

MINNESOTA JUDICIAL BRANCH
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DATE: February 15, 2022

TO: Senator Warren Limmer, Chair, Senate Judiciary and Public Safety Finance and Policy Committee
Senator Ron Latz, Ranking Minority Member, Senate Judiciary and Public Safety Finance and Policy Committee
Senator Scott J. Newman, Chair, Senate Transportation Finance and Policy Committee
Senator D. Scott Dibble, Ranking Minority Member, Senate Transportation Finance and Policy Committee
Representative Jamie Becker-Finn, Chair, House Judiciary Finance and Civil Law Committee
Representative Peggy Scott, Ranking Minority Member, House Judiciary Finance and Civil Law Committee
Representative Carlos Mariani, Chair, House Public Safety and Criminal Justice Reform Committee
Representative Brian Johnson, Ranking Minority Member, House Public Safety and Criminal Justice Reform Committee
Representative Frank Hornstein, Chair, House Transportation Finance and Policy Committee
Representative John Petersburg, Ranking Minority Member, House Transportation Finance and Policy Committee

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RE: Minn. Stat. § 171.325, subdivision 2
Report to Legislature by the State Court Administrator

Minn. Stat. 2021, section 171.325, subdivision 2 mandates that the State Court Administrator report annually by February 15, to chairs and ranking minority members of the legislative committees with jurisdiction over public safety and transportation, on charges and convictions for violations of Minn.Stat. section 171.24, subdivisions 1 and 2 (driving after suspension and driving after revocation) and specified fine revenue.

Specifically the statute provides that at a minimum, the report must include:

- (1) for each of the previous eight calendar years, the number of charges under section 171.24, subdivisions 1 and 2 (driving after suspension and driving after revocation), broken down by the charges for each subdivision and indicating whether the court appointed the public defender to represent the defendant;
- (2) for each of the previous eight calendar years, the number of convictions under section 171.24, subdivisions 1 and 2, (driving after suspension and driving after revocation), broken down by the convictions for each subdivision and indicating whether the court appointed the public defender to represent the defendant; and
- (3) for the past calendar year, for all charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, that:
 - (i) were paid in full by the due date on the citation;
 - (ii) were paid in full through a payment plan;
 - (iii) accrued late charges;
 - (iv) were sent to court collections; and
 - (v) were sent to the Department of Revenue for collection.

This report is filed in compliance with the statute.

Table 1

**Charges Filed Under Minn. Stat. section 171.24, subdivisions 1; Driving After Suspension
Charges Filed Under Minn. Stat. section 171.24, subdivisions 2; Driving After Revocation
2014 – 2021**

Number of Charges Filed per year	2014	2015	2016	2017	2018	2019	2020	2021	Total
171.24.1 Driving After Suspension	38,594	34,429	28,302	26,755	24,321	22,768	16,570	17,194	208,933
Public Defender Appointed	3,851	3,937	2,622	2,403	2,022	1,755	1,079	675	18,344
Public Defender Not Appointed	34,743	30,492	25,680	24,352	22,299	21,013	15,491	16,519	190,589
171.24.2 Driving After Revocation	46,287	48,435	50,324	52,415	51,452	50,814	42,999	42,164	384,890
Public Defender Appointed	6,883	7,334	6,430	6,769	6,254	5,585	4,187	3,017	46,459
Public Defender Not Appointed	39,404	41,101	43,894	45,646	45,198	45,229	38,812	39,147	338,431
Grand Total	84,881	82,864	78,626	79,170	75,773	73,582	59,569	59,358	593,823

Table 2

**Convictions Under Minn. Stat. section 171.24, subdivisions 1; Driving After Suspension
Convictions Under Minn. Stat. section 171.24, subdivisions 2; Driving After Revocation
2014 – 2021**

Number of Charges Convicted per year	2014	2015	2016	2017	2018	2019	2020	2021	Total
171.24.1 Driving After Suspension	18,906	19,545	19,689	18,371	17,347	15,929	11,234	16,590	137,611
Public Defender Appointed	1,056	1,063	958	873	758	505	228	251	5,692
Public Defender Not Appointed	17,850	18,482	18,731	17,498	16,589	15,424	11,006	16,339	131,919
171.24.2 Driving After Revocation	22,057	24,060	29,533	28,410	28,113	27,457	16,830	34,473	210,933
Public Defender Appointed	2,002	2,068	2,120	2,140	2,056	1,564	719	985	13,654
Public Defender Not Appointed	20,055	21,992	27,413	26,270	26,057	25,893	16,111	33,488	197,279
Grand Total	40,963	43,605	49,222	46,781	45,460	43,386	28,064	51,063	348,544

The conviction may not occur in the same year in which the charge is filed. Convictions do not include charges with no disposition or a current disposition of acquittal, continuance for dismissal, dismissed, diversion, stay of adjudication.

For calendar year 2021, charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, that:

- (3)(i): were paid in full by the due date on the citation**
- (3)(ii): were paid in full through a payment plan**
- (3)(iii): accrued late charges**
- (3)(iv): were sent to court collections**
- (3)(v): were sent to the Department of Revenue for collection.**

Court collections is referring the case to the Department of Revenue, therefore this report does not contain data related to item (3)(iv). All cases sent for collection are represented in Table (3)(v).

General Information Related to Tables 3(i), 3(ii), 3(iii), 3(v):

“Payable Citations Certifiable to the Department of Public Safety” refers to payable citations with charges that must be reported to the Department of Public Safety upon conviction under Minn. Stat. 171.16 subd. 1.

Net Fine Assessments are for the fine portion only and equal total assessments less any credits.

The payment information in Tables 3(i) and 3(ii) do not account for all fine payments received. Payments can also be received by an extended due date, after the due date but prior to the referral to the Department of Revenue for payments, or through partial payments.

Data is as of January 7, 2022. Cases filed in calendar year 2021 are included. Net fine assessments, payments, late fees, and referrals to collections are as of January 7, 2022.

Table 3(i): Were paid in full by the due date on the citation

The due date is 30 days after the case filing date. Cases filed after December 8, 2021 were not yet due when the data were compiled.

Table 3(i)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	327	470	\$58,312	
Of those, citations paid in full by the due date on the citation	0	0		\$0
Percent paid in full by the due date on the citation	0.0%	0.0%		0.0%

Table 3(i)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	244,218	282,707	\$27,002,811	
Of those, citations paid in full by the due date on the citation	118,176	124,869		\$7,789,067
Percent paid in full by the due date on the citation	48.4%	44.2%		28.8%

As shown in Table 3(i)(a), 0% of cases where the court appointed the public defender to represent the defendant were paid in full by the due date on the citation.

As shown in Table 3(i)(b), 48.4% (118,176 / 244,218) of cases without a public defender appointment were paid in full by the due date on the citation. Of the total fine amount assessed on cases without a public defender appointment, 28.8% (\$7,789,067.18 / \$27,002,811.83) was paid in full by the due date on the citation.

Table 3(ii): were paid in full through a payment plan

The fine payment total does not include payments on payment plans that were not yet paid in full as of January 7, 2022.

Table 3(ii)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	327	470	\$58,312	
Of those, citations paid in full through a payment plan	3	5		\$150
Percent paid in full through a payment plan	0.9%	1.1%		0.3%

Table 3(ii)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	244,218	282,707	\$27,002,811	
Of those, citations paid in full through a payment plan	1,986	2,456		\$167,998
Percent paid in full through a payment plan	0.8%	0.9%		0.6%

As shown in Table 3(ii)(a), of the total fine amount assessed on cases with a public defender appointed, 0.3% (\$150 / \$58,312) was paid in full through a payment plan.

As shown in Table 3(ii)(b), of the total fine amount assessed on cases without a public defender appointed, 0.6% (\$167,998 / \$27,002,811) was paid in full through a payment plan.

Table 3(iii): accrued late charges

Late charges include a First Penalty of \$5, which is added after the due date, and a Second Penalty of \$25, which is added 30 days after the First Penalty. Fine Payments include the fine portion only of the total payments and do not include payments made toward late penalties or other fees.

Table 3(iii)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	327	470	\$58,312	
Of those, citations which accrued late charges	81	100		\$844
Percent which accrued late charges	24.8%	21.3%		1.4%

Table 3(iii)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	244,218	282,707	\$27,002,812	
Of those, citations which accrued late charges	98,538	125,230		\$3,592,782
Percent which accrued late charges	40.3%	44.3%		13.3%

As shown in Table 3(iii)(a), 24.8% (81/327) of the cases in which the court appointed the public defender accrued late charges; fine payments made on these cases represent 1.4% (\$844 / \$58,312) of the net fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.

As shown in Table 3(iii)(b), 40.3% of the cases in which the court did not appoint a public defender accrued late charges (98,538 / 244,218); fine payments made on these cases represent 13.3% (\$3,592,281 / \$27,002,812) of the net fine assessments on citations certifiable to the Department of Public Safety where the court did not appoint the public defender

Table 3(v): were sent to the Department of Revenue for collection.

These tables include the number of cases charged in 2021 with convictions that were referred to DOR for collection as of January 7, 2022. Referral occurred at least 90 days after a missed payment.

Table 3(v)(a). Cases referred where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	327	470	\$58,312	
Of those, citations which were sent to the Department of Revenue for collection	40	54		\$846
Percent which were sent to the Department of Revenue for collection	12.2%	11.5%		1.5%

Table 3(v)(b). Cases referred where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	244,218	282,707	\$27,002,812	
Of those, citations which were sent to the Department of Revenue for collection	17,156	21,732		\$247,112
Percent which were sent to the Department of Revenue for collection	7.0%	7.7%		0.9%

As shown in Table 3(v)(a), 12.2% (40 / 327) of cases where the court appointed the public defender to represent the defendant were sent to the Department of Revenue for collection. Fine payments on the cases sent for collection represent 1.5% (\$846 / \$58,312) of the total fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.

As shown in Table 3(v)(b), 7.0% (17,156 / 244,218) of cases where the court did not appoint the public defender to represent the defendant were sent to the Department of Revenue for collection. Fine payments on the cases sent for collection represent 0.9% (\$247,112 / \$27,002,812) of the total fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.