

Municipal Court 12-2-83 fines are missing

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SANTA CRUZ — An investigation into the possible theft of traffic fines is under way in Municipal Court.

Sources, who have asked to remain anonymous, said the probe has focused on one traffic clerk who may be in jeopardy of losing her job today.

The investigation has raised the issue of the vulnerability of the accounting system for paid fines. Nobody even knows for sure how much money is missing.

"It could be nickel and dime stuff — or it could be thousands of dollars," one official said. "It has become clear we may never know how much is missing, but we think at this point that we're talking about a small amount of money."

County Auditor Art Merrill said, "State law requires the court be audited every year, which we do. At this point, we have determined the amount (missing) to be less than \$500."

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Court fines missing

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Merrill said he believes the proper internal safeguards are at work in the court's accounting system. "It's not necessarily an internal system weakness ... but possibly a human one."

"In my opinion, in over 20 years of experience, I have found we have not had any major problems in the courts," he said.

But what worries other officials is the potential for big losses. Thousands of dollars in traffic fines come in daily to Municipal Court. Yet officials admit there is no sure-fire method for recording payments.

"The public sends in cash a lot of the time," said an official. "And they drop it off at all hours of the day and night. We find envelopes all over the place with large payments. They're stuck under doors, left on desks — you name it."

One time, officials found \$800 in \$50 bills in an envelope under the Municipal Court door. It had been left there overnight and was a payment for a drunken driving fine.

When fines are paid via the mail, they are opened and then theoretically recorded. If recorded, then the traffic ticket is taken off the books.

But Municipal Court officials say they have received complaints from

motorists who claim their traffic fines were paid but never cleared. When fines aren't paid, arrest warrants are issued.

At one point, a Municipal Court administrator said someone in the Postal Service was discovered pilfering mailed-in fines. That problem was resolved after an investigation.

But small cash shortages continued to plague the court. Complaints from the public and periodic shortages of \$40 to \$50 first tipped off officials that something was wrong — either by design or by mistake.

An investigation 1½ years ago into missing funds turned up nothing conclusive.

This summer, according to officials, some traffic clerks noticed one clerk standing near the cash register at times she shouldn't have been there.

Officials said they tried a number of ways to pinpoint the problem. They went so far as to design some bogus court files, in the hope that whoever was stealing would be caught in the act.

That ploy failed to flush out any suspects.

The District Attorney's Office joined the investigation and other county officials were notified.

Officials say they have nothing

conclusive to link the targeted clerk with thefts, and they say no criminal action will be taken.

"We don't have a case," said an official.

But clerk in question has refused to help in the investigation. And that may be grounds for dismissal. A decision on the woman's job status was due later today.

A court clerk, who asked not to be identified, said the effect of the investigation on other personnel has been mixed.

She said there's a sense of relief that something good may come of the probe. But there's also a feeling that their credibility has been tainted.

Yet few clerks seemed intimidated by the probe, the clerk said.

All court clerks undergo background checks before they are hired. Any criminal records are checked and the applicant's fingerprints are recorded.

Yet no amount of background checking can prevent an employee from taking money if he or she wants to, an official pointed out.

Samuel Torres of the County Administrative Office said plans are under way to find a solution to the problem. A new computerized cash register has been bought and will be in use by the beginning of the fiscal year.