



131 STEUART STREET, SUITE 400 | SAN FRANCISCO, CALIFORNIA 94105 | TEL: (415) 543-9444 | WWW.LCCR.COM

PRESS RELEASE

STRICTLY EMBARGOED UNTIL – 12:01 a.m. - Wednesday, April 8, 2015.

April 7, 2015

Media Contact:

Candice Francis / Communications Director, LCCR / 415.543.9697 x216 / cfrancis@lccr.com

Fees, Fines, and Driver's License Suspensions
How Traffic Courts Drive Inequality in California

SAN FRANCISCO, CA — Over four million Californians are without a valid driver's license, not because they pose a risk to public safety, but because they are trapped in a spiral of court fines and fees they cannot afford to pay, according to ["Not Just a Ferguson Problem – How Traffic Courts Drive Inequality in California"](#). While the nation ridiculed similar practices brought to light by a Justice Department report on Ferguson, Missouri, California's system of traffic courts and fine collection are similar, and in some ways even worse. In addition to driving-related citations, infractions such as littering, sleeping outdoors, and failure to pay a transit fare can result in excessive fines that, if unpaid, result in criminal warrants or suspended driver's licenses and create a vicious cycle of poverty.

The report was published by leading legal aid and civil rights groups, the Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR), the East Bay Community Law Center (EBCLC), the Western Center on Law and Poverty (WCLP), A New Way of Life Reentry Project, and Legal Services for Prisoners with Children (LSPC).

"The human cost of this practice is enormous," said Meredith Desautels, Racial Justice staff attorney at LCCR. "Far from an isolated problem in Ferguson, Missouri, throughout California a disproportionate burden is placed on communities of color—already unfairly targeted by law enforcement—and low-income people who don't have the means to pay fines that multiply astronomically within very short periods of time. The too-common result is insurmountable debt, loss of driver's license and employment, and a host of other consequences that turn a citation fine into a poverty sentence."

In recent years, as a result of state budgetary shortfalls, the cost of traffic tickets and associated fees has steadily increased. A ticket with a \$100 base fine actually costs nearly \$500 after statutory fees and

assessments, and \$815 if the individual misses the initial deadline to appear in court or pay the ticket, as documented by the report.

Driver's license suspensions have been used by the courts with increasing frequency as a means to enforce debt collection. Between 2006 and 2013, the DMV took more than 4.2 million actions to suspend driver's licenses based on a failure to appear or pay notice from the courts, the report found.

"We are effectively denying due process to millions by creating a two-tiered system of justice," said Elisa Della-Piana, Director of Programs at East Bay Community Law Center (EBCLC). "If you want to challenge a ticket and have your day in court, as is your constitutional right, you must pay your fine in full in order to have a hearing. If you can't afford to pay to get into court, you could be stuck without a driver's license and thousands of dollars in fines."

"I had to stop paying on my tickets when my 2-year-old son was diagnosed with leukemia and I left my job to take care of him," says Anthony Vasquez. "As a result, my license was suspended. I had to try to get myself and my very sick child to the hospital on the public bus, since I didn't have the \$1700 to pay off just 3 moving violation tickets. Now, my son is doing better, but it has been hard for me to get back on my feet and find a job without a valid license. At the rate I can pay now, it would be seven years before I pay in full and get my license back."

[The report](#) offers a range of policy reforms, including a pathway forward for the over four million people who have suspended licenses for failure to pay, as well as a restructuring of debt collection procedures to end the use of license suspensions for collection of citation-related debt in the first place.

Previously, civil legal aid advocates have worked with several state legislators, the Judicial Council, and the DMV on two separate bills to address the issue, both of which garnered broad, bi-partisan support. The efforts stalled, however, due to the perceived high price tag that the California Senate Appropriations Committee assigned to the proposed changes.

"Past legislative analyses have failed to take into account the hidden but very real costs to California of denying people the ability to work and support themselves," said Mike Herald, Legislative Advocate at the Western Center on Law and Policy (WCLP). "The numbers are staggering. They reveal a policy that is simply not working for anyone – the state, the courts, the counties and least of all Californians – and they reveal that the policy has spiraled out of control and is need of serious legislative attention."

"We are punishing our most vulnerable citizens by taking away their means of getting to work, getting to school, or accessing healthcare—all because of an inability to pay a traffic ticket on time," said Theresa Zhen, Skadden Fellow, at A New Way of Life Reentry Project. "If we want to encourage individuals to pay their fines, then taking away driver's licenses is directly contrary to that goal."

The report, "**Not Just a Ferguson Problem – How Traffic Courts Drive Inequality in California**", can be found [here](#).

###

Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR) - founded in 1968, works to advance, protect and promote the legal rights of communities of color, and low-income persons, immigrants, and refugees. Assisted by hundreds of pro bono attorneys, LCCR provides free legal assistance and representation to individuals on civil legal matters through direct services, impact litigation and policy advocacy. (Website: www.lccr.com)

The East Bay Community Law Center - provides free legal services to eligible East Bay clients. Since its founding in 1988 by law students at UC Berkeley's Boalt Hall School of Law, EBCLC has become the largest provider of free legal services in the East Bay. To learn more about EBCLC, go to www.ebclc.org. EBCLC's Consumer Justice Clinic offers legal assistance to low-income residents of Alameda County on a wide range of consumer issues, including debt collection defense, lawsuits relating to credit cards and consumer debt, consumer protection, identity theft, car fraud, and DMV issues, among many others.

Western Center on Law & Poverty - fights in the courts, counties and capital to secure housing, healthcare and a secure safety net for low-income Californians. Western Center brings about system-wide change through pivotal impact litigation; hard hitting advocacy; negotiations with state and local government; and support for local legal aid programs. Western Center's work reaches every county in the state. (Website: www.wclp.org)

A New Way of Life Reentry Project - provides housing and support services to formerly incarcerated women in South Central Los Angeles to facilitate a successful transition back to community life. Since our founding in 1998, ANWOL has helped transform the lives of more than 600 women and their children. ANWOL provides multi-dimensional programs addressing the problem of incarceration and its effects on people, communities, and society as a whole. (Website: www.anewwayoflife.org)

Legal Services for Prisoners with Children - organizes communities impacted by the criminal justice system and advocates to release incarcerated people, to restore human and civil rights and to reunify families and communities. We build public awareness of structural racism in policing, the courts and prison system and we advance racial and gender justice in all our work. Our strategies include legal support, trainings, advocacy, public education, grassroots mobilization and developing community partnerships. (Website: www.prisonerswithchildren.org)