



TO: House Committee on Judiciary
FROM: Mae Lee Browning, Oregon Criminal Defense Lawyers Association (OCDLA)
DATE: February 5, 2020
RE: Support for HB 4065 – Eliminates Imposition of Driving Privilege Restrictions For Failure to Pay Fine

Chair Sanchez, Vice Chairs Bynum and Sprenger, and Members of the House Committee on Judiciary,

The Oregon Criminal Defense Lawyers Association is comprised of attorneys who represent people in adult criminal prosecutions and civil commitment proceedings, juveniles in delinquency proceedings, and juveniles and parents in dependency proceedings, as well as appeals throughout the state of Oregon. Thank you for the opportunity to submit the following comments in **support of HB 4065**.

OCDLA is dedicated to supporting policies that both help make people's lives better and make the criminal justice fairer. This bill seeks to end the practice of suspending a person's driver's license for inability to pay fines associated with non-criminal related traffic violations. We support this as it is smart public policy that is a necessary first step in ending the criminalization of poverty.

In criminal defense, it is common to have clients whose lives, family's lives, and economic statuses are severely negatively impacted by their inability to pay fines initially associated with non-criminal traffic violations. Their stories typically follow this pattern: They receive a non-criminal minor traffic violation ticket. They are unable to pay or to make timely payments, they miss a payment, they keep driving as many people across Oregon do not have access to good public transportation, and then they get pulled over for driving with a suspended license that results in more fines and further loss of driving privileges. Most express wanting to do the right thing, but they are not practically afforded the opportunity to do so. In short, their minor traffic violation becomes a choice between providing for their families, keeping their job, taking their kids to school and not driving to comply with a suspension that is due to financial hardship.

A system that relies on debt-based driver license suspensions creates a vicious cycle of increasing debt, keeping people from being able to pay, and wasting state resources. The criminalization of poverty violates notions of fairness and solidifies stark racial disparities within our criminal justice system. Additionally, taking a driver license away for not paying a fine or fee does not make our roads safer. For these reasons, OCDLA strongly **supports HB 4065**. Thank you for your consideration.

Respectfully submitted by,
Mae Lee Browning, J.D.
Legislative Director, OCDLA