

Community Law

METROPOLITAN PUBLIC DEFENDER

February 26, 2019

Chair Williamson, Vice-Chair Gorsek, Vice-Chair Sprenger, Members of the Committee:

My name is Nikki Thompson, and I'm here today to testify in support of House Bill 2471.

As an Attorney in the Community Law Division at Metropolitan Public Defender in Portland, I work with clients to reduce the barriers that keep them in poverty.

We often address the issue of court fines and fees. In doing this work, I've seen the way fines become a barrier for people trapped in the cycle of poverty.

I have received my own share of fines from the City of Portland—specifically, parking tickets. In particular, in 2013 I got one that I believed I did not deserve. Because I was unable to take time off work, I challenged the citation by sending in a letter to the Multnomah County Circuit Court. However, in order to submit my written explanation to the Court, the citation required full payment of the fine with my letter—or (and the back of the citation was explicit) it would not be considered.

Given the work I do, this process does not sit well with me. It feels as though Oregonians are being asked to pay for access to the justice system.

From what I've learned through research and my experience, there lacks a consistent way that cities allow individuals to challenge their parking citations. Some cities require payment of the full fine (which they refer to as "bail") in order to request a hearing or submit a written explanation. Others allow an individual to appear in court without paying the fine, but require full payment to submit a written explanation. Others require full payment to request a hearing. And almost all of the cities I researched require one or the other.

If someone wants to challenge their parking citation but cannot afford to pay their ticket, they are at risk of defaulting on the violation. The impact of a default can be swift and far greater than the original ticket. For example, in Salem, within 14 days of defaulting, the fines can go to Collections and start incurring interest at 25%. In Eugene, if you owe more than \$40 and your fines are over 30 days past due, your vehicle may be booted. In Portland, your car is put on the "tow list" if you have six delinquent citations. In Lake Oswego, you get 30 days to pay your fines or they double.

Asking someone to pay to challenge a citation that could cost them a significant amount of money and even possibly deprive them of their vehicle seems, at the very least, troubling.

That is why I'm here today to ask you to support House Bill 2471. Ending the requirement that an individual first pay their parking fine before their able to challenge it will allow everyone—especially those who are indigent—meaningful access to justice.

Sincerely,

Nikki Thompson
Attorney