



## **Testimony in Support of House Bill 4065**

Submitted by Courtney Helstein on behalf of ACLU of Oregon

House Judiciary Committee

February 5, 2020

Chair Sanchez and Members of the Committee:

**The American Civil Liberties Union of Oregon<sup>1</sup> supports House Bill 4065**, which would end the harmful and ineffective practice of suspending the driver's licenses of people who fail to pay court debt in Oregon. Debt-based license suspensions trap Oregonians in vicious and often inescapable cycle of poverty and entanglement with the justice system. This counterproductive policy must come to an end.

**Debt-based driver's license suspensions are a poverty penalty that punish people solely because they are poor.** This is two-tiered justice system, where rich and poor people with otherwise identical records receive different punishments solely because of their ability to pay court debt.

**Debt-based driver's license suspensions force the working poor into an impossible position: choose to drive illegally** (and risk incarceration and more fines) in order to get to work or meet personal/family needs, **or choose not to drive and lose needed income and access to education and other services.**

**This penalty has no public safety justification** as it is not connected to a driving related offense. Instead, it unnecessarily places hurdles in front of people seeking to support themselves and their family. **This practice also harms employers**, who lose access to a sufficient workforce when their employees cannot get to work.

**License suspensions severely impact Oregonians who live in rural Oregon** and in towns and cities outside of our major metropolitan areas, where public transportation is not available or adequate to meet their needs. A driver's license is essential for getting to school,

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<sup>1</sup> The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.

work, the doctor, and the grocery store. This means that many drivers are essentially forced to drive with a suspended license because they need to get to work or care for their family.

**Debt-based license suspensions disproportionately affect communities of color.**

Recently released data from the Racial Profiling bill (STOP data) revealed that the largest racial disparity exists in who is cited for driving while suspended, with African Americans significantly more likely than their white counterparts to be stopped and ticketed for this violation. The Criminal Justice Commission stated that this was the downstream effect of fines and fees.

**Criminalizing poor people and balancing budgets on the backs of the poor is inherently unfair and it undermines the fairness and legitimacy of our legal system.** This practice also contravenes the values enshrined in the Equal Protection and Due Process rights of the U.S. and Oregon constitutions. For these reasons, the ACLU of Oregon urges you to support HB 4065.