



VERMONT LEGISLATIVE Joint Fiscal Office

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Issue Brief

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Vermont's Criminal Justice Revenues

Executive Summary

In recent years, revenues from fines and surcharges tied to criminal and civil convictions have declined. This decline has been driven by many factors but was greatly exacerbated by the COVID-19 pandemic. In Act 74 of 2021, the General Assembly tasked the Joint Fiscal Office (JFO) with writing an issue brief that examines funding trends within the criminal justice realm of Vermont State government (see Appendix I for Act 74 language). Criminal justice revenues are deposited in the General Fund, Transportation Fund, and various special funds. While this issue brief will mainly focus on special funds that are administered by the Center for Crime Victims Services (CCVS), there are other special funds such as the Court Technology Fund and the DUI Enforcement Fund that are heavily reliant on criminal justice fines and surcharges that may merit further examination if decreased revenues persist.

The Center for Crime Victims Services receives most of its State funding through three special funds

- 1) **Victims Compensation Fund**
- 2) **Domestic and Sexual Violence Fund**
- 3) **Crime Victims' Restitution Fund**

The special funds that are administered by the CCVS (identified in the text box at left) receive revenues from surcharges on criminal and civil fines, marriage license fees, and court-ordered criminal restitutions. Most of these revenue sources have been in a state of decline, gradual prior to the pandemic and extreme since the pandemic began. On top of this, the primary federal grant that funds the CCVS, the Victims of Crime Act (VOCA) formula grant, has also been in a steady state of decline in recent years. Revenues to the special funds are unlikely to recover to pre-pandemic levels and future federal funding increases are uncertain at best at this point. The CCVS has taken actions to cut costs, including a total reduction in workforce of nine positions

A few actions that the General Assembly could consider for the CCVS, that could provide additional funding or further reduce costs, are listed below.

- Provide funding from the General Fund or Transportation Fund.
 - Increase annual General Fund appropriations or add Transportation Fund appropriations
 - Redirect revenue streams from GF/TF to one or more of the three special funds.
- Create a new surcharge on vehicle registrations or study potential surcharges on alcohol purchases and firearms purchases, or both. Send these new revenues to one or more of the special funds.
- Consider reallocating costs for the Victim Assistance Program from the CCVS to the Department of State's Attorneys and Sheriffs or consider other potential cost reductions for the Center.

Background

Fines, Fees, Penalties, and Surcharges

The table below shows the total revenues over the most recent five State fiscal years from criminal justice fines, fees, penalties, and surcharges. These revenues were provided by the Department of Finance and Management from the VISION financial system. Most of these revenues were collected by the Judiciary, but in some cases, they came from other sources. Many of the revenues from criminal justice charges are deposited in the General Fund or the Transportation Fund, which support general State operations as well as transportation projects. The remaining revenues are deposited in special funds for use on specific activities. Appendix III includes a list of each fee with associated revenues as well as additional information. Appendix II provides more fund information.

Table 1: 5-year revenues from criminal justice fines, fees, penalties, and surcharges – by fund of deposit
(From the VISION financial system, provided by Dept. of Finance and Management)

Fund	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
General Fund	\$1,672,134	\$1,611,868	\$1,525,979	\$1,592,119	\$1,243,853
Transportation Fund	\$3,578,233	\$4,439,532	\$3,878,592	\$3,790,147	\$2,673,957
Public Defender Fund <i>proceeds from \$50.00 DUI conviction surcharge and representation charges</i>	\$178,807	\$195,863	\$205,001	\$261,468	\$227,243
Victims Compensation Fund <i>\$29.75 from \$47.00 surcharge on criminal and civil judgements</i>	\$2,373,418	\$2,193,645	\$2,035,365	\$1,778,658	\$1,213,999
Crime Victims' Restitution Fund <i>15% surcharge added to criminal and civil judgements and court-ordered restitutions</i>	\$2,337,856	\$2,296,523	\$2,279,837	\$1,962,182	\$1,547,792
Domestic & Sexual Violence Fund <i>\$10.00 from \$47.00 surcharge on criminal and civil judgements and \$35.00 from \$60.00 marriage license</i>	\$939,833	\$901,087	\$846,618	\$761,959	\$530,292
Court Technology Fund <i>\$12.50 of all Court/Judicial Bureau fines, forfeitures, and penalties and all "failure to pay/answer" penalties</i>	\$1,560,087	\$1,403,270	\$1,605,702	\$1,326,572	\$1,047,894
Special Funds – drug and alcohol <i>surcharges added to violations</i>	\$299,946	\$276,034	\$194,026	\$158,692	\$132,536
Special Funds – ATV, snowmobile, boat <i>penalties stemming from violations</i>	\$28,334	\$31,583	\$30,206	\$20,286	\$23,843
Special Fund – Fish & Wildlife <i>restitutions for certain fish and game related violations</i>	\$13,734	\$15,482	\$9,821	\$13,123	\$14,625
Total	\$12,966,434	\$13,330,395	\$12,596,854	\$11,662,878	\$8,666,057

The table shows that revenues to most funds were relatively stable prior to the onset of the pandemic. However, the pandemic has significantly impacted annual revenues as can be seen from the nearly \$4 million decline between pre-pandemic fiscal year 2019 and fiscal year 2021. Many of the funds receive a significant portion of fine, fee, penalty, and surcharge revenues from civil and criminal traffic violations, which have

gone down due to reductions in traffic and policing, causing an associated drop in fund revenues in fiscal years 2020 and 2021.

The three funds administered by the Center for Crime Victim Services have lost revenue in each of the past five years and will be the focus of much of this issue brief. Much of the revenue decline has been driven by the pandemic, but policy decisions have also resulted in revenue impacts. These impacts will be described below. The Court Technology Fund, which is administered by the Judiciary, is facing revenue declines for similar reasons to the three funds described above. The Judiciary is reliant on this fund to supplement General Fund appropriations for information technology-related costs. If ticketing activity does not bounce back over the next few years then special funds, and associated programs, that rely on fine and surcharge revenues will continue to suffer.

Crime Victim Services Revenues

This section will provide a ten-year picture of revenues going into the three funds administered by the Center for Crime Victims Services. The years covered will be State fiscal years 2013 through 2022 (full-year 2022 revenues are estimated based on the first six months of actuals). This section will also explore possible causes for the decline in revenues to the three funds. The ten-year revenue picture is shown below.

Fiscal Year	Victims Compensation Fund	Domestic and Sexual Violence Fund	Crime Victims' Restitution Fund	3 Fund Total
2013	\$1,807,298	\$801,776	\$2,333,867	\$4,942,941
2014	\$2,120,547	\$836,562	\$2,354,234	\$5,311,343
2015	\$2,087,241	\$792,719	\$2,300,995	\$5,180,955
2016	\$2,028,748	\$752,846	\$2,250,760	\$5,032,354
2017	\$2,373,418	\$939,833	\$2,337,856	\$5,651,107
2018	\$2,193,645	\$901,087	\$2,296,523	\$5,391,255
2019	\$2,035,365	\$846,618	\$2,279,837	\$5,161,819
2020	\$1,778,658	\$761,959	\$1,962,182	\$4,502,799
2021	\$1,213,999	\$530,292	\$1,547,792	\$3,292,083
2022 (est.)	\$1,050,000	\$495,000	\$1,645,000	\$3,190,000

There are a few important contextual notes to go along with the information in the ten-year revenue table.

- The Domestic and Sexual Violence Fund was created in 2013 with revenues that previously went to the Victims Compensation Fund.
- Marriage license fees were increased prior to fiscal year 2017.
- The pandemic began approximately two-thirds of the way through fiscal year 2020.

As can be seen in the table, estimated fiscal year 2022 revenues to the Victims Compensation fund are less than half of what they were in fiscal year 2017. The Domestic and Sexual Violence Fund is down almost 50 percent, and the Crime Victims' Restitution Fund is down by 30 percent. There are many causes for the

revenue declines, and further analysis would be required in order to identify the specific impacts from the various revenue drivers. However, a breakdown of the suspected causes for the revenue changes is provided below.

- Act 147 of 2016 – This act made several changes that likely have had varying levels of revenue impacts.
 - First, it eliminated all driver’s license suspensions stemming from civil traffic violations that occurred prior to July 1, 1990. While any unpaid fines and fees that were associated with these offenses were unlikely to be paid to begin with, it is now almost certain that these will never be paid.
 - Second, the act created a one-time driver restoration program that occurred in the first half of fiscal year 2017. The program allowed individuals with suspensions stemming from unpaid traffic violation judgements to apply for removal of the suspension with payment of a one-time \$30 fee. Judgements needed to occur prior to July 1, 2012. This program resulted in a one-time revenue increase in fiscal year 2017.
 - The most significant of the Act 147 actions, the bill eliminated license suspensions for violations where points were not assessed and curtailed suspensions in cases where points are assessed. Suspensions for “point violations” now are only 30 days. These actions removed incentives for individuals to pay various fines, fees, and surcharges associated with traffic violations.¹
- Act 58 of 2021 – Among other provisions, this act granted courts the ability to waive unpaid surcharges under 13 V.S.A. §7282 for individuals that apply for expungement or sealing actions and demonstrate an inability to pay the surcharges. This provision will likely not have large revenue impacts but given the General Assembly’s ongoing priority to remove employment barriers for many prior offenders, an increasing pool of individuals eligible for expungements and sealing actions could compound the revenue reductions.
- COVID-19 pandemic – The pandemic has had the most dramatic impact on revenues to the three special funds. When the economy came to a halt in early 2020, thousands of Vermonters lost their jobs. The loss of work likely made many individuals prioritize other expenses over the payment of fines and surcharges. Ticketing activity by State and local law enforcement diminished. Ticketing statistics for the Vermont State Police are shown in the box on the right.² Revenues to the three special funds are highly dependent on the surcharges that are added on to traffic tickets and other civil and criminal violations. The Judiciary has experienced caseload backlogs as a result of the pandemic, especially cases that are awaiting jury trial. This occurred in tandem with the Judiciary’s implementation of the new Odyssey case management system. In one notable instance, a Franklin County judge dismissed hundreds of cases, citing the pandemic,

Annual tickets issued by the VT State Police - 2016 through 2021
**2021 numbers are preliminary*

<u>Year</u>	<u>Tickets</u>
2016	20,565
2017	27,462
2018	20,901
2019	21,151
2020	9,535
2021	5,691

¹ The Judiciary gave a presentation to the House Judiciary committee during the 2019 – 2020 biennium documenting the revenue impacts of Act 147 of 2016:

<https://legislature.vermont.gov/committee/document/2020/18/Witness/Gregg%20Mousley#documents-section>

² <https://vsp.vermont.gov/communityaffairs/traffictops>

worker shortages, and difficulties with the new filing system.³

- Tax setoff process – The Judiciary for many years has had authority to send certain eligible debts to the Department of Taxes for collection through individual income tax returns. However, prior to the implementation of the new Odyssey case management system, the Judiciary used this authority sparingly. Starting in fiscal year 2020, and under the new system, the Judiciary is now sending all eligible unpaid debts to the Department of Taxes. Due to the pandemic impacts it is difficult to analyze the impacts of this new action by the Judiciary. There is one surcharge that appears to have benefited from the tax setoff process and that is the \$100 surcharge that is added on to criminal fines for the State’s Attorneys and Sheriffs Special Investigation Units (SIU). As shown in the box to the right, revenues from this surcharge roughly doubled from prior years in fiscal year 2020 and 2021. This revenue increase has occurred during the pandemic. Two assumptions can be made from this data:
 - 1) Criminal prosecutions have not been impacted by the pandemic as greatly as civil prosecutions (such as traffic ticketing).
 - 2) The tax setoff process is likely having a positive impact on all criminal justice fines, fees, penalties, and surcharges, but the pandemic is hiding the impact in most cases.

Table 3: Five-year SIU surcharge collections
(data from VISION financial system)

Fiscal Year	SIU surcharge revenues
2017	\$295,384
2018	\$311,797
2019	\$274,168
2020	\$653,383
2021	\$550,464

Due to the various factors noted above, especially the pandemic, it is quite difficult to forecast with any degree of accuracy what criminal justice fines, fees, penalties, and surcharges will be over the next five years. While this projection is required as part of the Act 74 of 2021 Sec. E.127.2 language, specific annual revenue projections will not be included in this issue brief. Most revenues had been relatively stable prior to the pandemic so it would be reasonable to expect them to mostly recover over the next year or two. However, given the trends noted above, the three Crime Victims Services special funds will likely only bounce back to 60 to 70 percent of the peak levels of fiscal year 2017. A three-year projection for combined revenues within the three special funds is provided below.

Table 4: Crime Victims special fund revenue projections
FY 2023 to FY 2025

Fiscal Year	Base revenues FY17	Projected revenues	difference
2023	\$5,650,000	\$3,430,000	(\$2,220,000)
2024	\$5,650,000	\$3,810,000	(\$1,840,000)
2025	\$5,650,000	\$4,170,000	(\$1,480,000)

For the fines, fees, penalties, and surcharges that are deposited in the General Fund and Transportation Fund, any ongoing drops in returns from those charges will likely be offset by the general health of the two respective funds. However, for the CCVS and other entities that rely on

special funds to support operations or other costs, the diminished returns will likely continue for the foreseeable future. This reality makes it especially critical to either find alternative sources to fund the current operations of the CCVS or restructure budgets.

³ <https://vtdigger.org/2021/11/05/franklin-county-judge-tossing-hundreds-of-criminal-cases-due-to-backlog/>

Crime Victim Services Budget

The Center for Crime Victim Services was established by the General Assembly in Act 263 of 1992 and exists to provide services and support to victims of crime throughout Vermont. Employees of the Center are not State employees and are governed by the Victims Compensation Board. The Center's staff is organized into three units: administration, compensation, and restitution.

The Center is granted spending authority through the annual appropriations bill. The Center typically receives its funding from three sources:

- General Fund – These expenditures are limited to grants and to paying for use of the State's VISION financial system.
- Special funds – The Center administers three special funds: 1) Victims Compensation Fund, 2) Domestic and Sexual Violence Fund, and 3) Crime Victims' Restitution Fund. The uses of monies from the funds are described in Appendix II.
- Federal funds – The Center is responsible for administering the federal Victims of Crime Act (VOCA) formula grant and receives other federal funding on a year-to-year basis.

As shown in chart A below, General Fund and special fund appropriations have been relatively flat to declining over the past six State fiscal years (2017 to 2022). Special fund appropriations have not reflected the dramatic decline in annual revenues to those funds – as shown by the trend line. Federal funds have fluctuated year to year. Finally, in order to address revenue shortfalls during the pandemic, the Center has received appropriations of federal Coronavirus Relief Fund (CRF) monies as well as one-time General Fund monies in fiscal years 2021 and 2022.

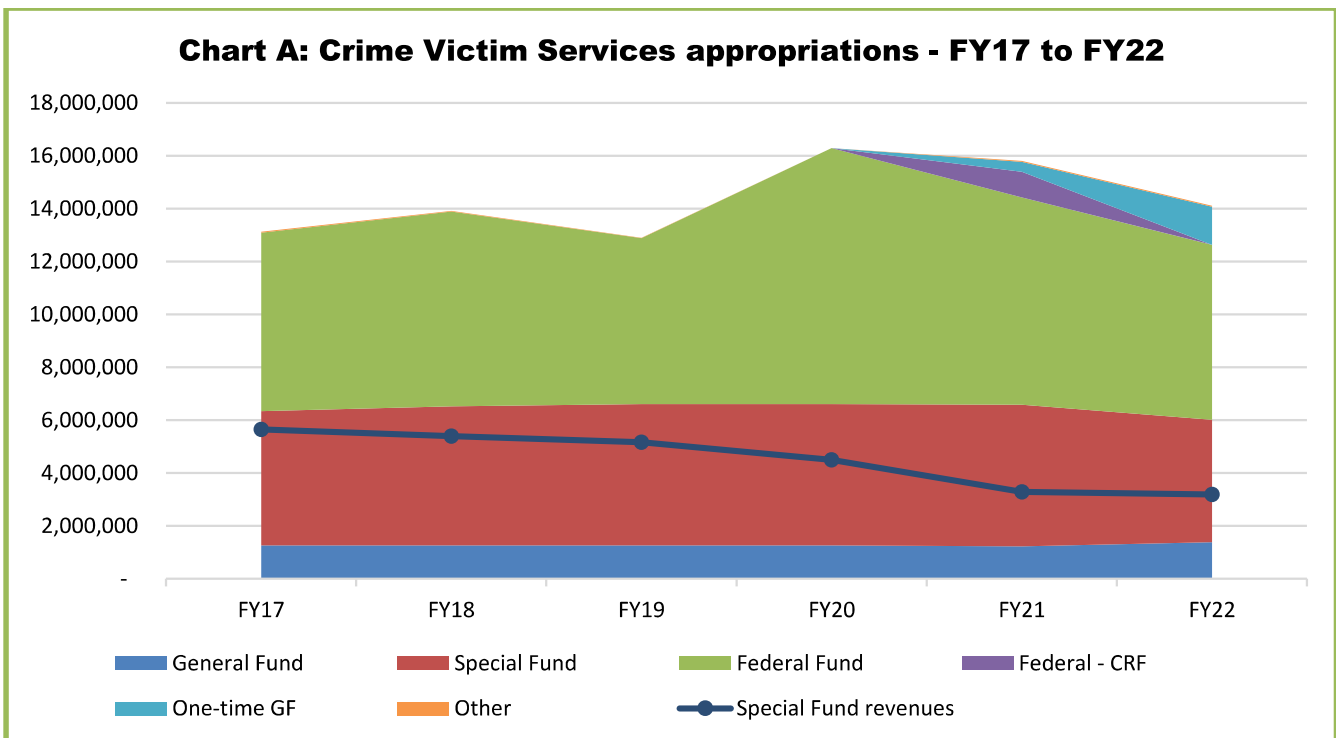
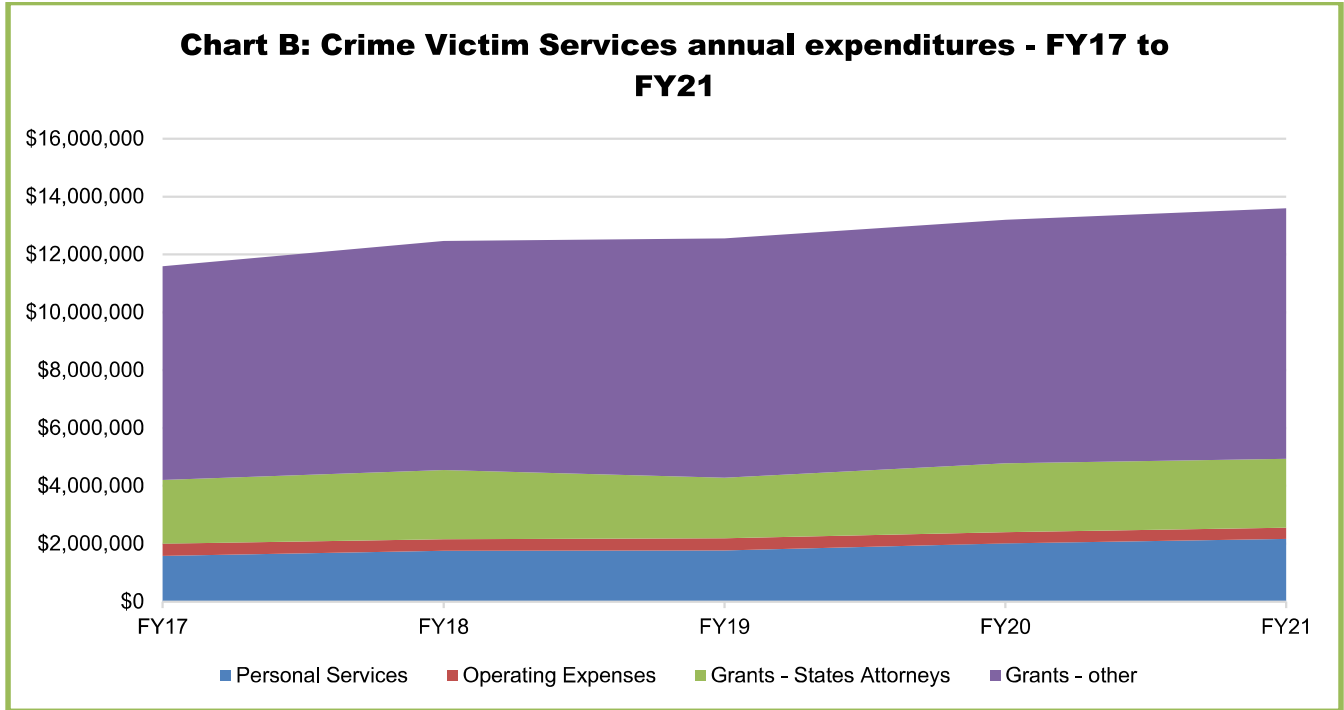
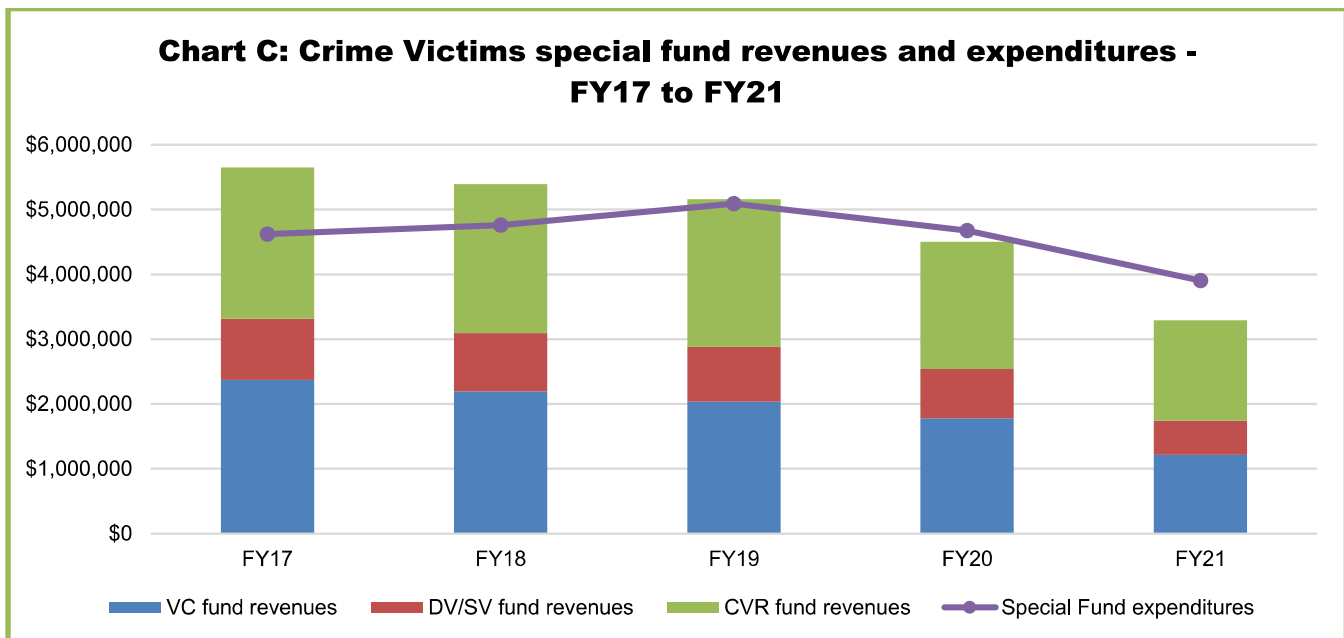


Chart B below shows how the Center spends its funding. Approximately 80 percent of annual funding goes out in the form of grants and restitution payments, while the remaining 20 percent covers the Center's

administrative costs – personal services (i.e. staffing) and operating expenses. Of the funds that go out in the form of grants and restitution payments, approximately a quarter goes to the Department of State's Attorneys and Sheriffs to cover the cost of the Victim Assistance Program – which includes victim advocate positions.



Finally, Chart C focuses on the three special funds and shows that expenditures from the funds have exceeded annual revenues in each of the past three fiscal years. At the end of fiscal year 2021, the Domestic and Sexual Violence Fund was in a deficit and the Victims Compensation Fund had a slight positive balance but will likely be at a deficit at the end of 2022. Only the Crime Victims' Restitution Fund has a healthy positive balance, but even this is in a steady decline.



In summary, the Center is facing dual budget pressures from steadily declining special fund revenues and from fluctuating federal funding. Because a significant share of the Center's costs stems from grants and restitutions, the most feasible way to cut costs would be to reduce grant payments. This would impact crime victim services throughout the State. The recommendations below will focus primarily on ways to increase State funding for the Center in order to avoid service cuts.

Options

The options provided in this section focus primarily on ways of raising, or dedicating, new revenues for the three special funds administered by the Center. It is assumed that there is little appetite for restructuring or budget reductions within the Center, especially given the operational changes that the Center has implemented over the past several years to accommodate the reduced revenues. However, there is one option that doesn't raise revenues but would allocate existing expenses away from the Center and to another State government entity.

Revenue options fall into two categories and are as follows:

1. Dedicate existing revenues – existing monies would be diverted from the General Fund or the Transportation Fund to the three special funds.
2. Raise new revenues – new funding would be raised that is not currently collected by State government and would go towards the three Center-administered special funds.

The final option would be to shift some of the expense for the Victim Assistance Program from the Center to the Department of State's Attorneys and Sheriffs. This recommendation would shift cost pressures away from the three special funds but would still require funding from a different source. The recommendations are explained in further detail below.

These options do not entail eliminating any of the existing revenues that are dedicated to the three crime victim special funds. The General Assembly should consider reviewing the performance of the funds annually over the next three years to determine whether performance bounces back post-pandemic or whether additional resources may be necessary.

Option 1: Dedicate entirety of existing \$47 surcharge to crime victim special funds

As noted above, the \$47 surcharge in 13 V.S.A. §7282 is allocated in three ways:

- \$29.75 to the Victims Compensation Fund;
- \$10.00 to the Domestic and Sexual Violence Fund; and
- \$7.25 to the General Fund.

It is recommended that the \$7.25 that currently goes to the General Fund instead be allocated to one of the other two funds. This reallocation would add anywhere from \$300,000 to \$400,000 in annual revenues for the two special funds over the next three fiscal years, 2023 to 2025. The General Fund would lose these revenues.

Option 2: Dedicate entirety of the State-share for marriage license fees to crime victim special funds

Civil marriage licenses incur a \$60.00 fee, some of which is retained by the town of issuance (\$10), some goes to the Domestic and Sexual Violence Fund (\$35), and the remainder goes to the State Treasurer for deposit in the General Fund (\$15). Allocating the General Fund share of marriage license fees to the

Domestic and Sexual Violence Fund, or one of the other crime victim special funds, would raise \$70,000 per year for those funds. The General Fund would lose these revenues.

Option 3: Dedicate a portion of traffic fines to crime victim special funds

As shown in Appendix III, traffic fines generate anywhere from \$2 million to \$4 million annually, which is deposited in the Transportation Fund. A portion of this revenue could be dedicated to one of the crime victim special funds annually. There is precedence for this type of dedication in how revenues from the property transfer tax surcharge are allocated. The first \$1 million of annual revenues from this surcharge goes to the Housing and Conservation Trust Fund, while the rest goes to the Clean Water Fund.⁴

Option 4: Dedicate a portion of the tax levied on alcohol in Title 7 of the Vermont Statutes Annotated to crime victim special funds

There is an existing tax on malt and vinous beverages, which is paid to the Department of Taxes by packagers and wholesale dealers. There is also an existing tax on spirits and fortified wines, which is collected by either the Board of Liquor and Lottery or by a manufacturer or rectifier. These two taxes combined raise approximately \$12 million annually and are deposited in the General Fund. A portion of this revenue could be dedicated to one of the crime victim special funds annually.

Option 5: Enact a surcharge on all vehicle registrations

Much of the decline in revenues to the three special funds is due to a reduction in the number of traffic fines issued on an annual basis, which also result in additional surcharges. While this issue brief will not recommend changes to the existing surcharges, it does recognize that the Center for Crime Victim Services is available to all Vermonters who become victims of crimes. A modest surcharge would be a mechanism through which many Vermonters would share some of the cost for operating the Center.

In the most recent State fiscal year, there were approximately 375,000 one-year pleasure car registrations in Vermont and approximately 81,000 two-year pleasure car registrations. Additionally, there were approximately 30,000 motorcycles registered in the state. If a surcharge were added on to all vehicle registrations, then revenues are estimated to be as follows:

- \$1.00 on all registrations ~\$445,000 annual revenues
- \$1.00 on one-year registrations and \$2.00 on two-year registrations ~\$486,000 annual revenues

There would be associated start-up costs for establishing this surcharge, but annual operating costs would likely be minimal since vehicle registrations are already sold on a “per unit” basis.

Option 6: Study a surcharge on alcohol and firearm purchases

The General Assembly could consider surcharges on the purchase of alcohol, firearms, or other items, or a combination of these, that are commonly involved in criminal or civil offenses. This would recognize that many crimes often involve the use of alcohol, firearms, or other weapons and therefore shift some of the cost of providing victim services to purchasers of these items. Some questions that could be asked as part of this analysis might be:

1. Are purchases of this item taxed or tracked in some other way by the State?
 - a. If yes, could a surcharge be added on at relatively low expense?

⁴ See 32 V.S.A. §9602a

- b. If no, could the item be feasibly tracked in order to levy a surcharge?
2. What revenues and expenses would result from a potential surcharge?
 - a. Would revenues cover administrative expenses?
 - b. Would remaining revenues after expenses make the surcharge worthwhile?
3. Could there be legal challenges to the surcharge? (potentially with firearms)

Option 7: Shift some or all of the expense for the Victim Assistance Program from the Center to the Department of State's Attorneys and Sheriffs

As noted previously, the Department of State's Attorneys and Sheriffs administers the Victim Assistance Program (VAP) and receives reimbursement for these costs from the Center. This arrangement has been in place for many years. Program costs are primarily associated with victim advocate positions that are located throughout the State. Because the Department is a State agency and the Center is not, some or all of the cost for the VAP could be shifted over to the Department, which could in turn request annual funding through the appropriations process. While this would put pressure on other State funds to cover this cost, it would relieve some of the budget pressure on the Center. The budgeted cost for the VAP in fiscal year 2022 was \$2.4 million, but this cost rises annually due to step and cost-of-living allowance (COLA) increases for the positions. These annual increases have occurred while funding that supports this program, from federal VOCA grants and the Victim Compensation Fund, has declined.

Appendix I: Act 74 Language

Act 74 of 2021, Sec. E.127.2

ISSUE BRIEF – PROGRAMS FUNDED AND TRENDS RELATED TO CRIMINAL JUSTICE FINES, FEES, PENALTIES AND SURCHARGES

- (a) The Joint Fiscal Office shall prepare an issue brief to present to the Joint Legislative Justice Oversight Committee on criminal justice fines, fees, penalties and surcharges at their November or December 2021 meeting. Specifically, the issue brief shall provide:
 - (1) the revenues generated by these items over the past five fiscal years, and the projected revenue from these sources for the next five fiscal years;
 - (2) an inventory of the programs supported by these revenues, and the projected funding needs of these programs over the next five years.
 - (3) options for alternative funding sources for these programs for consideration in the 2023 legislation session.
- (b) The Joint Fiscal Office shall consult with program stakeholders and shall have the assistance of Executive Branch agencies and departments as needed in preparing this issue brief.

Appendix II: Funds Data

Funds

Most revenues from criminal justice charges are deposited in the General Fund or the Transportation Fund, which support general State operations as well as transportation projects. The remaining revenues are deposited in special funds for use on specific activities. A summary of the sources of funding and uses for each fund is provided in this appendix.

Public Defender Fund – This Fund receives all co-payments, reimbursements, and fees paid by individuals who receive representation by public defenders. The Fund also receives recoveries that are made by the Defender General or Department of Taxes from individuals who receive representation by public defenders. The Fund also receives proceeds from a \$50.00 surcharge from individuals who are convicted of a DUI. The Fund supports the annual operations of the Defender General's office.

Victims Compensation Fund – This Fund supports the general operations of the Center for Crime Victim Services and supports the Victim Assistance Program within the Department of State's Attorneys and Sheriffs. This fund also supports compensation payments made to crime victims for lost wages and other crime-related costs. The Fund receives \$29.75 from each \$47.00 surcharge that is added on to criminal and civil judgements. This surcharge is established in 13 V.S.A. §7282(a)(8)(D). The remainder of the surcharge goes to the Domestic and Sexual Violence Fund (see below) and the General Fund.

Crime Victims' Restitution Fund – This Fund receives a surcharge that is added on to criminal and civil judgements in the amount of 15 percent of the amount of the judgement. The Fund also receives court-ordered restitutions. Monies from this fund are used to provide restitution payments to crime victims and to support the operations of the restitution unit, which is under the Center for Crime Victim Services.

Domestic and Sexual Violence Fund – This Fund receives \$10.00 from each \$47.00 surcharge that is added on to criminal and civil judgements. The Fund also receives \$35.00 from each \$60.00 marriage license issued by city and town clerks in the State. Monies from the Fund support the Vermont Network against Domestic and Sexual Violence as well as a position within the Criminal Justice Training Council dedicated to domestic violence training.

Court Technology Fund – This fund receives \$12.50 from all fines, forfeitures and penalties received by District or Superior courts, or by the Judicial Bureau. The fund also receives all "failure to pay/answer" penalties that are collected by the Judicial Bureau. Monies from the fund are used to support information technology costs within the Judiciary.

Other Special Funds

- The DUI Enforcement Special Fund receives proceeds from surcharges that are added on to violations referenced in 23 V.S.A. §1220a. The Fund also receives a portion of motor fuel tax on gasoline (not included in Table 1). This Fund supports Vermont State Police operations. The Blood and Breath Alcohol Testing fund receives proceeds from a \$60.00 surcharge paid by individuals convicted of a DUI. The Fund supports the Blood and Breath Alcohol Testing Program within the Department of Public Safety. Limited revenues also go to two substance abuse funds, although no expenditures have been made from these funds since fiscal year 2019.
- Fines and penalties stemming from violations related to all-terrain vehicles (ATV), motorboats, and snowmobiles are deposited in funds that exist for the regulation of those types of vehicles.
- The Fish and Wildlife Fund receives restitutions for certain fish-and game-related violations. These support the general operations of the Department of Fish and Wildlife

Appendix III: Fee Data

Name of Charge	Fund of deposit	FY17	FY18	FY19	FY20	FY21	Program supported by charge
Criminal Court Post Judgment Fees	General	31,117	27,812	56,700	7,020	3,060	supports general government operations
Civil Suspension Reopen Fees	General	4,770	3,595	4,040	1,500	1,830	supports general government operations
Traffic Ticket Appeal	General	8,520	9,790	11,405	5,705	7,474	supports general government operations
Criminal General Fund	General	99,155	91,612	82,493	175,171	112,034	supports general government operations
Criminal Transportation Fund	Transportation	463,517	458,262	423,249	767,685	488,966	general transportation operations and projects
Fish & Game Fund	General	58,264	69,419	49,581	44,960	33,507	supports general government operations
Fire Prevention Fund	General	-	335	70	-	-	supports general government operations
Bail Forfeiture	General	3,365	27,624	78,389	16,700	-	supports general government operations
Surcharge for PD Order on DWI Offense	Public Defender	60,412	67,422	60,888	41,322	27,936	operations of the Office of the Defender General
Surcharge for DUJ Enforcement Fund	DUJ Enforcement	98,438	111,165	96,439	63,677	47,382	supports efforts to implement and enforce drunken driving laws
Surcharge for BAC Testing - 60.00	Blood and Breath Alcohol Testing	58,352	61,144	59,544	75,326	62,634	supports Blood and Breath Alcohol Testing program with Dept. of Public Safety
Civil Suspension Fees	General	57,470	56,446	51,840	51,684	28,017	supports general government operations
Public Defender Fund	Public Defender	118,395	128,441	144,113	220,146	199,307	operations of the Office of the Defender General
Prison Facility Contraband	General	-	-	30	-	-	supports general government operations
Cruelty to Animals	General	1,493	1,009	1,293	410	421	supports general government operations
Tobacco Fines	General	12,513	12,593	9,218	8,808	11,579	supports general government operations
Minor Possession of Malt Liquor Fines	General	50,964	48,629	46,941	31,197	36,446	supports general government operations
Selling Alcohol to Minors Fines	General	3,061	2,548	3,094	2,077	860	supports general government operations
Marijuana Possession - Drug Task Force (50%)	Drug Task Force	66,956	48,520	19,176	19,690	22,521	supports the Drug Task Force within Dept. of Public Safety

Marijuana Possession -Youth Substance (50%)	Youth Substance Awareness Safety Program	76,200	55,205	18,867	-	-	funds to Court Diversion Program to support Youth Substance Awareness Safety Program
Hazing Fines	General	-	48	326	34	-	supports general government operations
Civil Traffic Fines (State)	Transportation	4,098,150	3,859,040	3,474,064	3,231,111	2,144,539	general transportation operations and projects
ATV Fines 15%	Transportation	2,589	2,010	2,479	1,669	1,915	general transportation operations and projects
ATV Fines 85%	All-Terrain Vehicles	15,106	12,502	13,540	8,999	10,028	funds go to ANR to be passed to VT ATV Sportsman's Association (VASA) for VT ATV Trail Program, liability insurance, and contracting with law enforcement
Seatbelt Violations	Transportation	67,675	23,337	24,980	15,372	12,709	general transportation operations and projects
Boating Fines	Motorboat registration	2,897	2,764	3,764	1,679	1,062	funds go to various State agencies to support boating safety and access, aquatic nuisance control, and mosquito control
Snowmobile Fines (7/1/06 starts 100%)	Snowmobile trails	10,331	16,318	12,903	9,608	12,754	support for Statewide Snowmobile Trail Program (SSTP) and trails' liability insurance - funds to ANR and to VAST
Local Fines Issued on State Highways	non-state	218,114	172,137	236,627	268,329	165,630	collections go to municipalities - not to state
Regulate Scrap Metal Processors	General	-	-	-	-	-	supports general government operations
Workplace Nursing Mothers	General	-	-	-	-	-	supports general government operations
Precursor Drugs of Methamphetamine Fine	General	-	-	-	-	-	supports general government operations
Appliance Energy Efficiency Fine	General	-	-	-	-	-	supports general government operations
Local Municipal Fines	non-state	70,658	43,663	121,376	1,517,272	1,160,182	collections go to municipalities - not to state
Fish & Game Fund	General	58,264	69,419	49,561	44,960	33,507	supports general government operations
Failure to pay	Court Technology	338,310	327,289	388,696	251,715	247,819	supports Judicial Branch information technology initiatives
Surcharge for Special Investigative Unit	General	295,384	311,797	274,168	653,383	550,464	supports general government operations
Failure to pay - municipal	Court Technology	463,999	445,540	555,693	296,190	316,235	supports Judicial Branch information technology initiatives
Traffic Ticket State Transportation Fund (UTT) (outdated)	Transportation	410	571	1,806	13	-	general transportation operations and projects

Local Fines (UTT) (Outdated, old complaints only)	non-state	-	(133)	(2,687)	-	-	collections go to municipalities - not to state
Fish & Wildlife Restitutions	Fish & Wildlife	13,734	15,482	9,821	13,123	14,625	supports
Failure to Answer	Court Technology	-	-	-	-	-	supports Judicial Branch information technology initiatives
Filing Fees for Contested Tickets	General	17,000	14,046	6,766	76,235	97,930	general government operations
Surcharge Fees General Fund	General	585,985	536,866	502,264	444,490	299,798	general government operations
Victims' Compensation (surcharge)	Victim Compensation	2,357,470	2,159,152	2,021,072	1,776,331	1,224,022	supports Center for Crime Victim Services and Victims Compensation Board
Victim Comp (Act 162 FY2013)	Domestic & Sexual Violence	782,870	717,817	679,907	594,604	408,067	supports grants to VT Network against Domestic and Sexual Violence and to support training position in Criminal Justice Training Council
Marriage licenses - \$35 from each \$60 license	Domestic & Sexual Violence	156,963	183,270	166,711	167,355	122,225	supports grants to VT Network against Domestic and Sexual Violence and to support training position in Criminal Justice Training Council
Surcharge Victim Restitution, 15%	Crime Victims' Restitution	1,343,936	1,239,153	1,171,642	1,019,734	747,604	supports restitution payments to crime victims
Court-ordered restitutions	Crime Victims' Restitution	993,920	1,057,370	1,108,195	942,448	800,188	supports restitution payments to crime victims
Tech Admin-\$12.50	Court Technology	689,295	630,079	661,004	778,319	483,817	supports Judicial Branch information technology initiatives
Post-Judgement Fee - Judicial Bureau	General	18,736	19,587	16,243	12,979	16,153	supports general government operations
Fines Pending Allocation	Transportation	(1,065,254)	90,840	(54,795)	(231,098)	19,326	general transportation operations and projects
Littering Fines	Transportation	11,146	5,472	6,808	5,396	6,502	general transportation operations and projects
Administrative Fees	General	366,073	308,695	281,579	14,806	10,773	supports general government operations
Debt Collect Prior to 6/25/06	Court Technology	68,483	363	310	348	23	supports Judicial Branch information technology initiatives
State Total		12,966,434	13,330,395	12,596,854	11,662,878	8,666,057	
Municipal Total		288,772	215,667	355,316	1,785,601	1,325,812	