

MASSACHUSETTS SUPREME JUDICIAL COURT

Commonwealth v. Watt

Watt · No. SJC-12689 · Decided August 20, 2019

SUMMARY

The Massachusetts Supreme Judicial Court held that a defendant whose convictions were later invalidated was entitled to a refund of a drug analysis fee imposed as a consequence of those convictions. The court held that monthly inmate-account maintenance and administration fees were not imposed solely as a consequence of the convictions and therefore did not require refund under the governing statute or due process principles. The order denying the refund was reversed as to the drug analysis fee and affirmed in all other respects.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
JURISDICTION	Massachusetts
DECIDED	August 20, 2019
DOCKET	SJC-12689
DISPOSITION	other
PROCEDURAL POSTURE	The defendant appealed from the denial of his motion seeking refunds of a drug analysis fee and fees charged to his inmate account after the indictments underlying his convictions were dismissed with prejudice. The Massachusetts Supreme Judicial Court granted the Commonwealth's application for direct appellate review.
STANDARD OF REVIEW	The court independently reviewed the legal issue concerning entitlement to refunds and reviewed the statutory and due process questions de novo.
PRECEDENTIAL VALUE	published opinion
PARTIES	Jermaine Watt v. Commonwealth

TOPICS

- post-conviction relief
- due process
- remedies
- statutory interpretation
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether due process requires a refund of a drug analysis fee imposed in connection with convictions that were subsequently invalidated and dismissed with prejudice.
2. Whether G. L. c. 278, § 14, requires a refund of fees charged to the defendant's inmate account.
3. Whether due process under *Commonwealth v. Martinez* and *Nelson v. Colorado* requires a refund of inmate-account maintenance and administration fees.

HOLDINGS

1. Due process requires the Commonwealth to refund the drug analysis fee because it was exacted as a consequence of the defendant's convictions, the defendant paid it, and the convictions were invalidated with no retrial to occur.
2. G. L. c. 278, § 14, does not require refund of inmate-account maintenance and administration fees because the statute applies to persons in pretrial status who are acquitted or discharged without having been found guilty, not to a person who was convicted, served a sentence, and later obtained dismissal of the indictments.
3. Due process does not require refund of inmate-account maintenance and administration fees because those fees were charged in connection with particular financial transactions and were not imposed solely as a consequence of the defendant's convictions or as part of the criminal punishment.

KEY QUOTATIONS

"The overriding principle is that where a defendant has been ordered to make a payment because of a conviction, the invalidation of that conviction erases the State's claim to that payment, and any amount paid must be restored to the defendant as a matter of due process" (at 4-5)

"Unlike probation fees, victim-witness assessments, restitution, and fines paid as penalties, the fees at issue here were not ordered solely as a consequence of the defendant's convictions, but withdrawn from his inmate account in connection with certain financial transactions." (at 5)

FACTUAL BACKGROUND

In 2010, Jermaine Watt pleaded guilty to two counts of distributing cocaine and was sentenced to concurrent State prison terms of three to five years. He paid a \$150 drug analysis fee imposed under G. L. c. 280, § 6B, and incurred monthly maintenance and administration fees on the inmate account he was required to maintain while incarcerated. After misconduct by chemist Sonja Farak came to light, the indictments were dismissed with prejudice following proceedings on Watt's motion to withdraw his guilty plea. Watt sought refunds of both categories of fees; the inmate-account fees totaled approximately \$32, with one disputed dollar reportedly refunded.

PROCEDURAL HISTORY

The defendant pleaded guilty in 2010 to two counts of cocaine distribution and received concurrent State prison sentences. After evidence of misconduct by a State laboratory chemist, he sought to withdraw his guilty plea; following further proceedings, the indictments were dismissed with prejudice after he had completed his sentence. He then moved for refunds of the drug analysis fee and inmate-account fees. A Superior Court judge denied the motion. The Supreme Judicial Court reversed as to the drug analysis fee and affirmed as to the inmate-account fees.

DISPOSITION

other

CASES CITED

- Commonwealth v. Martinez, 480 Mass. 777 (2018)
- Committee for Public Counsel Servs. v. Attorney Gen., 480 Mass. 700 (2018)
- Commonwealth v. Poirer, 458 Mass. 1014 (2010)
- Nelson v. Colorado, 137 S. Ct. 1249 (2017)