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ACLU
AMERICAN CIVIL LIBERTIES UNION of WASHINGTON
FOUNDATION

December 1, 2014

Data Dissemination Committee
c/o Ms. Stephanie Happold
Administrative Office of the Courts
PO Box 41170
Olympia WA 98504
Stephanie.Happold@courts.wa.gov

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JEAN ROBINSON
BOARD PRESIDENT

KATHLEEN TAYLOR
EXECUTIVE DIRECTOR

Re: Request for de-identified data on legal financial obligations

Dear Members of the Data Dissemination Committee,

The American Civil Liberties Union of Washington Foundation respectfully requests that this committee authorize the Administrative Office of the Courts to provide de-identified data related to the imposition and collection of legal financial obligations ("LFOs"). The ACLU is a statewide organization of nearly 20,000 members dedicated to the advancement of civil rights and civil liberties. It also provides direct services to individuals with criminal history seeking to successfully reintegrate. The ACLU supports public oversight of the judicial systems, and seeks to ensure fairness in Washington's LFO systems.

LFOs are an issue of great public concern, and sound policy depends on a public understanding of the ways in which such debt is imposed, managed, and collected. Such information is available in limited form. For example, county clerks provide a report to the legislature on the collection of LFOs in superior courts, but no similar data exists for district and municipal courts. Our goal in obtaining and reviewing de-identified financial data will be to get a picture, both at the individual level and at the court level between 1994 and 2013, of what LFOs are imposed, what proportion of those LFOs are collected or waived, and by whom LFOs are primarily collected.

We hope to minimize the burden to the Administrative Office of the Courts ("AOC"), so would prefer to receive an extract of data rather than ask AOC to analyze the data. We are still working with AOC to understand the precise types of data that can be extracted, but are interested in data that, for each criminal case, will reflect:

1. Demographic information of the defendant, including race, ethnicity, gender, and date of birth
2. Charge
3. Date of conviction

4. Originating court
5. The types of LFOs imposed (i.e., fine, costs of public defense, witness fees) and the amount for each type of LFO.
6. The amount of interest accrued on the LFOs
7. The amount of LFOs or LFO interest imposed but subsequently waived
8. Whether the obligation has been assigned to a private collections agency

It is our understanding that this committee is working to develop a policy related to the release of financial information to the public. Nevertheless, such a policy may not be developed prior to the upcoming legislative session, and it make take AOC significant time to respond to any request. Accordingly, we believe an individual authorization for release for this purpose will ensure informed policy discussions in the coming months. We would be happy to discuss the request further, or to refine it as necessary to minimize the burden on the agency. Thank you for your consideration.

Sincerely,

Vanessa Torres Hernandez
Staff Attorney