Appendix I](#).

Imposition. Often, the RCW describes the offense or offenses (e.g., illegal licensure), the offense seriousness (e.g., misdemeanor or felony), and the subsequent penalties (e.g., the fee amount and the fund where the fee is retained).

³³ The Minority and Justice Commission compiled and continues to maintain this list for the development and ongoing maintenance of their [State of Washington LFO Calculator](#).

³⁴ C. Delostrinos Johnson, Associate Director, Office of Court Innovation Administrative Office of the Courts, (personal communication, July 2021).

A statute typically dictates when a judge has the discretion to impose an LFO, but depending on the court type, certain LFOs are mandatory. In Washington State superior courts—which can levy both felony and misdemeanor convictions—mandatory LFOs include the following:³⁵

- Victim Penalty Assessment (VPA),³⁶
- DNA Collection Fee,³⁷
- Restitution,³⁸ and
- Crime Specific LFOs.³⁹

Not all cases heard in superior courts involve restitution or crimes with a mandatory LFO, but the victim penalty assessment and DNA collection fee are imposed on every individual convicted in a superior court, though the amount for the VPA varies by crime severity. Restitution is only mandatory for felony convictions.

Mandatory LFOs differ in courts of limited jurisdiction and include the following:⁴⁰

- DNA Collection Fee,⁴¹
- Public Safety and Educational Assessments, and⁴²
- Offense-Specific Fines.⁴³

The DNA collection fee functions the same across court types, but the public safety and educational assessments are only mandatory in courts of limited jurisdiction. Restitution is permitted but not mandatory for non-felony offenses, thus is a discretionary LFO in CLJs because they do not hear felony cases.

All other LFOs are discretionary. Judges must consider an individual's ability to pay when imposing discretionary LFOs but general practices for making this determination may vary by court.

Ability to Pay. RCW 10.01.160 and 9.94A.760(3) indicate that the court shall not impose costs, including the cost of incarceration if the defendant is indigent—unable to pay—at the time of sentencing. Per RCW 10.101.010(3), "indigent" refers to a person who, at any stage of a court proceeding, is "receiving specific types of public assistance, or involuntarily committed to a public mental health facility, or receives an annual income, after taxes, of one hundred twenty-five percent or less of the current federally established poverty level."⁴⁴ Monthly payment schedules for LFOs are a condition of sentence,⁴⁵ but some formerly incarcerated individuals have expressed confusion about their LFOs and associated payment plan.⁴⁶

³⁵ [Washington State Superior Courts. \(2018\).](#)

³⁶ \$500 per case that includes one or more felony or gross misdemeanor convictions; \$250 for each case that includes misdemeanor convictions. Revenue from the VPA must fund programs that support victims of crimes. [RCW 7.68.035.](#)

³⁷ The first sentence imposed in a defendant's lifetime for a crime specified in [RCW 43.43.754](#) must include a fee of \$100. [RCW 43.43.754\(1\).](#) This is not mandatory for defendants with mental health conditions. [RCW 9.94A.777.](#)

³⁸ Restitution should be ordered whenever a felony offense results in injury to a person or damage to or loss of property, unless extraordinary circumstances make restitution inappropriate. [RCW 9.94A.753\(5\)](#) and [RCW 9.92.060\(2\)\(b\)](#)

³⁹ Some offenses come with mandatory LFOs. [Washington State Superior Courts: 2018 Reference Guide on LFOs.](#)

⁴⁰ [Washington Courts of Limited Jurisdiction: 2018 Reference Guide on LFOs in Criminal Cases.](#)

⁴¹ \$100 fee limited to specified crimes and imposed only once in a lifetime. [RCW 43.43.754\(1\).](#)

⁴² Two separate assessments, which together equal 105% of any fines, forfeitures, or penalties imposed. This is applied slightly differently for DUI/physical control cases. [RCW.3.62.090.](#)

⁴³ Some offenses come with mandatory LFOs. [Washington Courts of Limited Jurisdiction: 2018 Reference Guide on LFOs in Criminal Cases.](#)

⁴⁴ [RCW 10.101.010\(3\).](#)

⁴⁵ [RCW 9.94A.760\(11\).](#)

⁴⁶ Pacheco-Jones, C., Pollard, D., & Woods, T. (2021). *The price of justice & the cost of justice, Living, With Conviction* and Olson, K. (2021). *LFO relief & efforts serving people*

LFO Statistics. Out of the 376 unique references to LFOs and rules governing their application identified in Washington statutes, 293 related to fines, 70 to fees, 9 to restitution, and 4 to LFO governance or procedures (e.g., the main statute allowing for LFOs in Washington, payment plans, mental illness exception, and collection agencies.). Fifty-two LFOs are connected to a felony conviction—and are thus only imposed in superior courts—and 299 are linked to gross misdemeanor or misdemeanor convictions. An additional 25 LFO statutes apply to all conviction severity levels.⁴⁷ Exhibit 2 presents summary statistics from the statutes review including the amount of LFOs that can be imposed in different court types and for different crime severity.

LFOs by RCW. Statutes allowing for the imposition of LFOs span 33 different RCW titles. However, most are concentrated in four titles: 46, 9A, 9, and 66. Title 46 (Motor Vehicles⁴⁸) houses the most statutes that allow for the imposition of LFOs (147) and includes fines and fees for criminal offenses associated with vehicle licensure, registration, and other vehicle-related crimes. Titles 9A and 9 (The Washington Criminal Code⁴⁹ and Crimes and Punishment⁵⁰) govern the function of the criminal justice system in Washington and include 38 and 28 LFO statutes identified in the review, respectively.⁵¹ Thirty-five LFO statutes are found in Title 66 (Alcoholic Beverage Control⁵²), and all other titles account for 16 or fewer statutes that allow for the imposition of LFOs.

Exhibit 2

LFO Statutes Review: Summary Statistics

Felony	Superior Courts	CLJ
Unique LFOs	52 [^]	N/A
Victim penalty assessment	\$500/case*	N/A
DNA collection fee	\$100/individual*	
Misdemeanor [#]		
Unique LFOs	299 [^]	299 [^]
Victim penalty assessment	\$250/case*	N/A
DNA collection fee	\$100/individual*	

Notes:

* Mandatory LFO.

[^] Value does not include the 25 LFO statutes applicable for all crime severities in all courts.

[#] Includes gross misdemeanors.

All felony cases are heard in superior courts, thus there are no felony statistics for CLJs.

directly impacted by LFOs. Civil Survival. Presentation sessions at the 2021 LFO Stakeholder Convening hosted by The Supreme Court Minority and Justice Commission.

⁴⁷ The Supreme Court Minority and Justice Commission LFO Consortium Subcommittee One identified 135 different accounts receivable codes for use in superior courts and 102 accounts receivable codes available for use in courts of limited jurisdiction. This metric provides additional perspective on the scope of LFOs in Washington that WSIPP

could not identify from examining statutes. Washington State LFO Stakeholder Consortium (2018). [2017-2019 Progress Report](#), 2018 LFO Symposium.

⁴⁸ [Title 46 RCW](#).

⁴⁹ [Title 9A RCW](#).

⁵⁰ [Title 9 RCW](#).

⁵¹ [RCW 9.94A](#) is the 1981 Sentencing Reform Act.

⁵² [Title 66 RCW](#).

LFO Amounts. The amount levied for a given LFO is usually defined in RCW, but sometimes the statute that allows for the imposition of the LFO and the statute that specifies the amount that can or must be imposed is not the same.⁵³ Some LFOs are for a uniform amount (e.g., \$25) while others have minimums, maximums, or ranges (e.g., \$100-\$500). LFO amounts vary from \$15 to \$250,000 for fines and fees, though some statutes specify amounts equivalent to a non-specific value (e.g., three times the retail price for counterfeiting).

Municipal Rules. While the review does include state statutes that allow, and in some cases require, the imposition of LFOs in courts of limited jurisdiction, municipalities in which those courts reside also have the authority to pass local laws that allow for additional LFOs. For example, some district courts apply additional fees if a hearing cancellation notice is not given within a certain amount of time prior to the scheduled hearing.⁵⁴ Although we are unable to compile local laws that allow for LFOs, a forthcoming report from the AOC Minority and Justice Commission will present examples of municipal and local court rules that create additional fines and fees.⁵⁵

⁵³ In Exhibit A1 (See Appendix I), we present RCWs that allow for the imposition of LFOs not the RCW that specifies the amount that can or must be imposed. However, WSIPP did collect a corresponding list of statutes that dictate amounts for LFOs that can be furnished upon request.

⁵⁴ [Pierce County District Court Administrative Rules LATJ4.](#)

⁵⁵ This report will be released by December 2021. C. Delostrinos Johnson, Associate Director, Office of Court Innovation Administrative Office of the Courts, (personal communication, October 2021).

III. 50-State Review of Court Funding and LFOs

In this section, we explain our 50-state review process, discuss themes that emerged from the review, situate Washington within a national context, and highlight some of the challenges for comparing court systems across states.

Review Process

To study how other states fund their court systems—if they use LFOs to provide support and how Washington compares—WSIPP took multiple approaches. First, we used data from the U.S. Census Bureau’s 2019 survey of state and local government finance to explore amounts spent on judicial operations and revenue from fines and forfeitures.⁵⁶ While these data allow us to compare uniform statistics across states, they provide only partial information about court spending and revenue generated from LFOs.⁵⁷

Then, to provide additional judicial budget context and clarify court-funding mechanisms, we examined court websites and budgets from all 50 states and the District of Columbia (D.C.). We used secondary sources as a guide and then verified all budget information via publicly available state judiciary and budget documentation. From those sources, WSIPP sought the following:

- Court operations structure,
- Court funding structures,
- LFO usage (yes/no),
- Annual state-wide court budgets,
- Annual court revenues, and
- Links between revenue from LFOs and court budgets.

We faced two major constraints with this review. First, consistent and comparable court data were difficult to find. States compile and present their budget data and documents differently across states, and different court structures require some states to aggregate data from hundreds of courts to present state-level data. Second, states account for and present LFO information differently. The definition of LFOs differs across states, and some states have no state-level data available on LFOs; particularly states that operate non-unified court systems.

⁵⁶ This analysis was limited to the 2019 survey of state and local governments. See [Appendix II](#) for a detailed description of these data and their limitations. We calculate total spending and proportions of funds provided by state and local governments using the “Judicial and legal” government finances statistic defined as, “all court and court related activities (except probation and parole activities which are included at the “Correction” function), court activities of sheriff’s offices, prosecuting attorneys’ and public defender’s

offices, legal departments, and attorneys providing government-wide legal services.

⁵⁷ These data are collected from a survey and thus may include sampling error—inaccuracies driven by the data collection method. Additionally, the analysis was limited to one year and does not account for variation across time. Finally, the LFO revenue data includes fines collected from traffic infractions, which we omitted from our statutes review and will not consider in our final report.

Results

Consistent with past reviews of similar purpose,⁵⁸ our review found that state court systems vary in both operational and funding structures. States employ a variety of governance structures to operate their courts with varying degrees of responsibility for overseeing courts between local and state governments. Some states operate systems where court authority is delegated almost exclusively to counties while other courts operate under the governance of the state. A similar variety exists for court funding. Some states primarily fund their court systems using state resources while others place the burden of funding on local governments.

Regardless of operational or funding structure, all 50 states allow for the imposition of at least some types of LFOs and use the revenue for court or other state operations.

Outside of the data provided by the Census Bureau's survey of state and local government finances, the amount of publicly available information on court funding sources (and LFOs specifically) varies widely across states, which makes cross-state comparison difficult. States that rely more heavily on local court funding face different funding challenges than those states that operate unified systems. States with multiple court levels must delineate responsibilities and jurisdiction across more bodies of authority. Thus, we focus our cross-state comparisons on courts with similar structures while still presenting information for

all states. [Exhibit A2](#) (see [Appendix II](#)) presents court funding and LFO characteristics (when available) for all 50 states and the District of Columbia.

Court Structure. The review found that while states operate court systems with various levels (i.e., some states have a single court type that oversees all criminal cases while others have multiple court types), court structures can generally be grouped into two categories: unified and non-unified. States we identified as operating a unified court system organize and manage their courts in a way that rules and laws are applied consistently throughout the state. This typically means states operate under a single jurisdiction. States, like Washington, that operate non-unified court systems structure courts in such a way that local jurisdictions dictate how the law is administered.

Washington is one of 20 states operating a non-unified court system.⁵⁹ While each of these states operates multiple court levels, their structures vary. For example, Tennessee's 95 counties are broken up into 31 judicial districts. Each district houses two trial courts: a circuit court that oversees all case types and a chancery court⁶⁰ that can hear certain non-criminal cases. Additionally, in 13 judicial districts, there are criminal courts designed to lessen the case load on the circuit courts. As described above (see [Exhibit 1](#)), each of Washington's counties house a superior court and at least one court of limited jurisdiction. All states with non-unified court systems fund their courts with state and local funds.

⁵⁸ McGovern, G., & Greenberg, M. (2014). *Who pays for justice? Perspectives on state court system financing and governance*. RAND Institute for Civil Justice.

⁵⁹ We classified courts as unified if their state-level court website indicated that they operate a unified court system.

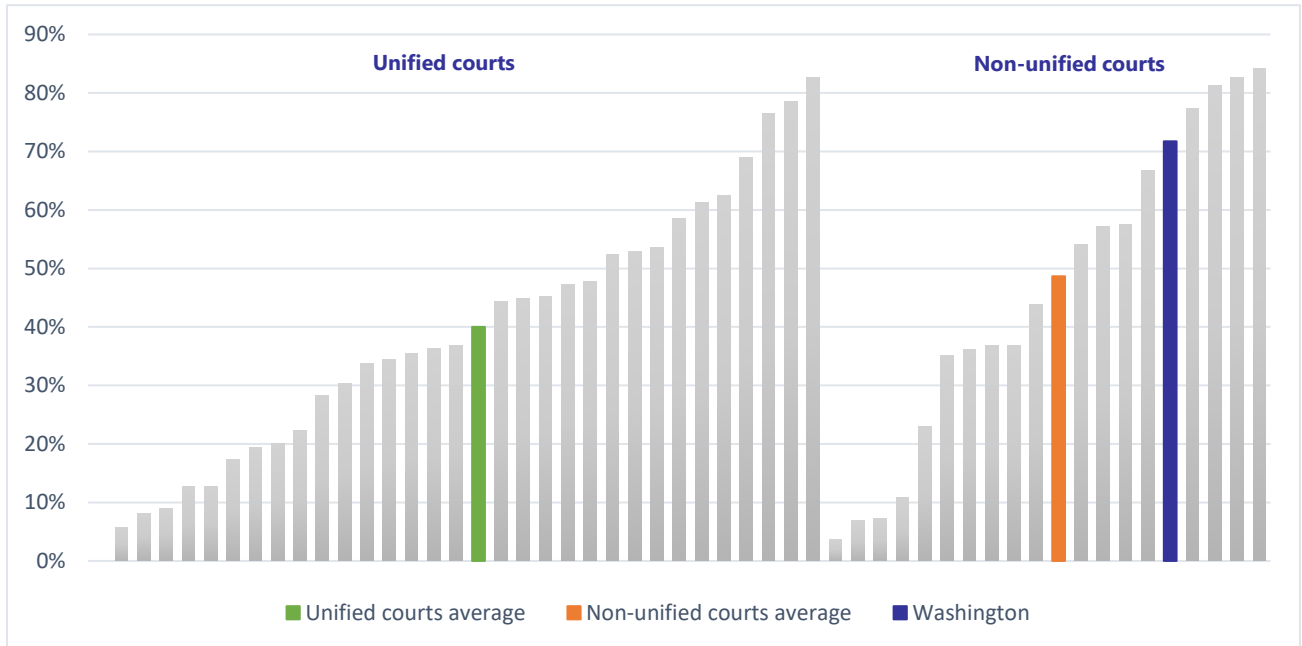
⁶⁰ In Tennessee, chancery courts handle a variety of issues including lawsuits, contract disputes, application for injunctions, and name changes, and in some instances divorces, adoptions, and workers' compensation. Tennessee State Courts. *About the trial courts*.

Funding. On average, states operating non-unified court systems spent more dollars per capita operating their judicial systems than did states with unified systems. Among all states, the median per-person spending for courts was \$144.48 (Georgia). Washington spent the 19th most per person at \$153.17. However, among states operating non-unified court systems Washington falls just below the median of \$157.44.

States operating non-unified court systems also appear to rely more heavily on local resources. On average, non-unified court states supported their judicial systems with 48.7% local funds compared to 40.1% in states operating unified court systems (see [Exhibit 3](#)). Washington supports its court system with 71.7% local funding, ranking 9th highest among all states and 6th highest among states with non-unified courts.⁶¹

Exhibit 3

Percentage of Judicial Spending Supported by Local Funds



Notes:

Data from the U.S. Census Bureau survey of state and local government finances. According to the available data, Washington D.C.'s judicial system (non-unified court system) is 100% funded by local sources and has been omitted from this graph.

⁶¹ This includes the District of Columbia, which operates a non-unified judicial system and relies completely on local funds to operate their judicial system, according to data from

the [2019 Annual Survey of State and Local Government Finances](#).

LFOs. LFOs are used in some capacity in every state in the U.S., and all states collect and use the revenue from LFOs. However, not all states report data on LFOs imposed or collected and those that do report it differently. For some states, our review of judicial and state budget documents found data on total court revenue, most of which is likely to come from LFOs. In others, we found amounts collected or imposed for certain types of LFOs but not others (e.g., restitution but not fines or fees). In a few states, we found no LFO data, only information indicating that LFOs could be imposed and were collected by state or local governments. In states where we found LFO data, the years varied.

However, the annual survey of state and local governments does collect data on revenue received from fines and forfeitures. While these data include both revenue received from criminal and non-criminal fines—making the data different than the criminal-only LFO data WSIPP will analyze for the final report—and only include information on fines and forfeitures received (not imposed), they provide context regarding the amount of monetary sanctions collected across states.

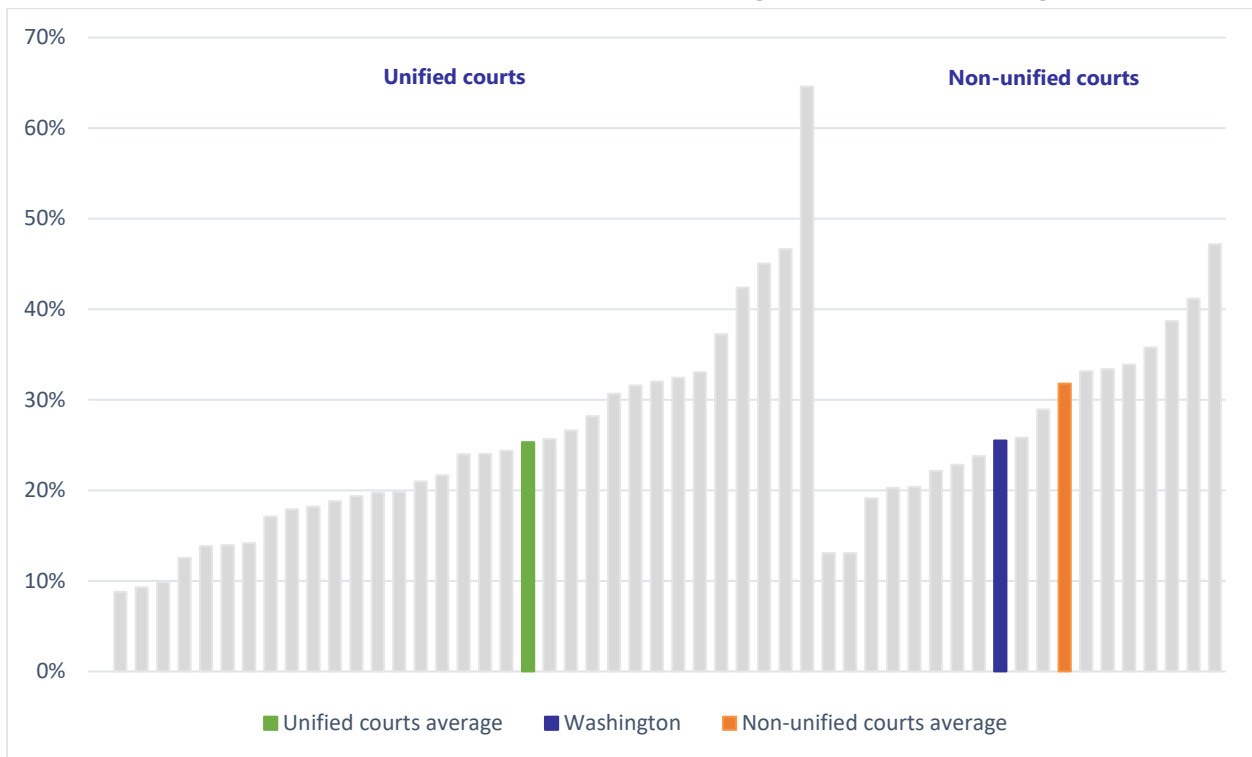
On average, states operating non-unified court systems collected more revenue per capita and as a percentage of judicial spending compared to states operating unified court systems. Among all states, the median amount of per capita fines and forfeitures revenue reported in 2019 was Michigan (\$34.23). Washington collected the 21st most fines and forfeitures revenue per capita (\$39.06) but ranked below the median for states operating non-unified court systems (\$39.76).

Exhibit 4 presents fines and forfeitures revenue as a percentage of judicial spending. By this metric, Washington ranked 9th (26%) among the 20 states operating non-unified court systems and 29th among all states.⁶²

Beyond the census data, we recorded some LFO and other court revenue data for 34 states. Among states where we found data, court revenue differed significantly with some highly populated states (California and New York) collecting over \$1 billion in court revenues while other, less populated, states (Wyoming and New Hampshire) collected less than \$14 million.

Exhibit 4

Fines and Forfeitures Revenue as Percentage of Judicial Spending



Notes:

Data from the U.S. Census Bureau survey of state and local government finances. According to the available data, Washington D.C.'s judicial system (non-unified court system) is 100% funded by local sources and has been omitted from this graph.

⁶² Tied with Maine (unified court system) and Massachusetts (non-unified court system).

In Washington, the most current data on LFOs will be available in a forthcoming report from the Washington State Supreme Court Minority and Justice Commission.⁶³ A 2018 progress report indicated that between 2014 and 2016 just over \$12 million in LFOs were collected from adult cases in superior courts and courts of limited jurisdiction imposed during the same period. However, these values do not include data from the Seattle Municipal Court and some branches of the King County District Court. Given that LFOs typically come in addition to other forms of punishment it is likely that many LFOs are not collected in the year they are imposed or in the years immediately after they are imposed. Additionally, these data do not include any additional funds collected by collection agencies.⁶⁴

While this analysis is informative, we cannot say with certainty where Washington courts fit into the national context in their reliance on LFOs. Namely, apples-to-apples comparisons are imprecise because of court- and system-structure differences and the lack of consistent, easily accessible data. We aim to provide more information and analysis of Washington-specific data in the subsequent final report.

⁶³ This report will be released by December 2021. C. Delostrinos Johnson, Associate Director, Office of Court Innovation Administrative Office of the Courts, (personal communication, October 2021).

⁶⁴ In Washington, collection agencies may charge, “a contingent fee of up to fifty percent of the first hundred thousand dollars of unpaid debt per account.” Only funds remitted to courts appear in the data provided to the

Minority and Justice Commission. That is, individuals repaying LFOs likely pay more than their court imposed LFOs and the interest accrued if their data goes to a private collection agency. [RCW 19.16.500](#) and Adamson, B. (2020). Debt bondage: How private collection agencies keep the formerly incarcerated tethered to the criminal justice system. *Northwestern Journal of Law & Social Policy* (15)3.

IV. Summary and Limitations

In a 2021 budget proviso, WSIPP was directed to study legal financial obligations (LFOs) in Washington. This first report compiled statutes that allow for the imposition of LFOs in Washington and reviewed how other states fund their court systems.

WSIPP identified over 350 statutes that allow for the imposition of LFOs across court levels. The full list of Washington State statutes that impose LFOs is found in [Exhibit A1](#).

In our review of court funding and LFO use (see [Exhibit A2](#)), we found that court structures and funding mechanisms vary across the state making cross-state comparisons imperfect. WSIPP found that 19 other states operate a non-unified court system similar to Washington's. Among states with non-unified court systems, Washington spends around the median amount per person to operate its judicial system but relies more heavily on local funding (as opposed to state funding) than many other states.

LFOs exist in every state in the U.S. regardless of court structure, but we were unable to explore direct links between LFOs and court funding. Our final report will present information about methods and practices for de-linking court-related funding and LFOs if other states have adopted such practices.

Differences in state-level court structures and a lack of consistent data on court spending and LFOs make comparing information across states difficult. While data from the U.S. Census Bureau (see [Appendix II](#) for a more complete description of these data) allow for cross-state comparison from a single data source, the data collection method necessitates caution when interpreting.

V. Final Report Plan

As stated previously, the legislative assignment requires WSIPP to study multiple topics related to LFOs.⁶⁵ Two of those topics—statutes that allow for the imposition of LFOs in Washington and how other states fund their court systems—are addressed in this report. The remaining topics include the following:

- The amount of LFOs imposed, outstanding, and collected annually over the past three years;⁶⁶
- What percentage of a court's budget has been supported by LFOs since the system's inception;
- The programs funded by LFOs, and;
- The methods and processes used to de-link court-related funding and other county and local funding from the collection of LFOs.

The final report is due to the Legislature by December 2022.

Research Approach

LFO Amounts. To study the amount of LFOs imposed, outstanding, and collected annually, WSIPP plans to analyze case-level LFO data from Washington's superior, district, and municipal courts. Data for most Washington courts are available through the Administrative Office of the Courts. WSIPP has reached out directly to request case-level LFO data for courts whose data are not available via AOC. While WSIPP will focus its analysis on LFOs imposed, outstanding, and collected from 2018 forward, we will also consider and have requested cases where LFOs were imposed before 2018. It is important to consider LFOs imposed in prior years because LFOs often are not paid in the same year they are imposed. In addition, considering cases before 2018 will help us understand how collection amounts and rates change over time.

LFOs and Court Budgets. In the final report, WSIPP will also study how LFOs support Washington court budgets. However, data and time limitations will limit our ability to address this portion of the assignment fully. First, the amount of LFOs collected is not directly connected to their budget for most courts in Washington. The court budgets are primarily funded out of the general funds of the respective municipalities. For LFOs where state or local laws designated how the funds must be spent (i.e., the Victim Penalty Assessment), those funds are not allocated to courts. Second, LFO data are not available since the system's inception. Lastly, the number of trial courts in Washington makes it infeasible to examine budgets for all courts for multiple years.

available. The assignment also directs WSIPP to study collection rates; including all restitution, costs, fees, fines, penalty assessments, and interest, disaggregated.

⁶⁵ [ESSB 5092](#).

⁶⁶ WSIPP interprets this time period to mean from 2018 through the most recent time period for which data are

LFOs and Programs. The final report will also present information on programs funded by LFOs. WSIPP has conducted outreach with relevant stakeholders to understand if and how LFOs directly fund programs. Currently, we are still determining the scope for this portion of our study.

Delinking LFOs and Court Budgets. WSIPP will also expand the review of court funding in other states by examining in more detail policies or methods that have de-linked court-related funding from LFOs. The review will differ from the 50-state review presented in this report, as WSIPP will not compare Washington to other states but present information on how other states replaced LFO revenue with other funding sources.

Data constraints⁶⁷ may limit WSIPP's ability to account for all cases that involved LFOs and will limit WSIPP's ability to identify what percentage of a court's budget has been supported by LFOs since the system's inception. The final report will also attempt to identify which programs are funded by LFOs in Washington. Our ability to conduct this analysis will depend on the level of detail available in the county, city, and court budgets.

⁶⁷ In 2018, AOC and most state courts switched data systems causing some issues in data conversion. Additionally, some courts do not use the statewide system. Courts who use other systems, some of which have also recently changed

systems, also face data conversion problems that may limit the timeframe for which we can acquire data and staff limitations for pulling the necessary data.



Appendices

Legal Financial Obligations in Washington State: *Background, Statutes, and 50-State Review*

Appendices

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I. Washington State Statutes Imposing Legal Financial Obligations

The Washington State Supreme Court Minority and Justice Commission maintains a list of Washington State statutes that allow for the imposition of LFOs.⁶⁸ To aid in our review of statutes, AOC provided WSIPP with their running list of LFO statutes.⁶⁹

Using the list as a starting point, we cross-checked the AOC list across the published Revised Code of Washington (RCW) to include any additional statutes not captured in AOC’s list (i.e., statutes that have yet to be successfully imposed in AOC’s data system). Lastly, we combed bill reports from legislation passed during the 2021 legislative session to include any new applicable statutes.

In [Exhibit A1](#), we report a list of statutes that allow for the imposition of LFOs and relevant information about the statutes. Specifically, we include the following:

- Legal Financial Obligation (LFO) type;
- Law description;
- Fine, fee, or other amounts;
- The RCW (title, chapter, section, subsection); and
- Conviction severity level (felony, gross misdemeanor, misdemeanor).

[Exhibit A1](#) contains high-level information regarding the statutes that impose legal financial obligations. For clarity, we simplified the information presented in the exhibit. We organize the exhibit by LFO type, meaning the type of LFO levied (i.e., fine, fee, restitution, or other) and then by RCW. The “Law Description” column lists the section title that details the contents of the statute.

The “Amount” column records the monetary amount that the LFO orders. In instances where we list multiple amounts within the same row, both payments apply to the individual. Additionally, the amount ordered may be a multiplicative of the avoided taxes and fees the individual attempted to evade. In those instances, the base fee (e.g., \$50) that would have been lawfully paid to acquire a license is multiplied by a particular amount (e.g., 4x amount avoided) to calculate the total fiscal penalty (e.g., \$50 x 4 = \$200). Further, there are instances where the amount ordered, as with the Wildlife Penalty Assessment, is dependent on the animal taken or possessed. The amount varies based on the number of animals and the

⁶⁸ The Minority and Justice Commission compiled and continues to maintain this list for the development and ongoing maintenance of their [State of Washington LFO Calculator](#). This document of statutes is updated yearly to reflect the RCWs.

⁶⁹ C. Delostrinos Johnson, Associate Director, Office of Court Innovation Administrative Office of the Courts, (personal communication, July 2021).

breed (e.g., a single common loon fee is \$2,000).⁷⁰ If the LFO amount in the column is labeled “varies,” then the total amount owed is dependent on a court-conducted calculation. In animal cruelty convictions, the court may order care/maintenance costs as the LFO amount. In this case, the defendant is responsible for the cost of veterinary care, boarding care, and other fees related to the care and condition of the animal. Similarly, “Litter Cleanup Restitution” is twice the actual cost of removing and properly disposing of the litter in the particular case. Finally, if the value in the “Amount” column is NA or non-applicable, then a specific dollar amount is not attached to the RCW.

The RCW is organized by title, chapter, section, and subsection. For example, 9A.36.050 or “reckless endangerment” can be found in Title 9A, Chapter 36, and Section 050. If the law description indicates that the offense is an attempt (e.g., reckless endangerment—attempt), there will be two RCWs listed in the column. The first is the RCW related to the offense (i.e., the reckless endangerment, 9A.36.050), and the second RCW refers to the statute that lists the information regarding “attempts” (i.e., 9A.28.020).

Finally, the “Case Type” column lists the crime seriousness classification. If the crime is a felony, it is represented as an “F.” If a gross misdemeanor, it is a “G.” If a misdemeanor, it is an “M.” If applicable to all case types, the information in the column will read “All.”

⁷⁰ The full list of animals and their corresponding fees can be found in the applicable RCW that orders the LFO.

Exhibit A1

Washington State Statutes Referencing Legal Financial Obligations (LFOs)

LFO type	Law description	Amount	RCW	Case type
Fee	Warrant fee	Max \$100	10.01.160(2)	All
Fee	Witness costs	Varies	10.01.160(2)	All
Fee	Sheriff service fee	Varies	10.01.160(2)	All
Fee	Extradition costs	Varies	10.01.160(2)	All
Fee	Public defender recoupment	Varies	10.01.160(2)	All
Fee	Cost of incarceration	Max \$100/day	10.01.160(2)	All
Fee	Jury demand fee	Max \$250	10.46.190	All
Fee	Other costs	Varies	10.64.015	All
Fee	Referral assessments— Probation department oversight committee	Max \$100/month	10.64.120	M
Fee	Domestic violence assessment	Max \$115	10.99.080	F
Fee	Animal cruelty I	Care/maintenance cost	16.52.205	F
Fee	Conviction fee applies to ALL crimes in courts of limited jurisdiction	\$43	3.62.085	G
Fee	Public Safety Education Assessment (PSEA) applies to courts of limited jurisdiction	Varies	3.62.090	G
Fee	Jury demand fee— Various fees collected	Max \$250	36.18.016	All
Fee	Clerk's fees, surcharges	\$200	36.18.020(2)(h)	All
Fee	Crime laboratory analysis fee	Max \$100/offense	43.43.690	All

LFO type	Law description	Amount	RCW	Case type
Fee	DNA identification system collection of biological samples—Fee	Max \$100	43.43.7541	All
Fee	Alcohol violators assessment (AKA BAC)	\$250	46.61.5054	G
Fee	Operating aircraft while under the influence/reckless	Max \$2,500	47.68.220	G
Fee	Disturbing a survey monument	Varies	58.04.015	G
Fee	Victim penalty assessment applies to all crimes in superior court	\$250 or \$500	7.68.035	F
Fee	Booking fee	Max \$100	70.48.390	All
Fee	Drive on crosswalk used by someone in wheelchair or using white cane or service dog	Damages	70.84.040	M
Fee	Drive on crosswalk by someone in wheelchair or using white cane or service dog	Damages	70.84.070	M
Fee	Storing/transporting tires without license	Clean-up & transport & storage costs	70A.205.445	G
Fee	Unlawful hunting of wild birds II	Max \$1,000	77.15.400(1)	M
Fee	Unlawful hunting birds II license not with person	Max \$1,000	77.15.400(2)(a)	M

LFO type	Law description	Amount	RCW	Case type
Fee	Unlawful hunting game bird II rule violation less than two times the limit	Max \$1,000	77.15.400(2)(b)	M
Fee	Unlawful hunting of wild birds I	Max \$1,000	77.15.400(3)	G
Fee	Operate vessel under influence of alcohol/marijuana/drugs	Max \$2,500	79A.60.040(2)	G
Fee	Reimbursement of inspection cost	\$25/day	81.54.030	M
Fee	Possess depictions of minor engaged in sexually explicit conduct I or II	\$1,000/image	9.68A.070	F
Fee	Commercial sexual abuse of minor or attempt	\$5,000	9.68A.100 9A.28.020	F
Fee	Promoting commercial sex abuse of minor	\$5,000	9.68A.101	F
Fee	Promoting travel for commercial sex abuse of minor	\$5,000	9.68A.102	F
Fee	DOC supervision fees applies in superior court	Varies	9.94A.703	F
Fee	Court-appointed defense expert and other defense costs	Varies	9.94A.760	F
Fee	Fees for a court-appointed attorney	Varies	9.94A.760	F
Fee	Cost of incarceration	Max \$100/day	9.94A.760(3)	F

LFO type	Law description	Amount	RCW	Case type
Fee	Assault IV with sexual motivation	\$100	9.94A.835	All
Fee	Assault IV	\$100	9A.36.041	G
Fee	Assault IV with sexual motivation	\$100	9A.36.041	G
Fee	Reckless endangerment	\$250	9A.36.050	G
Fee	Reckless endangerment—Attempt	\$250	9A.36.050 9A.28.020	G
Fee	Trafficking I	\$10,000	9A.40.100(1)	F
Fee	Trafficking II	\$10,000	9A.40.100(3)	F
Fee	Sexual misconduct with minor II	\$100	9A.44.096	G
Fee	Sex offender/non-felony fail to register	\$100	9A.44.132(2)	G
Fee	Custodial sexual misconduct II	\$100	9A.44.170	G
Fee	Harassment	\$100	9A.46.020(1)	G
Fee	Stalking	\$100	9A.46.110(1)	G
Fee	Harming a police dog/horse	Varies	9A.76.200	F
Fee	Money laundering	2x value of proceeds involved	9A.83.020	F

LFO type	Law description	Amount	RCW	Case type
Fee	Indecent exposure	\$50	9A.88.010(2)(a)	M
Fee	Indecent exposure— Attempt	\$50	9A.88.010(2)(a) 9A.28.020	M
Fee	Indecent exposure to person <14	\$50	9A.88.010(2)(b)	G
Fee	Indecent exposure previous conviction	\$50	9A.88.010(2)(c)	F
Fee	Prostitution	\$50	9A.88.030	M
Fee	Promoting prostitution I— No priors	\$3,000	9A.88.070	F
Fee	Promoting prostitution I— One prior	\$6,000	9A.88.070	F
Fee	Promoting prostitution I— Two or more priors	\$10,000	9A.88.070	F
Fee	Promoting prostitution— No priors	\$3,000	9A.88.080	F
Fee	Promoting prostitution— One prior	\$6,000	9A.88.080	F
Fee	Promoting prostitution— Two or more priors	\$10,000	9A.88.080	F
Fee	Permit prostitution— Two or more priors	\$5,000	9A.88.090	M
Fee	Permit prostitution— No priors	\$1,500	9A.88.090	M
Fee	Permit prostitution— One prior	\$2,500	9A.88.090	M
Fee	Patronizing a prostitute— Two or more priors	\$100 \$5,000	9A.88.110	M

LFO type	Law description	Amount	RCW	Case type
Fee	Patronizing a prostitute— No priors	\$100 \$5,000	9A.88.110	M
Fee	Patronizing a prostitute— One prior	\$100 \$2,500	9A.88.110	M
Fine	Interest on judgments — Disposition of nonrestitution interest	Varies	10.82.090(2)	All
Fine	Failure to possess/produce air license	Max \$500	14.16.060	G
Fine	Bring animal in state without veterinary certification	Max \$1,000	16.36.050(1)	G
Fine	Transport animal to another address	Max \$1,000	16.36.050(2)	G
Fine	Make false animal certificate	Max \$1,000	16.36.050(3)	G
Fine	Falsely apply/alter/remove animal identification	Max \$1,000	16.36.050(4)	G
Fine	Hinder/obstruct state veterinary	Max \$1,000	16.36.050(5)	G
Fine	Violate Department of Agriculture rule	Max \$1,000	16.36.050(6)	G
Fine	Interfere with agriculture inspection	Max \$1,000	16.36.060	G
Fine	Import infected animal without permit	Max \$1,000	16.36.080	G
Fine	Transfer/expense infected animals	Max \$1,000	16.36.082	G

LFO type	Law description	Amount	RCW	Case type
Fine	Fail to bury dead, diseased livestock	Max \$1,000	16.36.102	G
Fine	Bring animal in state without veterinary certification	Max \$1,000	16.36.140(1)	G
Fine	Commercial pesticide applicator license	Max \$7,500	17.21.070	M
Fine	Using unregistered firm name	Max \$30,000	18.04.345(5)	M
Fine	Assuming identification of CPA without license	Max \$30,000	18.04.370	F
Fine	Assuming identification of CPA without license	Max \$30,000	18.04.370	M
Fine	Recording violations	Max \$250,000	19.25.020(2)(a)	F
Fine	Recording violations	Max \$25,000	19.25.020(2)(c)	G
Fine	Tax refund loan violation	Max \$500/offense	19.265.050	M
Fine	Violation of a DV protection order	\$15	26.50.110	F
Fine	No contact/protection order violation—Two previous convictions	\$15	26.50.110	F
Fine	Violate temporary order of protection	\$15	26.50.110	F
Fine	No contact/protection order violation	\$15	26.50.110(1)(a)	G
Fine	Abusing or insulting teachers	Range \$10-100	28A.635.010	M

LFO type	Law description	Amount	RCW	Case type
Fine	Disturbing school, school activities or meetings	Max \$50	28A.635.030	M
Fine	Disclosing examination questions	Range \$100-500	28A.635.040	M
Fine	Failure to account for property	Max \$100	28A.635.070	M
Fine	Interference by force or violence	Max \$500	28A.635.090(1)	G
Fine	School intimidation	Max \$500	28A.635.100(1)	G
Fine	Pollution declared to be a nuisance	Max \$500	35.88.030	M
Fine	Collection of unpaid financial obligations	Varies	36.18.190	All
Fine	Peddler's license—No license	Range \$50-200	36.71.060	M
Fine	Emergency response caused by person's intoxication	Max \$2,500	38.52.430	G
Fine	Offering false instrument for filing or record	Max \$5,000	40.16.030	F
Fine	Off-road vehicle operation while under the influence of alcohol	\$50	46.09.470(2)	M
Fine	Non-highway vehicle endanger life	\$50	46.09.480(1)	G
Fine	Non-highway vehicle violation	\$50	46.09.480(2)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Failure to title or register an off-road vehicle— 2 nd or subsequent offense	\$50 4x amount avoided	46.09.495(1)(a)	G
Fine	Failure to title or register an off-road vehicle— 1 st offense	\$50	46.09.495(1)(a)	G
Fine	Registered off-road vehicle out of WA to avoid taxes/fees—1 st offense	\$50	46.09.495(1)(b)	G
Fine	Registered off-road vehicle out of WA to avoid taxes/fees—2 nd or subsequent offense	\$50 4x amount avoided	46.09.495(1)(b)	G
Fine	Snowmobile endanger or under the influence	\$50	46.10.490(2)	M
Fine	Snowmobile— Endanger life	\$50	46.10.495(1)	G
Fine	Snowmobile operate violation animal/weapon	\$50	46.10.495(2)	G
Fine	Failure to register snowmobile— 2 nd or subsequent offense	\$50 4x amount avoided	46.10.505(1)(a)	G
Fine	Failure to register snowmobile—1 st offense	\$50	46.10.505(1)(a)	G
Fine	Registered snowmobile out of WA to avoid taxes/fees—1 st offense	\$50	46.10.505(1)(b)	G
Fine	Registered snowmobile out of WA to avoid taxes/fees—2 nd or subsequent offense	\$50 4x amount avoided	46.10.505(1)(b)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Refusal or cancellation of certificate	\$50	46.12.550(1)	G
Fine	Change motor & possess old title	\$50	46.12.590(3)	M
Fine	Destroy vehicle— Fail surrender title	\$50	46.12.600(1)(b)	G
Fine	Advertise/sell unfit vehicle	\$50	46.12.610(3)	G
Fine	Unlawful distribution/use of DOL personal information	\$50 Max \$10,000	46.12.640(2)	G
Fine	Failure to transfer title within 45 days	\$50	46.12.650(7)	M
Fine	Buy/sell vehicle with altered serial number	\$50	46.12.720	G
Fine	Give/sell vehicle to person under 18	\$50 Max \$250	46.12.755(3)(a)	M
Fine	Ownership of vehicle by person under 18	\$50 Max \$250	46.12.755(3)(b)	G
Fine	License vehicle out of state—1 st offense	\$50 Max \$1,529	46.16A.030(6)(a)	G
Fine	License vehicle out of state —2 nd or subsequent offense	\$50 \$5,529	46.16A.030(6)(b)	G
Fine	Register vehicle—Falsify residence	\$529	46.16A.050(3)	G
Fine	Operate vehicle— Registration certificate cancelled/refused	\$50	46.16A.070	G

LFO type	Law description	Amount	RCW	Case type
Fine	Out of service transportation number— 1st offense	\$50 Min \$2,500	46.16A.320(2)(b)	G
Fine	Out of service transportation number— 2nd or subsequent offense	\$50 Min \$5,000	46.16A.320(2)(b)	G
Fine	Trip permit violation	\$50	46.16A.320(3)(a)	G
Fine	Trip permit violation	\$50	46.16A.320(6)	G
Fine	Trip permit violation— Attempt	\$50	46.16A.320(6) 9A.28.020	G
Fine	Allowing unauthorized person to drive	\$50	46.16A.520	M
Fine	False statement in application for special plate	\$50	46.18.285(4)	G
Fine	Provide false application information	\$50	46.19.050(1)	G
Fine	Illegally obtain special placard/license/ID	\$50	46.19.050(8)	M
Fine	Sale of placard/plate/tab/card	\$50	46.19.050(9)	M
Fine	No valid operator's license without identification	\$50	46.20.005	M

LFO type	Law description	Amount	RCW	Case type
Fine	Driver's license— Display/possess fraudulent	\$50	46.20.0921(1)(a)	M
Fine	Driver's license— Lend to display	\$50	46.20.0921(1)(b)	M
Fine	Driver's license—Fail to surrender suspended, revoked, cancelled	\$50	46.20.0921(1)(d)	M
Fine	Driver's license—False application	\$50	46.20.0921(1)(e)	M
Fine	Driver's license—Unlawful use of permit	\$50	46.20.0921(1)(f)	M
Fine	Driver's license— Sell/deliver stolen license	\$50	46.20.0921(2)	F
Fine	Driver's license— Manufacture/sell/deliver for financial gain/intent to commit forgery/theft/identity theft	\$50	46.20.0921(3)(a)	F
Fine	Driver's license— Manufacture/sell for other purpose	\$50	46.20.0921(3)(b)	G
Fine	Driver's license—Under 21 manufacture fewer than 4 forged misrepresentation of age	\$50	46.20.0921(4)	M
Fine	Driving while license suspended I	\$50	46.20.342(1)(a)	G
Fine	Attempt driving while license suspended I	\$50	46.20.342(1)(a) 9A.28.020	G
Fine	Driving while license suspended II	\$50	46.20.342(1)(b)	G
Fine	Driving while license suspended III	\$50	46.20.342(1)(c)	M

LFO type	Law description	Amount	RCW	Case type
Fine	Washington license suspended/using license other jurisdiction	\$50	46.20.345	G
Fine	Restricted/occupational license violation	\$50 Range \$50-\$200	46.20.394 46.20.410(1)	G
Fine	Operated vehicle without ignition interlock	\$50	46.20.410(2)	G
Fine	Operate vehicle without ignition interlock— Attempt	\$50	46.20.410(2) 9A.28.020	G
Fine	Operate vehicle without ignition interlock	\$50	46.20.740	G
Fine	Operate vehicle without ignition interlock— Attempt	\$50	46.20.740 9A.28.020	G
Fine	Circumventing ignition interlock	\$50	46.20.750	G
Fine	Operate commercial vehicle with more than 1 license	\$50	46.25.020	G
Fine	Commercial driver— Notification requirements	\$50	46.25.030	G
Fine	Employer allows illegal driver to operate commercial vehicle	\$50	46.25.040(2)	G
Fine	Commercial license required	\$50	46.25.050	G
Fine	Commercial vehicle driver alcohol/THC in system	\$50	46.25.110	G

LFO type	Law description	Amount	RCW	Case type
Fine	Fail to surrender license plates	\$50 Range \$50-250	46.29.605(4)	M
Fine	Driving with suspended vehicle registration	\$50 Range \$100-500	46.29.605(6)	G
Fine	Fail to surrender suspended license	\$50	46.29.610	M
Fine	Forged proof of financial responsibility	\$50	46.29.620	G
Fine	Falsification of insurance identification card	\$50	46.30.040	M
Fine	Non-owner access auto record information	\$50	46.35.030	M
Fine	Unlawful install of sun screening	\$50	46.37.435	M
Fine	Odometer disconnect/reset	\$50	46.37.540	G
Fine	Signal preemption device possession	\$50	46.37.671	M
Fine	Signal preemption device—No authority	\$50	46.37.672	G
Fine	Flip license plate violation/false registration violation—1 st offense	\$50 \$1,000	46.37.685(2)	G
Fine	Flip license plate violation/false registration violation—2 nd offense	\$50 \$2,500	46.37.685(2)	G
Fine	Flip license plate violation/false registration violation—3 rd and subsequent offense	\$50 \$5,000	46.37.685(2)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Alter/forge/reuse mobile home decal	\$50	46.44.175(2)	G
Fine	Mobile home move insurance requirement	\$50	46.44.180(1)	M
Fine	Mobile home move evidence of insurance	\$50	46.44.180(4)	M
Fine	Hazardous material carrier violation	\$50 Range \$200-\$500	46.48.175	M
Fine	Hit/run unattended vehicle/property	\$50	46.52.010	M
Fine	Hit and run attended vehicle	\$50	46.52.020	G
Fine	Hit and run accident—Death/injury	\$50	46.52.020(4)	F
Fine	Hit and run accident—Attempt	\$50	46.52.020(4)(b) 9A.28.020	F
Fine	Hit and run—Deceased person	\$50	46.52.020(4)(c)	G
Fine	Fail to stop, give information, or aid	\$50	46.52.020(5)	G
Fine	Confidential driving record violation—Negligent	\$50	46.52.130(6)(a)	G
Fine	Confidential driving record violation—Intentional	\$50	46.52.130(6)(b)	G
Fine	Tow truck-operate without registration	\$50	46.55.020(2)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Tow truck operator impound gratuity	\$50	46.55.035(1)(a)	G
Fine	Tow truck operator impound contract	\$50	46.55.035(1)(b)	G
Fine	Tow truck operator impound ownership	\$50	46.55.035(1)(c)	G
Fine	Abandoning junk vehicle	\$50	46.55.230(6)	G
Fine	Property owner immobilize other vehicle	\$50	46.55.300	G
Fine	Fail to obey police/flagger/firefighter	\$50	46.61.015(1)	M
Fine	Vehicle operator - Refuse to comply police	\$50	46.61.020	M
Fine	Failure to identify self to law officer	\$50	46.61.021(3)	M
Fine	Fail to obey/stop/give information to officer	\$50	46.61.022	M
Fine	Attempting elude police vehicle	\$50	46.61.024(1)	F
Fine	Reckless endangerment emergency zone worker	\$50	46.61.212(4)	G
Fine	Reckless driving	\$50 Max \$5,000	46.61.500	G
Fine	Felony Driving Under the Influence (DUI) or physical control	\$50 Max \$2,500	46.61.502(6)	F
Fine	Minor DUI - Driver under 21 years old consume alcohol/marijuana	\$50	46.61.503	M

LFO type	Law description	Amount	RCW	Case type
Fine	Felony DUI or physical control	\$50 Max \$2,500	46.61.504(6)	F
Fine	Vehicular homicide under influence or reckless	\$50 Max \$2,500	46.61.520	F
Fine	Vehicular assault or attempt	\$50 Max \$2,500	46.61.522 9A.28.020	F
Fine	Negligent driving I	\$50 \$250	46.61.5249	M
Fine	Reckless endangerment of highway worker	\$50	46.61.527(4)	G
Fine	Racing	\$50	46.61.530	G
Fine	Racing—Attempt	\$50	46.61.530 9A.28.020	G
Fine	Advertise unlawful speed attained	\$50	46.61.535	G
Fine	Fail to secure load I	\$50	46.61.655(7)(a)	G
Fine	Fail to secure load II	\$50	46.61.655(7)(b)	M
Fine	Child in vehicle with motor running	\$50	46.61.685(1)	M
Fine	Theft of motor vehicle fuel	\$50	46.61.740	G
Fine	Theft of motor vehicle fuel —Attempt	\$50	46.61.740 9A.28.020	G
Fine	Refuse to post bail—Nonresident	\$50	46.64.035	M
Fine	Title 46	\$50	46.64.055	All

LFO type	Law description	Amount	RCW	Case type
Fine	License fee refund—False statement	\$50	46.68.010(5)	G
Fine	Vehicle dealing	\$50	46.70.021(3)(a)	G
Fine	Vehicle dealing—2 nd offense	\$50	46.70.021(3)(b)	F
Fine	Vehicle dealer place business violation	Varies	46.70.023	M
Fine	Illegal use of dealer license plate	\$50	46.70.090	M
Fine	No demonstrate permit in possession	\$50	46.70.090(3)(a)	M
Fine	No dealer identification card in possession	\$50	46.70.090(3)(b)	M
Fine	Vehicle dealer record transaction violation	\$50	46.70.120	M
Fine	Fail to disclose written ask price of vehicle	\$50	46.70.125	M
Fine	Improper use dealer plates	\$50	46.70.140	G
Fine	Unfair motor vehicle business practice	\$50	46.70.180	M
Fine	License impound fraud	\$50	46.70.180(16)	M
Fine	Dealer—Deposit to trust account	\$50	46.70.180(9)	M
Fine	For hire vehicle—Insurance/permit required	\$50 Max \$500	46.72.100(2)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Limousine - Vehicle certificate violation—1 st offense	\$50	46.72A.070(3)(a)	M
Fine	Limousine—Vehicle certificate violation—2 nd or subsequent offense	\$50	46.72A.070(3)(b)	G
Fine	Transporting hulks to scrap without license remove	\$50	46.79.020	G
Fine	Haul hulk auto without insurance	\$50	46.79.120	G
Fine	Vehicle wrecker — No license	\$50	46.80.020(2)(a)	G
Fine	Vehicle wrecker— No license subsequent offense	\$50	46.80.020(2)(b)	F
Fine	Records to be kept	\$50	46.80.080(7)	G
Fine	Vehicle wrecker obtain vehicle no title	\$50	46.80.110(1)(a)	G
Fine	Vehicle wrecker falsify vehicle condition	\$50	46.80.110(1)(b)	G
Fine	Vehicle wrecker fraudulent license	\$50	46.80.110(1)(h)	M
Fine	No sight—Obscuring fence or wall	\$50	46.80.130	G
Fine	Keep vehicle at non-designated place	\$50	46.80.130(1)	G
Fine	Violation of wrecking yard regulations	\$50	46.80.170	M

LFO type	Law description	Amount	RCW	Case type
Fine	Operate without valid credentials	\$50	46.87.290(2)	G
Fine	Limited access highway violation	Range \$5-\$100	47.52.120(1)	M
Fine	No aircraft registration/permit	\$100	47.68.230	G
Fine	Registration of aircraft	\$100	47.68.250	M
Fine	Aircraft excise tax evasion—2 nd or subsequent offense	4x amount avoided	47.68.255	G
Fine	Work permit for minor required	Min \$25	49.12.123	M
Fine	Dangerous conditions violation safety standard	Max \$10,000	49.17.130	G
Fine	Make false/misleading statement to public servant	Ma \$10,000	49.17.190(2)	G
Fine	Violation of order of immediate restraint	Max \$10,000	49.17.190(4)	G
Fine	Kickbacks, bribes, rebates	Max \$25,000	51.48.280(1)	G
Fine	Individual insurance— Health service provider fee	Max \$25,000	51.48.280(3)	G
Fine	Foreclose—No removal of property	Max \$500	61.12.030(1)	M

LFO type	Law description	Amount	RCW	Case type
Fine	Identification not presented on request of liquor license—2 nd or subsequent offense	Max \$10,000	66.20.180	G
Fine	Identification not presented on request of liquor licensee—1 st offense	Max \$5,000	66.20.180	G
Fine	Identification card—Transfer alcohol purchase	Min \$250	66.20.200(1)	M
Fine	Identification card—Procure unlawfully	Min \$250	66.20.200(2)	M
Fine	Fail to show alcohol server permit—1 st offense	Max \$250	66.20.310(2)(b)	M
Fine	Fail to show alcohol server permit—2 nd or subsequent offense	Max \$500	66.20.310(2)(b)	M
Fine	No valid alcohol server permit—1 st offense	Max \$250	66.20.310(2)(e)	M
Fine	No valid alcohol server permit—2 nd or subsequent offense	Max \$500	66.20.310(2)(e)	M
Fine	Accept employment in sale/service of alcohol when alcohol server permit has been denied, suspended/revoked—1 st offense	Max \$250	66.20.310(6)(b)	M
Fine	Accept employment in sale/service of alcohol when alcohol server permit has been denied, suspended/revoked—2 nd or subsequent offense	Max \$500	66.20.310(6)(b)	M

LFO type	Law description	Amount	RCW	Case type
Fine	Purchase beer from unlicensed wholesale—1 st offense	Max \$5,000	66.28.070	M
Fine	Purchase beer from unlicensed wholesale—2 nd offense	Max \$10,000	66.28.070	M
Fine	Permit for music and dancing—2 nd offense	Max \$5,000	66.28.080	G
Fine	Permit for music and dancing—1 st offense	Max \$5,000	66.28.080	G
Fine	Fail to allow inspection—2 nd offense	Max \$10,000	66.28.090	G
Fine	Fail to allow inspection—1 st offense	Max \$5,000	66.28.090	G
Fine	Sales of liquor by drink or bottle—2 nd offense	Max \$10,000	66.44.130	G
Fine	Sales of liquor by drink or bottle—1 st offense	Max \$5,000	66.44.130	G
Fine	Unlawful sale, transportation of spirit liquor—2 nd offense	Min \$1,000	66.44.140	G
Fine	Unlawful sale, transportation of spirit liquor—1 st offense	Min \$500	66.44.140	G
Fine	Illegal possess, transport alcohol—2 nd or subsequent offense	Max \$10,000	66.44.160	G
Fine	Illegal possess, transportation of spirit liquor—1 st offense	Max \$5,000	66.44.160	G

LFO type	Law description	Amount	RCW	Case type
Fine	Illegal possess liquor to sell—2 nd or subsequent offense	Max \$10,000	66.44.170	G
Fine	Illegal possess liquor to sell—1 st offense	Max \$5,000	66.44.170	G
Fine	Obtaining liquor for ineligible person—2 nd or subsequent offense	Max \$10,000	66.44.210	G
Fine	Obtaining liquor for ineligible person—1 st offense	Max \$500	66.44.210	G
Fine	Minor intoxicated in public place—2 nd offense	Max \$10,000	66.44.270(2)(b)	G
Fine	Minor intoxicated in public place—1 st offense	Max \$5,000	66.44.270(2)(b)	G
Fine	Minor applying for permit—2 nd or subsequent offense	Max \$10,000	66.44.280	G
Fine	Minor applying for permit—1 st offense	Max \$500	66.44.280	G
Fine	Minor liquor purchase or attempt	Min \$250	66.44.290 9A.28.020	M
Fine	Unlawful transfer of age ID to minor	Min \$250	66.44.325	M
Fine	Forge/Alter ID card for minor	Min \$2,500	66.44.328	G
Fine	Obstruct liquor officer—2 nd or subsequent offense	Max \$500	66.44.370	G
Fine	Obstruct liquor officer—1 st offense	Max \$500	66.44.370	G

LFO type	Law description	Amount	RCW	Case type
Fine	Poison/harmful object in food/edibles	Min \$1,000	69.40.030	F
Fine	Civil Protection Order Violation—Enforcement and penalties	\$15	7.105.450(1)(b)(ii)	G
Fine	Civil Protection Order Violation—Felony—Enforcement and penalties	\$15	7.105.450(4)	F
Fine	Infectious disease—Local board of health enforcement violation	Range \$25-\$100	70.05.120(2)	M
Fine	Infectious disease—Doctor fail to report	Range \$25-\$100	70.05.120(3)	M
Fine	Infectious disease—Violations	Range \$25-\$100	70.05.120(4)	M
Fine	Willfully furnishes false information for any certificate required under 70.58—1 st offense	Range \$25-\$250	70.58.280	G
Fine	Willfully furnishes false information for any certificate required under 70.58—2 nd offense	Range \$25-\$250	70.58.280	G
Fine	Willfully furnishes false information for any certificate required under 70.58—3 rd or subsequent offense	Range \$25-\$250	70.58.280	G
Fine	Outdoor burning prohibited substances	Max \$10,000	70A.15.5010	G

LFO type	Law description	Amount	RCW	Case type
Fine	Outdoor burning urban growth area	Max \$10,000	70A.15.5020	G
Fine	Public assistance— Fraudulent disposing of real property	Max \$10,000	74.08.331(2)	G
Fine	Forest practices violation	Range \$100-\$10,000	76.09.050	G
Fine	Stop work orders	Range \$100-\$1,000	76.09.080	G
Fine	Unauthorized forest practices	Range \$100-\$1,000	76.09.190	G
Fine	Specialized forest product permit required	Max \$1,000	76.48.031	G
Fine	Specialized forest product permit buyer permit violation	Max \$1,000	76.48.101	G
Fine	Specialized forest product buyers record violation	Max \$1,000	76.48.111	G
Fine	Sell huckleberry/Harvest specialized forest products	Max \$1,000	76.48.131(1)	G
Fine	Harvest specialized forest product not authorized permit	Max \$1,000	76.48.131(2)	G
Fine	Harvest specialized forest product without permission	Max \$1,000	76.48.131(3)	G
Fine	Harvest huckleberry with rake/mechanical device	Max \$1,000	76.48.131(4)	G

LFO type	Law description	Amount	RCW	Case type
Fine	Taking protected fish/wildlife	Wildlife penalty assessment	77.15.130	M
Fine	Unlawful recreational fish I	Wildlife penalty assessment	77.15.370	G
Fine	Unlawful hunting big game II	Wildlife penalty assessment	77.15.410(1)	G
Fine	Unlawful hunting big game I	Wildlife penalty assessment	77.15.410(2)	F
Fine	Spotlighting big game II	Wildlife penalty assessment	77.15.450(1)	G
Fine	Spotlighting big game I	Wildlife penalty assessment	77.15.450(2)	F
Fine	Life vest violation/carry passengers for hire	Max \$1,000	79A.60.160(3)	M
Fine	Operate whitewater raft without a license	Max \$1,000	79A.60.480	M
Fine	Violate chapter regarding common carrier	Max \$500	81.29.040	M
Fine	Railroad or railway violate staffing	Range \$100-500	81.40.010	M
Fine	Railroad or railway uniform—Unlawful to require purchase	Range \$100-500	81.40.060	M
Fine	Railroad or railway equipment steal/interfere	Max \$1,000	81.60.080(1)	F
Fine	Railroad or railway equipment—Receive stolen property	Max \$1,000	81.60.080(2)	F

LFO type	Law description	Amount	RCW	Case type
Fine	Violate hiring competent railway/street car operators	Range \$50-200	81.64.090	M
Fine	Violate gas and hazardous liquid pipelines	Varies	81.88.040	G
Fine	Violation of injunction or order regarding false advertising	Varies	9.04.070	G
Fine	Advertising fuel prices by service stations	Varies	9.04.090	G
Fine	Pets—Take/conceal/kill	Min \$500	9.08.070(1)	G
Fine	Pets—Receive stolen/sell research—1 st offense	Min \$500	9.08.072(2)	G
Fine	Pets—Receive stolen/sell research—2 nd and subsequent offense	Min \$100	9.08.072(3)	F
Fine	Imitating lawful brand—Felony	Max \$1,000	9.16.020(1)	F
Fine	Counterfeiting—1 st offense	3x retail price	9.16.035(1)	M
Fine	Counterfeiting—2 nd offense	3x retail price	9.16.035(2)	G
Fine	Counterfeiting—3 rd and subsequent offense	3x retail price	9.16.035(3)	F
Fine	Financial information improperly obtained	Max \$500	9.35.010	F
Fine	Mock auctions	Max \$1,000	9.45.070	M

LFO type	Law description	Amount	RCW	Case type
Fine	Inhaling toxic fumes	Max \$100	9.47A.020	M
Fine	Possess substance—Toxic fumes	Max \$100	9.47A.030	M
Fine	Sell substance—Toxic fumes	Max \$100	9.47A.040	M
Fine	Erotic material—Sell/distribute to minor—1 st offense	Max \$500	9.68.060(5)(a)	M
Fine	Erotic material—Sell/distribute to minor—2 nd offense	Max \$1,000	9.68.060(5)(b)	G
Fine	Erotic material—Sell/distribute to minor—3 rd and subsequent offense	Max \$5,000	9.68.060(5)(c)	F
Fine	Dispose of trash in charity receptacle	Min \$50	9.91.130(1)	M
Fine	Reclaimed water use penalty	Max \$10,000	90.46.260	G
Fine	Discharge of polluting matter	Max \$10,000	90.48.080	G
Fine	Base Fine	Varies	9A.20.021	All
Fine	Violate harassment no contact order	\$15	9A.46.040	G
Fine	Violate order restricting contact	\$15	9A.46.080	G

LFO type	Law description	Amount	RCW	Case type
Fine	Interfere with health care facility—2 nd offense	Min \$500	9A.50.020	G
Fine	Interfere with health care facility—3 rd or subsequent offense	Min \$1,000	9A.50.020	G
Fine	Interfere with health care facility—1 st offense	Min \$250	9A.50.020	G
Fine	Issue bank checks under \$750	Range \$375-\$1,125	9A.56.060	G
Fine	Providing false residency information on application for certificate of ownership	\$259	WAC 308.56A.030	G
Fine	Providing false address to DOL	\$259	WAC 308.56A.040	G
Other	Payment plans	NA	10.01.170	All
Other	Mentally ill exception	NA	10.01.180(3)(c)	All
Other	Public bodies may retain collection agencies to collect public debts	NA	19.16.500	All

LFO type	Law description	Amount	RCW	Case type
Other	Legal financial obligations under the Sentencing Reform Act (SRA)	NA	9.94A.760	F
Restitution	12% interest on restitution	Varies	10.82.090	All
Restitution	12% interest on restitution	Varies	19.52.020	All
Restitution	12% interest on restitution	Varies	4.56.110	All
Restitution	Litter greater than 1 cubic foot but less than 1 cubic yard	Litter cleanup restitution	70A.200.060(2)(b)	G
Restitution	Litter 1 cubic yard or more	Litter cleanup restitution	70A.200.060(2)(c)	G
Restitution	Dump solid waste 1 cubic foot—1 cubic yard	Litter cleanup restitution	70A.205.195(3)(b)	G
Restitution	Dump solid waste 1 cubic yard or more	Litter cleanup restitution	70A.205.195(3)(c)	G
Restitution	Restitution	Varies	9.94A.750	F
Restitution	Restitution	Varies	9A.20.030	All

II. 50-State Review of Court Funding and LFOs

As part of WSIPP's assignment, we studied how other states funded their court systems and attempted to explore if and/or how LFOs were connected to court funding. We sought information that would allow us to compare states and situate Washington in the national context. We faced two main constraints in procuring, organizing, and analyzing court budget and LFO data and documentation. First, consistent and comparable court data were difficult to find. States compile and present their budget data and documents differently across states, and different court structures require some states to aggregate data from hundreds of courts to present state-level data. Second, states account for and present LFO information differently. The definition of LFOs differs across states, and some states have no state-level data available on LFOs; particularly states that operate non-unified court systems. To conduct the 50-state review WSIPP took two approaches.

To give a high-level overview that allows for a cross-state comparison, we use judicial spending⁷¹ and fines and forfeitures⁷² revenue data from the U.S. Census Bureau's 2019 annual survey of local and state government finances dataset. For judicial spending, the U.S. Census Bureau provides state-level summaries, but for fines and forfeitures, they provide only raw data from local and state governments that WSIPP then aggregated by state. The data separates judicial spending into state and local categories based on the type of government entity responding to the survey. This breakdown allows for examination of whether states rely more heavily on state or local funds to run their judicial systems.

While these data allow for cross-state comparison from a single data source, the data collection method and the differences in state court systems necessitate caution when interpreting. The data are collected via a survey and are thus subject to sampling error—statistical errors that occur when characteristics of a population are estimated from a subset. The U.S. Census Bureau surveys local and state governments across the United States but is unable to survey every local government every year.⁷³ WSIPP presents judicial spending and fines and forfeitures revenue data from the most recent survey (2019). We also present per capita values calculated using state-level population data also provided by the U.S. Census Bureau.⁷⁴

To provide more precise detail regarding how states fund their court systems and whether they are supported by LFOs, WSIPP reviewed the judiciary budgets in all 50 states and the District of Columbia. We used secondary sources as a guide and then attempted to verify all budget information via a state's specific judiciary budget documentation and a state's overall budget documentation, all publicly available. We sought the most current information available but found piecemeal information from various years. Exhibit A2 table notes include verifiable information related to court funding and LFOs. Additional information and individual state citations can be furnished upon request.

⁷¹ Judicial spending statistics were taken from the Judicial and legal (government finance statistics) line item found in the 2019 state-level U.S. summary tables from the annual survey of local and state government finances. Judicial and legal, "Includes all court and court related activities (except probation and parole activities which are included at the "Correction" function), court activities of sheriff's offices, prosecuting attorneys' and public defender's offices, legal departments, and attorneys providing government-wide legal service." U.S. Census Bureau. (2019). [Annual survey of state and local government finances](#).

⁷² Fines and forfeits taken from Code U30 "Fines and forfeits" in the raw survey data. Code U30 is defined as: "Revenue from penalties imposed for violations of law; civil penalties (e.g. for violating court orders); court fees if levied upon conviction of a crime or violation; court-ordered restitutions to crime victims where government actually collects the monies; and forfeits of deposits held for performance guarantees or against loss or damage (such as forfeited bail and collateral)." U.S. Census Bureau. (2006). [Government finance and employment classification manual](#).

⁷³ U.S. Census Bureau. (2021). [About the annual survey of local government finances](#).

⁷⁴ U.S. Census Bureau. (2021). [State population totals and components of change: 2010-2019](#).

We found some judicial funding information for nearly every state. Methods for funding court systems vary across states. Some states rely more heavily on local funding and others on state dollars, but all states use both.⁷⁵ The review also found that most states use federal or grant funding for court operations. All states allow for the imposition and collection of LFOs, but state-level data on the number and amount of LFOs imposed, collected, and outstanding is sparse. In states where data are available (including Washington), it is often unclear how those funds are remitted and disseminated. We find that many systems use an indirect funding stream. Revenues from LFOs are placed into state and municipal general funds that can be appropriated back to the judiciary in the state or municipal budget.

- [Exhibit A2](#) is organized by unified and non-unified courts and houses the information from our review. For each state, we report 2019 judicial spending (expressed in thousands of dollars),⁷⁶
- The percent of 2019 judicial spending by local governments,
- The state-level per capita amount of 2019 judicial spending,
- 2019 fines and forfeitures collected by state and local governments as a percentage of 2019 judicial spending,
- 2019 fines and forfeitures collected by state and local governments per capita, and
- Additional notes regarding LFOs found in public documentation are included in exhibit notes.

⁷⁵ Excludes Washington D.C. which does not receive state dollars.

⁷⁶ That is, the full value can be found by multiplying the column value by 1,000.

Exhibit A2

50-State Review for LFOs and the Court Funding Mechanism

State	Judicial spending (\$K)*	Local percent of judicial spending*	Judicial spending per capita*	Fines and forfeitures as % of judicial spending*	Fines and forfeitures per capita*
Unified court systems#					
Alabama	\$ 402,070	45.2%	\$82.00	65%	\$ 52.98
Alaska	\$ 242,974	9.0%	\$332.14	14%	\$ 45.98
California	\$ 9,193,426	44.9%	\$232.67	28%	\$ 65.61
Colorado	\$ 953,418	34.5%	\$165.56	31%	\$ 50.78
Florida	\$ 2,635,576	36.3%	\$122.71	24%	\$ 29.47
Georgia	\$ 1,534,024	76.5%	\$144.48	22%	\$ 31.31
Hawaii	\$ 325,777	20.1%	\$230.09	14%	\$ 32.62
Idaho	\$ 237,091	62.5%	\$132.67	14%	\$ 18.51
Illinois	\$ 1,505,680	61.3%	\$118.82	42%	\$ 50.39
Kansas	\$ 349,426	47.8%	\$119.94	27%	\$ 31.92
Kentucky	\$ 575,718	8.1%	\$128.86	9%	\$ 11.31
Maine	\$ 119,152	17.4%	\$88.64	26%	\$ 22.75
Michigan	\$ 1,402,375	82.6%	\$140.42	24%	\$ 34.23
Minnesota	\$ 830,391	33.7%	\$147.24	10%	\$ 14.53
Missouri	\$ 587,319	53.5%	\$95.69	21%	\$ 20.10
Nebraska	\$ 197,110	58.6%	\$101.90	9%	\$ 9.45
New Hampshire	\$ 179,460	19.4%	\$131.98	19%	\$ 24.83
New Jersey	\$ 1,626,695	35.4%	\$183.14	17%	\$ 31.30
New York	\$ 4,444,493	36.8%	\$228.47	32%	\$ 72.20
North Carolina	\$ 852,991	12.6%	\$81.33	45%	\$ 36.65
Oklahoma	\$ 354,871	28.2%	\$89.68	33%	\$ 29.64
Oregon	\$ 856,524	30.4%	\$203.08	32%	\$ 64.99
Pennsylvania	\$ 1,945,992	78.5%	\$152.01	18%	\$ 27.24
Rhode Island	\$ 165,960	12.8%	\$156.66	19%	\$ 30.34
South Carolina	\$ 419,882	69.0%	\$81.55	47%	\$ 38.05
South Dakota	\$ 100,392	44.3%	\$113.48	24%	\$ 27.22
Utah	\$ 425,145	53.0%	\$132.61	20%	\$ 26.19
Vermont	\$ 95,132	5.8%	\$152.46	32%	\$ 49.48
Virginia	\$ 1,052,739	47.3%	\$123.34	37%	\$ 45.94
West Virginia	\$ 268,837	22.3%	\$150.01	13%	\$ 18.82
Wisconsin	\$ 709,544	52.3%	\$121.86	18%	\$ 22.18

State	Judicial spending (\$K)*	Local percent of judicial spending*	Judicial spending per capita*	Fines and forfeitures as % of judicial spending*	Fines and forfeitures per capita*
Non-unified court systems#					
Arizona	\$ 1,024,297	84.2%	\$140.72	34%	\$ 47.70
Arkansas	\$ 237,561	43.9%	\$78.72	39%	\$ 30.45
Connecticut	\$ 685,907	7.3%	\$192.38	20%	\$ 39.25
D.C	\$ 171,797	100.0%	\$243.43	118%	\$ 286.50
Delaware	\$ 201,692	3.7%	\$207.13	19%	\$ 39.57
Indiana	\$ 646,206	66.8%	\$95.99	36%	\$ 34.35
Iowa	\$ 385,206	35.2%	\$122.09	33%	\$ 40.79
Louisiana	\$ 686,241	54.1%	\$147.62	47%	\$ 69.62
Maryland	\$ 1,020,854	36.9%	\$168.86	33%	\$ 55.96
Massachusetts	\$ 1,119,358	6.9%	\$162.40	26%	\$ 41.94
Mississippi	\$ 287,822	57.2%	\$96.71	29%	\$ 28.00
Montana	\$ 204,701	36.8%	\$191.53	13%	\$ 25.05
Nevada	\$ 538,626	82.6%	\$174.87	23%	\$ 39.94
New Mexico	\$ 355,517	10.8%	\$169.55	13%	\$ 22.15
North Dakota	\$ 116,325	23.0%	\$152.65	24%	\$ 36.32
Ohio	\$ 1,890,244	81.2%	\$161.71	20%	\$ 32.05
Tennessee	\$ 900,495	57.5%	\$131.86	20%	\$ 26.74
Texas	\$ 3,404,429	77.4%	\$117.41	41%	\$ 48.35
Washington	\$ 1,166,360	71.7%	\$153.17	26%	\$ 39.06
Wyoming	\$ 125,076	36.1%	\$216.11	22%	\$ 47.89

Notes:

* Indicates data source is U.S. Census Bureau annual survey of state and local government finances.

We classified courts as unified if their state-level court website indicated that they operate a unified court system.

In Colorado (unified court system) the judicial branch collected over \$100 M from fines, fees, and restitution in 2019. In addition, 46% supported the following four funds: Highway Users Trust Fund, Offender Services Fund, Law Enforcement Assistance Fund, and the Drug Enforcement Surcharge Fund. 23% was restitution, 22% supported programs for victims of crimes, and 9% returned to the state General Fund.

Approximately 48% of court fines and fees are allocated back to Idaho (unified court system) courts.

In Michigan (unified court system), more than \$418 M of funding for trial courts came from criminal fines and fees in FY20.

In Connecticut (non-unified court system), courts sent approximately \$43.2 M to the state General Fund in FY19.

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