



Governor signs criminal court cost bill

STAFF REPORT

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Gov. Ed Rendell last week signed into law a local lawmaker's bill meant to close a loophole that allowed some criminals to avoid paying court costs.

State Sen. Mike Waugh, R-Shrewsbury, introduced legislation in December 2009 to combat a Commonwealth Court ruling involving convicted killer Mark Spotz.

The court earlier in the year decided court costs were improperly garnished from Spotz's inmate account because a judge failed to specifically order him to pay.

Defendants across the state since have used the ruling to avoid paying their own costs.

Waugh's legislation imposes costs even if a judge fails to specifically order them.

The Senate and House both overwhelmingly approved the legislation, which Rendell signed

on Wednesday, according to legislative records.

"I'm glad the governor saw it fit to sign the bill into law," Waugh said. "Unfortunately it won't deal with Spotz because it's not retroactive, but it will hopefully prevent his type of occurrence in the future."

The earlier ruling in favor of Spotz affected Cumberland County, which was ordered to refund his money, said York County Clerk of Courts Don O'Shell.

There were a couple of local prisoners whose attorneys indicated they might file for a refund, he said. However, the new law will make sure they won't get that opportunity, he added.

O'Shell said he was an advocate for the bill and is 100 percent behind the new law.

"The loophole favored the defendant," he said. "It should always favor the taxpayer. Just because a judge forgets to specify something doesn't mean the defendant can get out of jail for free, so to speak."

History: Spotz was arrested after a four-day killing spree that began with the Jan. 31, 1995, shooting death of his brother, Dustin Spotz, after Dustin stabbed Mark twice. The violence erupted in their mother's Clearfield County home when Mark Spotz yelled at the son of Dustin Spotz's girlfriend for teasing Mark with a gerbil.

Spotz fled from police, killing three women during the course of carjackings over the next



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three days in Schuylkill, York and Cumberland counties, including New Salem resident Penny Gunnet, 41, on Feb. 2, 1995.

Waugh is up for election on Tuesday. He will face Libertarian Ed Gately.

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Staff writer Eyana Adah McMillan contributed to this story.

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