

April 26, 2021

The Hon. Phil Mendelson
The Hon. Charles Allen
The Hon. Anita Bonds
The Hon. Mary M. Cheh
The Hon. Janeese Lewis George
The Hon. Vincent C. Gray
The Hon. Christina Henderson
The Hon. Kenyan R. McDuffie
The Hon. Brianna K. Nadeau
The Hon. Brooke Pinto
The Hon. Elissa Silverman
The Hon. Robert C. White Jr.
The Hon. Trayon White, Sr.
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004
Via email

Re: The Need to Reform DC's Clean Hands law that disqualifies residents from renewing their driver's license as punishment for unpaid fines and fees

Dear Members of the Council of the District of Columbia:

The below-signed organizations are a coalition of anti-poverty, civil rights, faith-based, consumer protection, and justice advocacy groups. We are writing in support of urgent, systemic reform to end DC's current, wealth-based driver's license scheme, under which any DC resident who has unpaid fines or fees totaling \$100 or more is automatically disqualified from obtaining or renewing a driver's license – with no inquiry as to her ability to pay.

A report released today by coalition member Tzedek DC documents the ways in which DC's Clean Hands law disqualifies tens of thousands of DC residents from renewing their driver's licenses simply because they cannot afford to pay outstanding parking or traffic ticket debt. Titled "Driving DC to Opportunity," the report highlights the impact on District residents from the current system, which has created a serious issue of racial inequity by tying the ability to drive lawfully in DC to wealth and punishing residents for nonpayment by disqualifying them from renewing their license. The inequity is in the disparate economic impact – since white DC households have 81 times more wealth than Black DC households – and in the criminal justice system impact – since Black adult DC residents receive nearly four times the number of traffic tickets as white adult drivers and are arrested for the offense of driving without a permit 19 times more frequently than White adult DC residents. The report details how, by making it more difficult for DC residents to get a job or to remain employed or to get to a grocery store, childcare, a medical appointment, or a family visit, the current law undermines residents' long-term financial stability and overall well-being. There is no valid justification for DC law to

continue to apply the Clean Hands rule's automatic disqualification as punishment for unpaid fines and fees.

Three years ago, DC was a leader nationwide on this issue by ending the automatic immediate suspension of driver's licenses for unpaid debt. Now, the District is a national and regional outlier, one of just a handful of jurisdictions that cling to the harmful, outdated approach of automatically denying license renewals as punishment for unpaid fines and fees.

The report includes specific proposals for reform with recommended statutory language. We urge the DC Council to end this counter-productive policy. Wealth should not determine who under DC law can keep driving to accomplish critical life necessities.

Sincerely,

ACLU of the District of Columbia

Ayuda

Blind Justice

Bread for the City

Building Bridges Across the River

Capital Area Asset Builders (CAAB)

CARECEN

Catholic Charities of the Archdiocese of Washington

Color of Change

DC Affordable Law Firm

DC Bar Pro Bono Center

DC Fiscal Policy Institute

DC KinCare Alliance

DC Volunteers Lawyers Project

Fines and Fees Justice Center

Howard University School of Law Human and Civil Rights Clinic

Jewish Community Relations Council of Greater Washington

Jews United for Justice

Legal Aid Justice Center

Legal Aid Society of the District of Columbia

Legal Counsel for the Elderly

Network for Victim Recovery of DC (NVRDC)

Peter Edelman, Carmack Waterhouse Professor of Law and Public Policy, Georgetown Law Center

Pro Bono Institute

Rising for Justice

Tzedek DC

United Planning Organization

University of the District of Columbia David A. Clarke School of Law

Washington Interfaith Network

Washington Lawyers' Committee for Civil Rights and Urban Affairs

Washington Legal Clinic for the Homeless

Whitman-Walker Health Legal Services

Cc:

The Hon. Muriel Bowser, Mayor, District of Columbia

The Hon. Karl Racine, Attorney General of the District of Columbia