

House Bill 4065 Testimony
Submitted by Kathy Stinnett
Elected Grant County Justice of the Peace
Personal Testimony
February 20, 2020

To The Senate Committee on Judiciary

Dear Chairman Prozanski and Vice Chair Thatcher,

This is my personal testimony regarding HB 4065. I am opposed to HB 4065 as drafted, but would support the amendment HB 4065-2 introduced by Senator Roblan.

Enacting HB 4065 as drafted would eliminate FTC driver's license suspensions for all 3.1 million licensed drivers in Oregon in order to accomplish blanket relief for the approximately 3% of low income drivers who have had their licenses suspended for failing to pay fines (FTC). Within our current court systems, low-income drivers have reliefs in place specific to their circumstances; consideration of their ability to pay, affordable payment plans, options in lieu of fines, and judges who are willing to listen to, and forgive debt for, those hardest hit. Removing the ability for courts to issue, when necessary and appropriate, potential license suspensions to enforce judgments would create more inequality and hardship for those in poverty.

HB 4065 Original Form

Revenue will be lost, including revenue that helps support programs that benefit those in need.

Current Statutory Process

Justice and Municipal Courts, at no cost to the State, contributions to the Criminal Fine Account were:

19.7 million in FY 13/14

15.8 million in FY 14/15

14.8 million in FY 15/16

14.3 million in FY 16/17

15.0 million in FY 17/18

15.6 million in FY 18/19

It would be unreasonable to assume that removing an enforcement capability from the courts would do

anything but reduce revenues.

Judgments will be turned over to collection agencies that are allowed to add 25% to the amount owed and charge 9% interest.

Collection Agencies will garnish paychecks.

Oregon Department of Revenue will garnish tax returns, eliminating the once a year boost that could provide a needed financial boost.

Many of those who can afford to pay their fines will not pay freely or at all; when they do pay, they too will incur the additional high cost of collections.

HB 4065 removes incentives to work within the judicial process; an integral part of our government and society and one whose purpose is to make determinations that are fair and just.

Courts routinely work with low income individuals and provide options tailored to their circumstances, including: Payment Plans with low monthly payments, community service in lieu of fines, and forgiveness of debt agreements.

Majority of Driver's who have an ability to pay do pay their fines either all at once or on payment plans.

When Courts make determinations based on ability to pay and provide barrier free paths by which those citizens are able to comply, everyone benefits. When those who are most vulnerable are listened to, protected, and accommodated in a just manner, trust and respect for all government entities is increased.

Thank you for your time and consideration.

Sincerely,

Kathy Stinnett

Grant County Justice of the Peace