

LAWYERS' COMMITTEE FOR  
**CIVIL RIGHTS**  
OF THE SAN FRANCISCO BAY AREA

## **Driver's License Suspensions Still a Problem for People Too Poor to Pay Exorbitant Traffic Fines**

*Coalition of Bay Area legal organizations working to make changes locally and statewide*

**For Immediate Release: March 21, 2016**

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San Francisco, CA – Last week, the U.S. Department of Justice urged local courts nationwide to put an end to policies that penalize people simply for being poor – including the practice of suspending driver's licenses when individuals miss payments on fines. This practice is all too common in California traffic courts, and is not prevented by amnesty policies that went into place last year.

Today, a coalition of legal organizations [put San Mateo County Superior Court on notice](#), demanding that the court change its policy of suspending the driver's licenses of people who are too poor to pay exorbitant traffic fines. After several months of communication with the court system without adequate resolution, a demand letter was sent today by the Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR), Legal Services for Prisoners with Children, the Western Center on Law & Poverty, and the ACLU of Northern California.

The coalition, joined by Bay Area Legal Aid, also [sent a letter this morning to the California Judicial Council](#), urging the Council to instruct all California traffic courts to stop suspending the driver's licenses of people who are too poor to pay exorbitant traffic fines.

"As demonstrated in last year's report '[Not Just a Ferguson Problem– How Traffic Courts Drive Inequality in California](#)', California traffic courts are saddling people with unjust, costly fines, and suspending millions of drivers' licenses when those fines go unpaid," said Elisa Della-Piana, Legal Director, LCCR. "They're failing to take people's ability to pay into account, and it's damaging entire communities."

"What used to be a hundred dollar violation in California now costs nearly five hundred dollars, and the costs climb into the thousands when people miss deadlines to pay fees they can't afford," said Claire Johnson Raba, Attorney at Bay Area Legal Aid. "Many jobs require a driver's license, so the loss of a license pushes families deeper into the cycle of unemployment and poverty."

“These exorbitant traffic fines are part of a larger pattern in which our justice system funds itself off the backs of poor people,” said Brittany Stonesifer, Staff Attorney at Legal Services for Prisoners with Children. “Because racial profiling makes police stops and traffic citations commonplace in communities of color, this practice hits people of color the hardest.”

Last year, Gov. Brown created an amnesty program for people who owed debt on traffic citations and had lost their license in a set time period. But anyone who got a ticket after January 1, 2013 is at best only partially eligible for amnesty. They are ineligible for a reduction in what they owe, and even if they can get their license back, courts are still allowed to suspend their license again if they miss a payment.

“Unfortunately, amnesty does nothing to prevent thousands of Californians from currently being caught up in the same web of traffic debt and license suspensions,” said Antionette Dozer, Senior Attorney, Western Center on Law & Poverty. “We need to take much bolder action by stopping the suspension of licenses and by significantly reducing the traffic fines on low income families. Courts can do that right now but they are failing to do so.”

“The denial of due process in traffic court is causing widespread debt and unemployment,” said Micaela Davis, Staff Attorney with the ACLU of Northern California. “By not taking people’s ability to pay into account, the courts are hurting families, communities, and the state as a whole.”

In the demand letter to San Mateo County Superior Court, the coalition outlines the steps the traffic court must take in order to satisfy its constitutional and statutory duties, including setting up a system for determining people’s ability to pay, providing meaningful notice about how to access that system, and properly tailoring payment plans to a person’s actual financial circumstances. State law does not require the court to suspend driver’s licenses for failure to pay, and the coalition’s letter urges the court to stop suspending licenses as a means of generating and collecting revenue.

The court has until April 4 to comply, or face legal action.

In cooperation with Bay Area Legal Aid, the coalition is also pursuing related advocacy in several other Bay Area counties. They have sent a letter to Contra Costa County Superior Court requesting a meeting to discuss similar problems, and have engaged in collaborative efforts with Alameda County Superior Court, which has indicated it would work with the coalition to change its policies.

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*Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, founded in 1968, works to advance, protect and promote the legal rights of communities of color, 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.*