

Bond Case Briefs

Municipal Finance Law Since 1971

Contesting Traffic Fines, Missouri Sues 13 Suburbs of St. Louis.

ST. LOUIS — Missouri's attorney general announced lawsuits against 13 of this city's suburbs on Thursday, accusing them of ignoring a law that sets limits on revenue derived from traffic fines. The move comes after widespread allegations of harassment and profiteering by small municipal governments against the poor and minorities.

The attorney general, Chris Koster, a Democrat, spoke in downtown St. Louis and suggested that more sweeping changes could be needed to bring municipalities into line.

Since the racially charged protests over the death of Michael Brown at the hands of a police officer in nearby Ferguson in August, demonstrators have frequently complained about a perceived hypervigilance to minor traffic violations in St. Louis County's patchwork of 90 municipalities. Many of those cities have their own courts and police departments, but some are only a few square blocks in size and have populations smaller than some high schools.

"When traffic ticketing is used to promote public safety, that's appropriate," Mr. Koster said. "When traffic tickets are used to promote revenue, that's inappropriate." Such practices, he said, are "predatory."

Ferguson, with roughly 20,000 residents, was not among the suburbs sued by Mr. Koster, and is large compared with many nearby cities in the northern part of the county, where many of the suburbs sued by Mr. Koster are situated.

State law requires towns to report the percentage of general operating revenue that comes from fines for traffic violations, and limits their potential to profit by requiring that proceeds beyond 30 percent be turned over to the state.

In Normandy, a city near Ferguson, 38 percent of the revenue came from fines and court costs. Mr. Koster sued five St. Louis municipalities that he said failed to file any report, four that filed a report without calculating a percentage, and four, including Normandy, that had revenue over the limit.

At its meeting here this week, the state-appointed Ferguson Commission discussed possible changes to municipal courts. The 16-member commission was asked by Gov. Jay Nixon to listen to residents and propose ideas for lasting social and political changes around St. Louis. The commission's leaders appeared with Mr. Koster at Thursday's announcement.

Many say young black men, who are pulled over at a higher rate than whites in some St. Louis County towns, are particularly affected by police officers' enforcement of traffic laws and municipal judges who impose fines. If defendants do not pay their fines, they are sometimes jailed.

"We have heard across the board, there's broad agreement, that the municipal courts create challenges for us," said the Rev. Starsky Wilson, a Ferguson Commission chairman. "Municipal courts are a focal point between policing on the streets and community relations there and

municipal fragmentation.”

Mr. Koster said he had not reviewed Ferguson’s records on traffic ticket revenue because the suburb’s report for the last fiscal year is not yet due.

Mayor Francis G. Slay of St. Louis, in a separate news conference Thursday, said that his city’s municipal judges could now take into account someone’s financial means when setting up payment schedules. Mr. Slay suggested that the region’s other courts, where some defendants also struggle to pay, could look into similar changes. But he cautioned that widespread implementation outside St. Louis city limits might be a challenge.

“If you want to get something done in the city, you know where to go,” Mr. Slay said. “In the suburbs, there’s a lot of municipalities.”

Though protests have continued on an almost daily basis, there are signs that St. Louis is returning to some level of normality. Governor Nixon allowed a monthlong state of emergency to expire on Wednesday, resulting in the withdrawal of the Missouri National Guard.

But even with the Guard gone, conversation continues about perceived racial inequities around St. Louis. On Thursday, the American Civil Liberties Union filed a federal lawsuit against the Ferguson-Florissant School District, arguing that the district’s method of electing school board members dilutes the influence of African-American voters. Only one of seven board members is black, though African-Americans constitute a majority of the student body.

THE NEW YORK TIMES

By ELI YOKLEY and MITCH SMITH

DEC. 18, 2014

Eli Yokley reported from St. Louis, and Mitch Smith from Chicago.

Copyright © 2024 Bond Case Briefs | bondcasebriefs.com