



LOCKED OUT:

How DC Bans Workers with Unpaid Fines from More than 125 Jobs or Starting a Business, and What We Can Do About It



TZEDEK DC
Legal Help for People in Debt

2023



LOCKED OUT
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INTRODUCTION

For many DC residents, getting a parking ticket or minor regulatory fine is at most an irritation, but they typically are able to grumble, fork over the money via a quick online credit card transaction, and move on with their lives. Yet for workers with lower incomes who lack wealth, something as simple as a parking ticket can create a cycle of economic challenges because of DC's Clean Hands Law. Under the Clean Hands Law, residents seeking to operate a business, or to work in more than 125 distinct occupations — over 48,000 workers¹ — can be denied the critical occupational and small business licenses to do so if they owe the District of Columbia more than \$100.

Under the current law, DC's system doesn't ask whether you can afford to pay off your debt to DC; the disqualification is automatic. The Clean Hands Law affects over 125 occupations — including barbers, beauticians, HVAC cleaners, plumbers, electricians, and nurses — and the consequences fall disproportionately on Black DC residents and other residents from communities of color.

The Clean Hands Law's automatic disqualification from occupational and small business licenses as punishment for unpaid fines and fees has no connection to public health, consumer safety, or occupational proficiency. The Clean Hands Law harms workers and businesses, punishes poverty, restricts access to employment, and creates a pay-to-play system that harms DC's most vulnerable residents. It exacerbates racial inequalities, puts DC at a competitive disadvantage compared to Maryland and Virginia, and violates workers' constitutional rights.

Reforming DC's Clean Hands Law is urgent. This report shares the stories of directly impacted residents, illustrates the problems of the current systems through data-based explanations, proposes specific solutions, and closes with an urgent call to action for reform by DC's policymakers.

¹This includes all the jobs under the purview of the DC Department of Licensing and Consumer Protection (DLCP) and previously controlled by DLCP's precursor, the Department of Consumer and Regulatory Affairs (DCRA). According to a 2019 report from the DC Policy Center, in 2017 the District had 12 separate licensing boards responsible for issuing licenses to 69,863 licensed workers. This number equaled about 12% of the District's private sector workforce. The data used in the report shows that "professional licensing impacts many of the District's middle-wage jobs, sometimes closing opportunities for low-income residents."

STORIES FROM DIRECTLY IMPACTED WORKERS

SHAWN, a Black U.S. Air Force veteran in Ward 8, was a skilled plumbing specialist in the Air Force before he moved to DC to pursue plumbing jobs and receive medical treatments at the VA hospital. But Shawn was homeless during his early time in DC, and when his temporary shelter became unsafe, he slept in his car for months to protect himself and his tools. As a result, he racked up parking tickets during that period. Shawn now owes tickets and late fines that he cannot pay. Shawn still dreams of opening a plumbing

and handyman business in the District, but the Clean Hands Law bars him from obtaining a small business license because he owes more than \$100 to DC. “In taking away my ability to get an occupational or small business license,” he says, “the DC government continues to deprive me of my livelihood. I have fought hard to stand on my own feet ... but the Clean Hands Law truly makes it hard to take care of myself and rebuild my life.”



STEPHANIE is a Black speech language pathologist in Ward 7 with a master’s degree from the University of the District of Columbia. She wants to start her own small business – a speech therapy practice in DC. But under the Clean Hands Law she can’t because she owes the District fines and late fees for parking and traffic tickets. Stephanie is steadily paying her debt over time, but the District rejected her request to enter into a payment plan, demanding a lump sum up front that she could not afford. Stephanie notes

that in DC, “it is important to have Black therapists, to understand linguistically why a student might not verbalize a sentence in the Queen’s English and that is not a disability. You have to look at their culture, their language.” Stephanie recently took on a short-term position in North Dakota; when she returns home, she’ll only be able to work in Virginia or Maryland, thereby depriving the District of a qualified Black speech language pathologist whose skills are much needed here in DC.²

² In 2021 in the United States, only 4.8% of the nation’s speech language pathologists were Black. See Speech Language Pathologist Demographics and Statistics in the US, Zippia, <https://www.zippia.com/speech-language-pathologist-jobs/demographics/>.

HIWET, an immigrant from Ethiopia, has been a DC street vendor since 1991, selling doughnuts, muffins, hot dogs, juices, and chips. For decades, Hiwet renewed her vending license every two years, and dutifully met all applicable District licensing requirements. These included \$375 per quarter in taxes; a \$150 semi-annual licensing fee; a \$600 fee for her specified vending location, and more. When COVID arrived, Hiwet’s customers disappeared and her work stopped — but the District’s taxes and

licensing fees did not, and Hiwet fell into debt to DC. Hiwet wants to return to vending — “you’re your own boss, and I like the job,” she says — but, due to the Clean Hands Law’s punishment for unpaid debts, for now she is disqualified from obtaining a vendors license and has been forced to work part-time in a hospital kitchen. Hiwet is earning far less than she could with her vendors license, and far less than she needs to sustain herself and family.



JANE³, a nurse, currently has a valid license to work in DC and is a nurse at a DC hospital. But Jane owes debt to the District government from traffic tickets and worries that if she does not pay the tickets — which she cannot afford to do all at once — she will be unable to renew her license when it expires. The Clean Hands Law presents ongoing obstacles to

employment and financial stability for people like Jane, who have to stop working in DC and accept work in other jurisdictions under the Clean Hands Law. This is especially concerning for nurses like Jane: as a National Public Radio report recently noted, vacancies for DC nurses “aren’t getting filled, which nurses say is putting both staff and patients at risk.”⁴

³ Jane’s name has been changed to protect her privacy.

⁴ See <https://www.npr.org/local/305/2022/09/28/1125406790/we-were-already-stretched-thin-a-nursing-shortage-is-straining-d-c-area-hospitals>

PART 1 WHAT IS THE CLEAN HANDS LAW, AND WHO DOES IT AFFECT?

The law’s full title is “The District of Columbia’s Clean Hands Before Receiving a License or Permit Act of 1996,” and as it currently stands, it states that “individuals and businesses are to be denied city goods or services (e.g., licenses, permits, grants, contracts) if there is a debt owed to the District of Columbia of more than \$100 for fees, fines, taxes, or penalties.”⁵ District law defines a “business” as “[a]ny trade, profession, or activity which provides, or holds itself out to provide, goods or services to the general public...”⁶ A “license,” meanwhile, includes “any form or permission required by law... to engage in any activity.”⁷

Because the law’s mandate is so broad, any DC resident or worker seeking to start or renew an occupational license in 125+ identified licensed professions can be deprived of a chance to do so, as long as they have over \$100 in outstanding fines, fees, or taxes. **In the District of Columbia, nearly one in five DC workers must get an occupational license before they can legally do their jobs.**⁸ This includes barbers, cosmetologists, plumbers, HVAC cleaners, electricians, tattoo artists, funeral directors, food truck



vendors, and dozens of other (mostly blue-collar) workers who are crucial to the District’s economy. When they go online to apply for an occupational license, they are required to certify that they do not have more than \$100 in debt to the District. If they cannot verify that they have “Clean Hands” — that is, they owe \$100 or less to the District — they are locked out of licensure.

In 2022, DC’s occupational license boards issued 12,456 licenses and processed 36,265 license renewals.⁹ These workers — more than 48,000 in all — are all governed by the licensing system and subjected to DC’s Clean Hands requirement.¹⁰ Some of the jobs affected are stable jobs that pay well above DC’s per capita income of \$63,793.¹¹ For example, the annual mean wage for an electrician in DC is \$78,220; cosmetologists in DC make \$72,530; registered nurses earn \$98,540.¹² These jobs are clear pathways to economic stability. But under the Clean Hands Law, anyone seeking the necessary



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⁵ Office of Tax and Revenue, “Certificate of Clean Hands,” <https://otr.cfo.dc.gov/page/certificate-clean-hands#:~:text=The%20District%20of%20Columbia%20%E2%80%9CClean,penalties%3B%20and%20For%20failure%20to>

⁶ D.C. Code § 47–2851.01 (1B) (A)

⁷ D.C. Code § 47–2851.01 (5)

⁸ Occupational Licensing in the District of Columbia, Institute for Justice, <https://ij.org/issues/economic-liberty/occupational-licensing/washington-dc/>

⁹ DC Department of Licensing and Consumer Protection, Renewal Count, Number of Licenses (July 28, 2023). Copy on file with Tzedek DC.

¹⁰ This includes all the jobs under the purview of the DC Department of Licensing and Consumer Protection (DLCP) and previously controlled by DLCP’s precursor, the Department of Consumer and Regulatory Affairs (DCRA). According to a 2019 report from the DC Policy Center, in 2017 the District had 12 separate licensing boards responsible for issuing licenses to 69,863 licensed workers. This number equaled about 12% of the District’s private sector workforce. The data used in the report show that “professional licensing impacts many of the District’s middle-wage jobs, sometimes closing opportunities for low-income residents.”

¹¹ United States Census Bureau, QuickFacts-District of Columbia, <https://www.census.gov/quickfacts/fact/table/DC,US/PST045221>

¹² U.S. Bureau of Labor Statistics, “May 2022 State Occupational Employment and Wage Estimates,” https://www.bls.gov/oes/current/oes_dc.htm#49-0000

occupational or small business license to start (or continue) working in such a job is locked out if they have fines or fees they can't pay. As a result, many of these workers and professionals are trapped, or at enhanced risk of being trapped, in a cycle of poverty. They need to work in order to pay off their debt and buy groceries and other necessities to support their families. But their debt disqualifies them from getting a license to work in their chosen fields. As one worker currently locked out of obtaining his occupational license aptly put it, "they say I have to pay but how can I pay when they won't let me work?"

The Council's stated, original purpose of the Clean Hands Law:

When it was first passed in 1996, the DC Council's stated purpose for the Clean Hands Law was a narrow one: to deter littering, illegal dumping, and delinquent tax filing by withholding licenses and permits from people who committed those offenses and failed to pay their fines.¹³ But the Council has frequently amended the law since that time, to bring a larger number of fines and fees within its ambit, as shown below. Rarely, if ever, has public health and safety been the driver for these changes. Instead, the Council's stated motivation has been revenue generation, even as the law has directly and counterproductively harmed many DC workers' ability to earn what they need to pay their debts.¹⁴

The Council expanded the Clean Hands Law in 2001 to include parking and traffic-related fines and fees. The report accompanying the Council's 2001 bill expressed no public safety reasons for amending the Clean Hands Law. Instead, it emphasized that 570,000 tickets dating back to 1979 and worth about \$53 million remained outstanding because DC motorists lacked a "compelling reason to respond

to the notices of violation."¹⁵ The record is bereft of evidence that the Council was motivated, in any way, by a desire to enhance public safety.

Over the years, in the context of public discussion about driver's licenses, some suggested that preserving the status quo was relevant to public safety — that requiring all outstanding debt to be paid before a driver's license was issued would encourage safer driving. Little to no evidence supported this thesis, however. For example, in 2018, when the Council considered legislation that ultimately reformed the District's law governing the suspension of licenses based on unpaid debt, Ward 8 Councilmember Trayon White asked the director of the District's Department of Motor Vehicles (DMV), "I've heard a lot of conversations about revenue, revenue, revenue, revenue. Do you have data that reflects that as a result of this amount of money collected [approximately \$167 million in tickets in 2016], DC is in fact safer?"¹⁶ Neither the DMV nor the Metropolitan Police Department ever attempted to provide support for the notion that the denial of driver's licenses under the Clean Hands Law was necessary for or beneficial to public safety. Similarly, in 2022, Councilmember Kenyan McDuffie, chair of the DC Council committee that conducted a hearing and published a detailed report on the Clean Hands Law, concluded: "There's no evidence to suggest that Clean Hands promotes public safety. There's no evidence that it promotes public safety generally or safe driving specifically."¹⁷

Ultimately, regardless of what one thinks of the (at best highly tenuous) link between paying parking and traffic tickets and enhancing public safety, that link is entirely absent in the context of occupational and professional licensing. Requiring DC residents to pay all outstanding parking and traffic fines before they can obtain a professional license does nothing to improve public health or the professionalism of the

¹³ Clean Hands Before Receiving a License or Permit Act of 1996, D.C. Law 11-118, § 3(a), 43 D.C. Reg. 1191 (codified at D.C. CODE § 47-2862(a)(1)), code.dccouncil.us/dc/council/laws/docs/11-118.pdf; see also Report on an Amendment in the Nature of a Substitute to Bill 11-260, the "Clean Hands Before Receiving a License or Permit Act of 1995," Council of the District of Columbia, Committee On Public Works and the Environment, 1-2, 16 (Sept. 20, 1995), lms.dccouncil.us/downloads/LIMS/4245/Committee_Report/B11-0260-CommitteeReport1.pdf

¹⁴ This is made clear in in Tzedek DC's 2021 report, *Driving DC to Opportunity: Wealth Should Not Determine Who Gets to Keep Their Driver's License* (April 2021), <https://static1.squarespace.com/static/57056a9e0442629a7a43ca60/t/608635b59618be5fc287fc67/1619408310140/Driving+DC+to+Opportunity+-+Tzedek+DC.pdf>, which specifically examined the Clean Hands Law's historical impact on the issuance and renewal of driver's licenses

¹⁵ See Tzedek DC, *Driving DC to Opportunity: Wealth Should Not Determine Who Gets to Keep Their Driver's License*

¹⁶ Report on Bill 13-828, the "Motor Vehicle and Safe Driving Amendment Act of 2000," Council of the District of Columbia, Committee on Public Works and the Environment, 5 (Oct. 18, 2000) (copy on file with Tzedek DC)

¹⁷ See D.C. Committee of the Whole, Thirtieth Additional Legislative Session, at 30:08 (May 24, 2022) http://dc.granicus.com/MediaPlayer.php?view_id=3&clip_id=7480 (statement of Councilmember Kenyan McDuffie) (emph. added).



“THEY SAY I HAVE TO
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affected individuals; it simply prevents people from being able to work in their chosen occupation lawfully. Valid public health concerns obviously attach to the issuance of licenses. Consumers need to know they can trust the person serving them food, cutting their hair, or installing their pipes. But these concerns are not addressed by a law requiring that residents pay off debts and should be independent of the Clean Hands Law.

There are some signs of progress. In 2023, responding to organizing efforts by street vendors and community organizations such as Beloved Community Incubator,¹⁸ the DC Council¹⁹ passed the Street Vendor Advancement Amendment Act of 2023. That law decriminalized unlicensed vending, made licensing less expensive, and created specific sidewalk vending zones within the District.²⁰ Significantly, the 2023 law also established an amnesty program that authorizes the Department of Licensing and Consumer Protection (DLCP) to forgive

qualified vendors’ delinquent fine and tax-related debt accrued between 2010 and July 1, 2023.²¹ However, that amnesty program has not yet been fully implemented by the DC executive branch, and even when it is, it will leave 120+ occupational licenses affected by the Clean Hands lockout problem. Notably, when the Council enacted the Street Vendor Advancement Amendment Act, it left alone DC Department of Health’s current authority to conduct pre-operational inspections for home kitchens and to investigate instances of foodborne illnesses. Similarly, reforming the Clean Hands Law will not impede the work of DC Health, the Office of Occupational Safety and Health (OSH) within the Department of Employment Services (DOES), the Office of Risk Management (ORM), or any other health and safety agency responsible for ensuring worker competence and public safety.²² Similarly, none of the recommendations discussed in this report below call for a change to such health or safety standards.

¹⁸ For background on advocacy related to employment access for vendors, see *Where the Sidewalk Ends: Vendors United and their Efforts to Decriminalize Street Vending in Washington, DC* <https://static1.squarespace.com/static/5cf9450e810352000190b4e4/t/63601a50ca464454977058c4/1667242577547/Where+the+Sidewalk+Ends+Full+Report.pdf> and *Where the Sidewalk Ends Part II: A Vision for Decriminalizing and Investing in DC Street Vendors* <https://static1.squarespace.com/static/5cf9450e810352000190b4e4/t/637ba6fa9dc5424b0425556c/1669048061149/Where+the+Sidewalk+Ends+Part+II.pdf>

¹⁹ 2023 Bill Text DC B. 68.

²⁰ See 2023 Bill Text DC B. 68.

²¹ 2023 Bill Text DC B. 68 (creating D.C. Official Code Section 37-131.08(9c)).

²² As of October 1, 2023, the District’s DLCP has begun accepting and processing applications submitted by eligible vendors seeking to qualify for the amnesty and licensing benefits provided by the new street vendor law. Several of the vendors profiled in this report are seeking amnesty and hope to soon receive their occupational licenses under this law.

Types and sources of debt covered by the law:

The Clean Hands Law covers many types of debt, but the majority of relevant debt covered by the language of the law is **unpaid parking and traffic tickets**.²³ Tzedek’s 2021 report, *Driving DC to Opportunity*, detailed the ways the Clean Hands Law prevented tens of thousands of residents from renewing their driver’s licenses as punishment for having more than \$100 of debt. The DC Council passed the Clean Hands Certification Equity Amendment Act of 2022, which, as of October 1, 2023, ended the Clean Hands Law’s disqualification of residents with more than \$100 in fines or fees from obtaining or renewing a driver’s license.²⁴

While this was an important step forward for racial and economic justice, **it did not eliminate the Clean Hands requirement for occupational or small business licenses** — meaning that the plain language of the Clean Hands Law still authorizes the government to prevent DC residents with \$100 or more debt of any kind from working in obtaining any of over 125 separate occupational licenses.

It is worth noting the precise extent to which this occurs in day-to-day life is unknown, with no reliable data maintained by the DC government. The Clean Hands Law’s text makes no distinction between debt from traffic and parking fines and fees and debt incurred through other means. But the District’s Tax Review Commission has recently reported that, for occupational and business license purposes, DC’s Office of the Chief Financial Officer (OCFO) excludes DMV-related debt from its Clean Hands calculations for occupational and business license applicants.²⁵ As the DC Tax Commission’s report states,

“The Clean Hands IT system does not include traffic fines, although the DMV currently relies on the Clean Hands statute for legal authority to require payment of outstanding traffic fines for vehicle registrations.”²⁶

Regardless of whether OCFO’s IT system excludes traffic fines, the websites,²⁷ online videos²⁸ and forms²⁹ created by the DLCP, the Office of Tax and Revenue, the DC Health, and other agencies for occupational and business license applicants make no distinction between traffic- and non-traffic debt, for Clean Hands verification purposes. This creates a situation where some applicants for occupational and business licenses are advised — or reasonably conclude — that their possession of DMV-related debt in excess of \$100 disqualifies them from obtaining such licenses — oftentimes leading them to walk away from the application process altogether. Professionals like Stephanie have firsthand experience of the harms of the licensing process due to traffic debt they cannot pay. All this paints a clear picture: the Clean Hands system is broken.

Separate from traffic fines and fees, licensing fees and taxes are another source of often unaffordable debt for workers in DC. As many of the vendors’ stories presented in this report make clear, even during COVID-19 vendors were required to make quarterly \$375 tax payments for their vending licenses. When they went to renew these licenses as the District emerged from the pandemic, they learned they could not do so without paying these outstanding quarterly taxes, in amounts far beyond their means, even though they had been unable to work during all those months.

THE MAJORITY OF RELEVANT DEBT COVERED BY THE LANGUAGE OF THE LAW IS **UNPAID PARKING AND TRAFFIC TICKETS**.



²³ In Fiscal Year 2019, of the \$195.39 million in revenue from “fines and forfeitures,” 35% came from traffic tickets, 3.8% came from red light camera tickets, and 58.4% came from speed camera tickets. Fiscal Year 2021 Approved Budget and Financial Plan: Volume 1, pp. 3-35 to 3-36 tbl.3-15; see also id. at p. 3-21 (“Fines and forfeitures . . . is mostly revenue from traffic fines[.]”).

²⁴ See Bill 24-254, Clean Hands Certification Equity Amendment Act of 2022, <https://lms.dccouncil.gov/Legislation/B24-0237>

²⁵ <https://docs.google.com/presentation/d/1RuKA5x0jMzUizUftpbap6LVcHxwAYwQ4/edit#slide=id.p25>

²⁶ Id.

²⁷ See https://otr.cfo.dc.gov/sites/default/files/dc/sites/otr/page_content/attachments/OTR_Certificate_of_Clean_hands_Brochure_070722.pdf

²⁸ See <https://www.youtube.com/watch?v=bnbA6FNqnd8>

²⁹ See <https://dchealth.dc.gov/sites/default/files/dc/sites/doh/publication/attachments/Clean-Hands-Certification-Form.pdf>

Disproportionate impacts on all DC license seekers with low incomes:

The Clean Hands Law’s pay-to-play occupational and small business system — denying such licenses to people owing the District of Columbia over \$100 in fees, fines, taxes, or penalties — disadvantages residents of color, women, and people with low incomes.³⁰

The District of Columbia has a staggering racial wealth gap to begin with:

White households have, on average, 81 times the wealth of Black households and 22 times the wealth of Latino households,³¹ and Black residents are five times more likely to live in poverty than white residents.³² The Clean Hands Law exacerbates and helps perpetuate this gap. DC workers of color are far less likely than white residents to have enough disposable income to pay their fines. The disturbing corollary is that because of Clean Hands restrictions, Black DC residents are less able to start small businesses or work in licensed jobs. As a result, these residents are more likely to remain stuck in jobs with lower pay, or without any job at all, and with less opportunity for economic advancement.

Reforming the Clean Hands Law might not be urgent if it applied only to rare, egregious violations of the law, or if DC’s fines and fees were reasonable and corresponded to residents’ ability to pay, but that is not the case. The current Clean Hands Law ignores residents’ financial means. As a result, people who can afford to pay do so and move on, regardless of the frequency or severity of their misconduct. Meanwhile, people who can’t afford to pay are saddled with their debt indefinitely, and consequently face restricted access to employment and enduring economic hardship.



Nor do the current payment plan options solve the problem. Although payment plans are offered to individuals with debt, those plans typically require people to make initial payments that they cannot afford or are unforgiving of missed payments.

Moreover, the District makes no provision for workers to pay for a license during its period of operation. This means, for example, that a vendor who owes money to DC cannot first obtain an initial or renewed license and then later repay their outstanding debt by using the money they earn in their chosen field (see Part 4, where one of the remedies presented is a system allowing workers to pay their debt while working for an initial period of time).

...DENYING SUCH LICENSES TO PEOPLE OWING THE DISTRICT OF COLUMBIA OVER \$100 IN FEES, FINES, TAXES, OR PENALTIES — **DISADVANTAGES RESIDENTS OF COLOR, WOMEN, AND PEOPLE WITH LOW INCOMES.**

³⁰ In Part 4, we identify increasing the debt threshold from \$100 as one option for legislative reform. Even if the Council changed the threshold from the 1996 law only to account for inflation, it would have to double the amount that triggers Clean Hands disqualification: An \$100 fine in 1996 is about \$196, according to the Bureau of Labor Statistics.

³¹ Erica Williams, DC’s Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity, DC Fiscal Policy Institute (October 20, 2022), <https://www.dcfpi.org/all/dcs-extreme-wealth-concentration-exacerbates-racial-inequality-limits-economic-opportunity/>

³² Erica Williams & Tazra Mitchell, Large Black-White Disparities in Poverty and Income Persisted in 2021, DC Fiscal Policy Institute (September 15, 2022), <https://www.dcfpi.org/all/large-black-white-disparities-in-poverty-and-income-persisted-in-2021/>

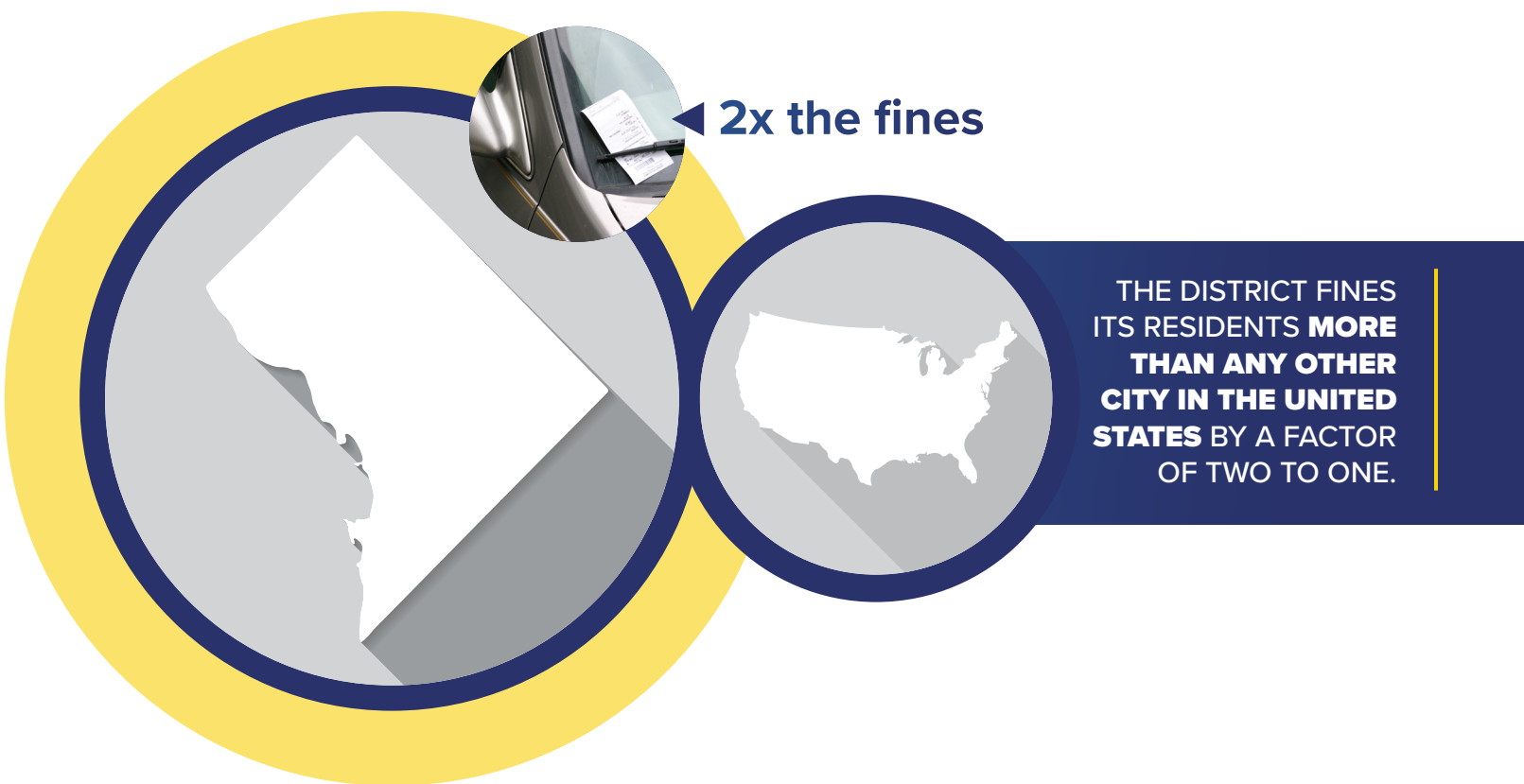
Unique burdens for DC residents and workers:

The District of Columbia is an outlier both regionally and nationally. The District relies on “fines and forfeitures” for more than 2% of its annual budget,³³ and fines its residents more than any other city in the United States by a factor of two to one.³⁴

Neighboring states do not burden their workers with the type of restrictions created by DC’s Clean Hands Law. With much higher monetary thresholds than DC, neighboring states Virginia, Maryland, Delaware, and West Virginia each prohibit occupational licenses from being issued to people with unpaid child support and

taxes, but none of them have a law that applies this prohibition to any and all types of fines and fees.³⁵

In summary: Having and keeping a job is crucial for residents to achieve stability. DC counterproductively burdens residents with the Clean Hands requirement, forcing them to choose between making a payment they can’t afford, finding a different career, or taking their expertise to a neighboring jurisdiction. Ending or dramatically reforming the application of the Clean Hands Law lock out penalty for workers who need occupational and small business licenses will help this important goal.



³³ See, e.g., Fiscal Year 2021 Approved Budget and Financial Plan: Volume 1 – Executive Summary, Office of the Chief Financial Officer, p. 3-8 (.pdf p. 93) tbl.3-3 (Aug. 27, 2020), cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/DC_OCFO_Budget_Vol_1-Bookmarked-9-1-2020.pdf (\$195.39 million in “fines and forfeits” out of \$8,314,850,000 in total revenue). “Forfeitures” refer to two sources of revenue: (1) civil penalties enforced by the Alcoholic Beverage Regulation Administration for violations of alcoholic beverage control laws; and (2) bonds paid by people claiming property seized by the Metropolitan Police Department pending the outcome of a civil forfeiture proceeding. See District of Columbia Non-Tax Revenue Report, Office of Revenue Analysis, Office of the Chief Financial Officer, 55-57 (Sept. 2015), cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/Non-Tax%20Revenue%20Report%20_September%202015.pdf; D.C. Code § 41-306(c)(1), (d)(1), (2)(E), (f) (governing payment of bond to claim seized property).

³⁴ As of 2017, DC collected \$261 in fines and fees per resident, more than any other major US city and more than twice the \$118 per resident collected by the next highest municipal collector, New York City. See Dan Kopf & Justin Rohrlach, No US City Fines People Like Washington Fines People, Quartz (Jan. 29, 2020), t.co/n3GuAMZryQ

³⁵ See, for example, Md. Code, Bus. Occupations and Professions, § 1-204; Va. Code § 63.2-1937; Del. Code tit. 30, § 2124

PART 2 HOW WE GOT HERE

The Clean Hands Law has morphed over almost 30 years from a limited measure focused on deterring litter into a ravenous revenue juggernaut, with widespread effects that far exceed the law's original intent. The law's disproportionate effects on low-income DC residents and residents of color make its consequences all the harder to ignore.

An evolving law designed to generate more income:

When the Clean Hands Law originally passed in 1996, it did not initially cover traffic fines.³⁶ Its narrower purpose was to deter littering, illegal dumping, and delinquent tax filings. As first enacted, the Clean Hands Law prohibited “any license or permit” from being issued – and authorized licenses or permits to be revoked – if a person owed over \$100 in past due taxes, or as a result of violating DC's trash litter control or illegal dumping



laws. But over the years, the Council has cast a wider and wider Clean Hands net, repeatedly amending the law to ensnare ever greater numbers of debtors under an ever-greater variety of statutes.



In **2000**, the Council added past-due **water and sewer service fees** as fines that trigger Clean Hands prohibitions.



In **2001**, the Council added **moving and parking infractions** to the list of Clean Hands Law triggering violations.



In **2009**, DC broadened the law further by including **unpaid towing fees and failure to file a DC tax return** – regardless of the amount owed.



In **2012**, the Council expanded the law even further, to cover any **unpaid “fines, penalties, or interest” of more than \$100**, a provision seemingly so unlimited as to render earlier provisions – those listing litter control, traffic, and other enumerated categories of fines – superfluous.³⁷

As noted above, this continued expansion was unaccompanied by any evidence to suggest that these restrictions were needed to promote professionalism,

public safety, or health. The sole stated purpose of the ever-expanding law was to generate additional revenue for the District.³⁸

³⁶ See B11-0260, Clean Hands Before Receiving a License or Permit Act of 1996, <https://lms.dccouncil.gov/Legislation/B11-0260>

³⁷ A chart summarizing each of the District Council's serial amendments to expand the scope of the Clean Hands Law is included in this report as Appendix 2.

³⁸ DC Council Committee on Public Works and the Environment, Committee Report on Bill 13-828, at 5

PART 3 THE CLEAN HANDS LAW'S BROAD ECONOMIC AND SOCIAL HARMS IN DC

The damages from the Clean Hands Law are not confined to the tens of thousands of individual DC residents whose financial and professional lives are directly harmed. The Clean Hands restriction on occupational and small business licensing also has broad city-wide effects: it exacerbates racial inequalities, harms workers and employers, and undermines residents' constitutional rights.

- 1 EXACERBATES RACIAL INEQUALITIES
- 2 HARMS WORKERS AND EMPLOYERS
- 3 UNDERMINES RESIDENTS' CONSTITUTIONAL RIGHTS

A. Exacerbating racial inequality:

For reasons detailed in Part 1, the Clean Hands Law has disproportionate economic impacts on residents with lower incomes. In the District of Columbia, due to centuries of institutionalized racism and discrimination,

a majority of these residents are Black. Many others, especially among those who hold or seek jobs affected by Clean Hands' occupational licensing system, are immigrants — primarily from Latin America and Africa, and many of them women.

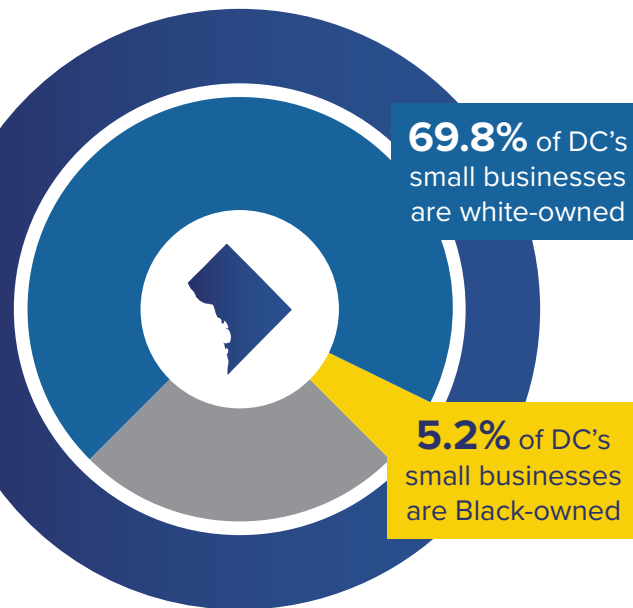


ANTONIA, a resident of Ward 5, came to DC from Guatemala in 1999. Beginning in 2016, she sold grilled chicken, beef stew, flautas, and empanadas from her food truck and, until the pandemic, renewed her vending license every two years. In 2020, while Antonia was driving a recently-purchased food truck, an official from the Department of Licensing and Consumer Protection (DLCP) gave her a \$3,000 ticket for vending without a license. Unable to get in touch with DLCP to rectify the error because of the pandemic and a language barrier, Antonia has been banned from renewing her license and has not worked since May 2020. "I am incredibly eager to go back to work as a vendor," she says, "but due to the Clean Hands Law, I cannot do so."

MEDHIN, originally from Ethiopia, began working as a DC street vendor in 1992, selling hot dogs, chips, candy, and drinks at the intersection of 14th Street and Park Rd., NW. Like other vendors profiled in this report, Medhin also regularly renewed her vendor's license and kept current with the District's licensing requirements, until she had to stop when COVID arrived — even as the District continued to assess her \$375 quarterly vending fees. Medhin once owed DC approximately \$4,800; she has since resolved much of this debt but still owes quarterly street vending taxes for 2020 and still owes the District \$1,900.



...BLACK RESIDENTS ARE DISPROPORTIONATELY BLOCKED FROM OCCUPATIONAL LICENSES, STARTING A BUSINESS, OR COMPETING FOR CONTRACTS...



By preventing access to more than 125 jobs, many of them well-paying, for Black and immigrant workers, the Clean Hands system entrenches racial disparities in small business ownership. Studies have concluded that 69.8% of DC's small businesses are white-owned, compared to just 5.2% that are owned by Black residents.³⁹ The Clean Hands law is a substantial obstacle to bridging this racial disparity. This, in turn, means that a substantial number of Black and brown immigrant residents are denied the opportunity to run businesses that would otherwise help bridge both racial and income inequality, invigorate local economies, and improve the quality of life in their neighborhoods. In short, Clean Hands is playing a significant role in perpetuating and, indeed, widening the city's intertwined racial and economic disparities.

This situation is especially concerning in light of data showing that the District collects far more fines and fees per capita than any major city in the country — more than twice as much, for example, as New York City (see Part 1). This practice undermines racial

justice goals: studies have shown that cities with larger Black populations levy more fines against their residents than do whiter ones.⁴⁰ The District's vast racial wealth gap means the government's reliance on fines will continue to affect residents of color.

Key parts of the DC government have already reached that same conclusion. The Council Office of Racial Equity (CORE), in its Racial Equity Impact Statement for the Clean Hands Certification Equity Amendment Act of 2022, found that Black residents are more likely to be impacted by fines and fees and that fines criminalize poverty and reinforce the racial wealth gap.⁴¹ **The 2022 CORE report noted “[b]ecause of the Clean Hands policy, Black residents are disproportionately blocked from occupational licenses, starting a business, or competing for contracts, among other wealth building activities. This leaves Black residents disproportionately impacted by fines but with fewer opportunities to build wealth that may help them pay debts resulting from fines.”**

³⁹ Grablick, Colleen, Economic Inclusiveness Tool Reflects Large Racial Wealth Gap In D.C. Region, NPR (June 20, 2021), <https://www.npr.org/local/305/2021/06/30/1011757593/economic-inclusiveness-tool-reflects-large-racial-wealth-gap-in-d-c-region>.

⁴⁰ Kopf & Rohrlach, No US city fines people like Washington fines people. See also: Cities with more black residents rely more on traffic tickets and fines for revenue, The Conversation (October 21, 2019), <https://theconversation.com/cities-with-more-black-residents-rely-more-on-traffic-tickets-and-fines-for-revenue-124067>

⁴¹ Council Office of Racial Equity, Racial Equity Impact Assessment: Clean Hands Certification Equity Amendment Act of 2022 (June 22, 2022), <https://www.dropbox.com/s/44fkadpnwnq1ucs/REIA%20B24-0237%20-%20Clean%20Hands%20Certification%20Equity%20Amendment%20Act-signed.pdf?dl=0> at 2

B. Putting DC businesses at a competitive disadvantage by shrinking the labor pool:

All businesses need access to a labor pool — an adequate supply of employees with the training and skills to meet their requirements. One way to give employers confidence about the caliber of the labor pool is by formally licensing prospective workers. To that end, many states have occupational licensing requirements (in 2015, an estimated 25% of U.S. workers held an occupational license).⁴² However, DC is the only jurisdiction in the region with a statute under which individuals can be automatically disqualified from obtaining occupational and small business licenses due to unpaid parking and traffic related debt. Its restrictive licensing system makes it harder rather than easier for businesses to hire workers, putting it at a competitive disadvantage with neighboring states.

Compared to Maryland, Virginia, and West Virginia, DC, through the Clean Hands Law, harms itself by making it more difficult not only for workers to get jobs, but for businesses to hire qualified workers. Businesses that lack access to an adequate pool of labor are more likely to 1) struggle to operate and/or pump less money into the DC economy; 2) hire workers from nearby jurisdictions; or 3) move their operations to Maryland or Virginia. Stephanie, the Ward 7 resident who is a qualified speech pathologist introduced at the beginning of this report, illustrates this problem. She yearns to practice her much-needed skills in DC but is forced — because of her debt to the DC government — to take her expertise to schools and medical centers in Maryland and Virginia. The table below shows how DC puts itself at a disadvantage compared to neighboring jurisdictions:

 JURISDICTION	 OCCUPATIONAL LICENSE RESTRICTION FOR DEBT?	 MONETARY THRESHOLD
District of Columbia	Yes - for any unpaid fine or fee or tax of any kind	More than \$100 with no time limit for debt
Maryland ⁴³	Yes - only for unpaid taxes and child support	120 days in arrears
Virginia ⁴⁴	Yes - only for unpaid child support	90 days in arrears or \$5,000 or more
West Virginia ⁴⁵	Yes - only for unpaid child support	6 months in arrears

The job-shrinking impacts of the Clean Hands Law are particularly self-defeating in light of the District’s separate efforts to make it easier for businesses to hire workers through preferential hiring laws.

For example, the First Source Law requires companies with a DC government-assisted project or contract totaling more than \$300,000 to fill 51% of new openings with DC residents.⁴⁶

With the same goal of promoting local hires, the Certified Business Entities (CBE) Law requires many contract signers to subcontract 35% of the overall contract number to DC workers.⁴⁷ Instead of making it easier to hire DC residents, the Clean Hands Law puts up roadblocks to doing so.

⁴² Jason Furman & Laura Giuliano, New Data Show that Roughly One-Quarter of U.S. Workers Hold an Occupational License, The White House (June 17, 2016), <https://obamawhitehouse.archives.gov/blog/2016/06/17/new-data-show-roughly-one-quarter-us-workers-hold-occupational-license>

⁴³ Md. Code, Bus. Occupations and Professions, § 1-204, Md. Code, Fam. Law § 10-119.3

⁴⁴ Va. Code § 63.2-1937

⁴⁵ W. Va. Code § 48-15-102 et. seq.

⁴⁶ D.C. Code § 2–219.03(e)(1)(A)

⁴⁷ D.C. Code § 2-218.46

Special burdens on hospitals, health professionals and small businesses:

The District faces an acute problem filling positions in the healthcare field, especially with professionals who live in our community, because the application of Clean Hands to health occupational licensing prevents otherwise qualified people from being able to practice in DC. As a result, on average only 19% of health professionals licensed under the District of Columbia's health licensing boards are District residents, and the numbers are particularly alarming in certain specialties. For example, only 14% of licensed nursing professionals live in the District, making it hard for DC's hospitals to hire qualified nurses from DC's own population. Only 20% of DC licensed dental professionals, and 8% of licensed podiatry professionals, live within District lines.⁴⁸ Clean Hands Law adds a harmful additional obstacle to serving in DC for healthcare-related workers facing fines or fees seeking to work or stay at work in one of the many licensed healthcare occupations.⁴⁹

The Clean Hands Law also has adverse overall effects on the District's crucial small business sector. According to a 2020 report from the DC Policy Center, businesses with fewer than 50 workers employ almost 60% of employees in retail trade, 47.4% of employees in accommodation and food services, and 42% of employees in arts and entertainment work.⁵⁰ Businesses with fewer than 50 employees make up 95.2% of establishments in DC and employ about a third of the District's workers.⁵¹ In addition to harming small businesses by restricting the labor pool and imposing hiring restrictions, the Clean Hands Law creates a barrier to opening a small business, shutting off a vital pathway to economic opportunity.

The DC government has collected no data – and has not tried to collect data – showing the size of the DC workforce that has elected not to apply for an occupational or small business license, because they



know their applications will be denied due to unpaid debt. But community members have shared their stories of this exact experience. Whatever the number, the law prevents these individuals from pursuing their chosen paths to financial health and social mobility. There is another common consequence from the banning of workers from jobs they would otherwise qualify for: these workers are forced into lower-paying jobs for which they are overqualified — thus putting them in competition with other workers trying to make a living. If an electrician cannot work as an electrician, he may opt to work as a server or a dishwasher, squeezing out other workers who also seek those non-licensed positions.

In November 2023, the local business community, including restaurant owners, small businesses, and union groups testified about the need for Clean Hands reform at a Tax Reform Commission town hall. The business community understands the importance for licensed individuals to be available for work, and eliminating the Clean Hands requirement will help ensure DC's economy can grow for everyone.⁵²

⁴⁸ Christina Henderson, "Statement of Introduction on the Health Professional Licensing Boards Residency Requirement Amendment Act of 2023" (June 2, 2023), <https://lms.dccouncil.gov/downloads/LIMS/53176/Introduction/B25-0312-Introduction.pdf?id=162842>

⁴⁹ Specifically, data compiled by DC Health for the year 2022 reveals that of the 19 medical boards that supervise health professionals in the District, none of them supervise professions in which more than 40% are District residents. The DC Council is considering amending a DC law requiring all health licensing board professionals to be District residents (B25-312, the Health Professional Licensing Board Residency Requirement Amendment Act of 2023)

⁵⁰ Sunaina Bakshi Kathpalia, How many small businesses are in D.C.?, D.C. Policy Center (May 5, 2020), <https://www.dcpolicycenter.org/publications/small-business-data-2020/>

⁵¹ *Id.*

⁵² DC Tax Review Commission Public Town Hall: MLK Library, 11/6/23, <https://www.dctaxrevisioncommission.org/meetings>

Violating the constitutional rights of DC residents:

The DC government should correct laws of questionable constitutionality. As then-DC Attorney General Karl Racine emphasized in 2020: “[I]t is in the public interest for state and local governments to proactively address potential constitutional issues present in their laws.”⁵³ By automatically barring DC residents with unpaid fines or fees to DC of more than \$100 from obtaining or renewing their occupational or businesses licenses without considering their ability to pay, the Clean Hands Law likely violates the U.S. Constitution, in as many as five distinct ways, reinforcing the need for reform.⁵⁴

First, the Clean Hands Law does “little more than punish [] a person for his poverty.”⁵⁵ The law is therefore not only harmful public policy, but under an established line of Supreme Court case, also unconstitutional under both the Constitution’s due process and equal protection clauses.

Second, the law violates procedural due process principles. The law’s absence of any pre-deprivation process and failure to take any consideration of a resident’s ability to pay back their debt is the crux of this problem. In the driver’s license context, a federal judge in DC recently concluded that DC’s Clean Hands scheme provides constitutionally insufficient due process.⁵⁶ The court reached this conclusion because additional procedural protections would help ensure that DC residents “are not erroneously stripped of their [driver’s] licenses,” which would “inhibit their freedom and ability to gain employment.”⁵⁷ This reasoning applies with equal (and perhaps greater) force with respect to occupational and small business licenses, which are necessary for many DC residents to earn a living and work in their desired profession. Simply put,



by offering zero process before declining to renew or issue an occupational or small business license, the Clean Hands Law violates the procedural due process of affected DC residents.

Third, the Clean Hands Law also violates what the Supreme Court calls the “converge[nce]” of “[d]ue process and equal protection principles.”⁵⁸ In a series of decisions, the Court has sought to guarantee “equal justice” by striking down government practices that penalize people because of their poverty.⁵⁹ In one of these decisions, the Court ruled that the government may not revoke a criminal defendant’s probation for failure to pay a fine without first determining that they “willfully refused to pay or failed to make sufficient bona fide efforts legally to acquire the resources to pay.”⁶⁰ By automatically blocking DC residents with unpaid debt from renewing — or even applying for — occupational and small business licenses, without inquiring into their ability to pay, the Clean Hands Law violates these principles. In the words of another Supreme Court case that invalidated a discriminatory, wealth-based scheme, DC’s wealth-based occupational and professional licensing scheme “embodies elements of punitiveness and discrimination which violate the rights of citizens to equal treatment under the law.”⁶¹

⁵³ AG Racine Leads Bipartisan Coalition Pushing to Incentivize Amending State and Local Laws Infringing Rights of Residents, OFFICE OF THE ATTORNEY GENERAL (Nov. 30, 2020), t.co/pMm4LRUIXJ

⁵⁴ The constitutional issues discussed in this report are all framed in a constitutional challenge to the Clean Hands Law, now pending in the U.S. District Court for the District of Columbia. In that matter, the court is being asked to require DC to stop discriminatory practices which are caused daily by the Clean Hands Law. After holding a hearing on plaintiffs’ motion for preliminary injunction in August 2023, the court issued a decision denying that motion on December 1, 2023. The court declined to rule on the constitutionality of the Clean Hands Law and on other jurisdictional issues presented in that case. See *Ayele v. District of Columbia*, No. 23-1785(ABJ) (D.D.C. December 1, 2023) (order denying preliminary injunction finding no irreparable harm); see also fn72 and accompanying text.

⁵⁵ *Bearden v. Georgia*, 461 U.S. 660, 671 (1983).

⁵⁶ See *Parham v. District of Columbia*, No. 1:22-cv-02481, 2022 WL 17961250, at *4–*12 (Dec. 27, 2022), vacated after settlement, Dkt. 25 (D.D.C. May 15, 2023).

⁵⁷ *Id.* at *10.

⁵⁸ *Bearden v. Georgia*, 461 U.S. 660, 665 (1983).

⁵⁹ *Griffin v. Illinois*, 351 U.S. 12 (1956).

⁶⁰ *Bearden*, 461 U.S. at 665.

⁶¹ *James v. Strange*, 407 U.S. 128, 141-42 (1972).



Fourth, the Clean Hands Law may further violate substantive due process and equal protection guarantees. To comply with the Constitution, a law must be rationally related to a legitimate government objective.⁶² Yet the only objective the DC Council has ever articulated for the Clean Hands Law is revenue generation.⁶³ That purpose is frustrated — not furthered — by barring the people from obtaining occupational and small business licenses that will make them more likely to repay their debt. The Clean Hands Law’s application to occupational and small business licenses also violates the equal protection principle embodied in the Supreme Court decision in *James v. Strange*, 407 U.S. 128, 138 (1972), because it “subject[s]” indigent individuals to “discriminatory conditions of repayment” that are not imposed on other individuals from whom the government is collecting debt.⁶⁴

Fifth, the Clean Hands Law’s application to individuals who seek occupational and small business licenses but lack an ability to pay their outstanding debt also raises concerns under the Eighth Amendment’s prohibition on excessive fines. A fine is excessive when its purpose is

partially punitive and it prevents someone from earning a living and working in their desired profession.⁶⁵ The Clean Hands Law has that precise effect on countless DC residents who desire occupational and small business licenses but lack an ability to repay their outstanding debt to DC.

In summary: By punishing residents with unpaid fines and fees by automatically disqualifying them from occupational and small business licenses, the Clean Hands Law exacerbates racial inequalities, puts DC’s workers and employers at a competitive disadvantage compared to Maryland and Virginia, and undermines residents’ constitutional rights.



⁶² United States v. Carlton, 512 U.S. 26, 35 (1994).

⁶³ D.C. COUNCIL COMM. O PUB. WORKS AND THE ENV’T, Comm. Rep. on B. 13-828, at 5 (2000).

⁶⁴ James, 407 U.S. at 140.

⁶⁵ See United States v. Bajakajian, 524 U.S. 321, 329–34 (1998); see also United States v. Levesque, 546 F.3d 78, 83-85 (1st Cir. 2008) (“a forfeiture could be so onerous as to deprive a defendant of his or her future ability to earn a living, thus implicating the historical concerns underlying the Excessive Fines Clause”); United States v. Viloski, 814 F.3d 104, 111 (2d Cir. 2016). Indeed, the “Excessive Fines Clause traces its venerable lineage back” to the Magna Carta, which “required that economic sanctions be proportioned to the wrong and not be so large as to deprive [an offender] of his livelihood.” *Timbs v. Indiana*, 139 S. Ct. 682, 687–88 (2019).

PART 4 WHERE WE ARE HEADING: MORE CAMERAS, DEEPENING DEBT, AND GREATER BARRIERS TO JOBS

Traffic safety issues disproportionately impact Black communities in DC. In DC, from 2017-2022, a person was nine to ten times more likely to die in a traffic incident in Wards 7 and 8 than in Ward 3⁶⁶ — and thoughtful reforms of DC’s traffic safety policies should aim to reverse and not exacerbate this troubling reality. The DC government is currently planning to triple the number of automated traffic enforcement cameras (ATEs) in DC.⁶⁷ But this anticipated increase in ATE cameras means more fines and fees, more often, for more DC workers — many of whom won’t be able to pay. And as long as those same unpaid fines and fees are used to disqualify or discourage workers from getting occupational and small business licenses, those extra cameras worsen the disparate impact of Clean Hands on workers with low incomes.

Increasing revenue through more ATE cameras will disadvantage DC residents with low incomes and amplify the disparate effects of Clean Hands on communities of color:

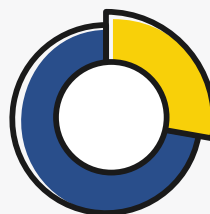
A forthcoming report on ATE cameras from the Fines and Fees Justice Center (FFJC) concludes that a traffic safety strategy focused primarily on enforcement will not succeed⁶⁸ and that traffic cameras are not race-neutral. Researchers found that about 28 percent of traffic and parking fines owed from tickets issued in predominantly Black neighborhoods stemmed from late penalties, causing the original fines of \$116.9 million to grow to \$163.9 million in costs owed.⁶⁹ Relatedly, a 2018 DC Policy Center study found that a driver in a mostly-Black area is over 17 times more likely to receive a moving violation.⁷⁰

DISPARATE EFFECTS OF CLEAN HANDS ON COMMUNITIES OF COLOR



Of the tickets issued in predominantly **Black neighborhoods:**

28% of fines stem from late penalties.



That’s **+\$47** MILLION in late penalties.

⁶⁵ 2022 Updated, <https://visionzero.dc.gov/pages/2022-update>

⁶⁶ Luz Lazo, D.C. mayor’s budget scales down road safety, cuts Circulator routes, The Washington Post (April 14, 2023), <https://www.washingtonpost.com/transportation/2023/04/14/dc-transportation-budget-cuts/>. See also: Lazo, D.C. proposes expanding the number of traffic cameras that issue fines, The Washington Post (March 24, 2022), <https://www.washingtonpost.com/transportation/2022/03/24/dc-speed-red-light-cameras/>

⁶⁷ Research supports the use of roundabouts, driver feedback signs, and speed bumps to improve driver safety and reduce related crashes. Jurisdictions that have been most successful in improving traffic safety implemented road infrastructure improvements and prioritized traffic calming measures over enforcement. See, for example: IIHS-HLDI, Multipronged anti-speeding effort succeeds in slowing traffic (June 9, 2022), [https://smartgrowthamerica.org/south-bend-in-demonstration-project-neighborhood-traffic-calming/](https://www.iihs.org/news/detail/multipronged-anti-speeding-effort-succeeds-in-slowing-traffic#:~:text=IIHS%20researchers%20found%20that%20average,10%20mph%20over%20the%20limit; Smart Growth America, South Bend, IN demonstration project: Neighborhood traffic calming (June 12, 2018), <a href=); Jessica Murray, How Helsinki and Oslo cut pedestrian deaths to zero, The Guardian (March 16, 2020), <https://www.theguardian.com/world/2020/mar/16/how-helsinki-and-oslo-cut-pedestrian-deaths-to-zero>

⁶⁸ John D. Harden, D.C. parking, traffic tickets snowball into financial hardships, The Washington Post (August 6, 2021), <https://www.washingtonpost.com/dc-md-va/2021/08/06/dc-traffic-parking-tickets-black-neighborhoods/>

⁶⁹ DC Policy Center, “Predominately black neighborhoods in D.C. bear the brunt of automated traffic enforcement” <https://www.dcpolicycenter.org/publications/predominately-black-neighborhoods-in-d-c-bear-the-brunt-of-automated-traffic-enforcement/>

⁷⁰ Lazo, D.C. mayor’s budget scales down road safety



Despite the detrimental effect of traffic fines on DC residents and the unproven link between fines and safety, the DC government has stated its intention to re-up its commitment to automated traffic enforcement cameras in coming years. The spending plan counts on \$578 million in expected revenue from more than 300 new traffic cameras. However, as long as the Clean Hands Law remains unchanged, the plan to increase revenue through increased use of ATE cameras threatens to disproportionately harm DC residents with low incomes, who will face the prospect of being automatically disqualified from renewing an occupational license (or obtaining a new one) because they can't pay their traffic debt.

Unfortunately, the financial and occupational burdens caused by both the new and existing cameras will fall exclusively on DC-based workers. As documented by the Washington Post, as much as 85% of unpaid traffic fines in DC are owed by Maryland and Virginia drivers,⁷¹ but non-DC residents face no employment consequences as a result of unpaid traffic debt as long as they work in their home states. As explained in Part 1, neither Maryland nor Virginia have Clean Hands-type laws that restrict employment licensing due to unpaid traffic or parking debt, and neither state has a reciprocity agreement with DC that would compel them to enforce ATE citations issued in the District. Without such agreements, DC struggles to

collect unpaid tickets from out-of-state drivers on its own. When DC increases the number of ATE cameras (and ATE citations), only the employment prospects of DC drivers and DC-based workers are at risk of being affected. Consequently, and perversely, the language of the current law would impose a DC-specific punishment for an issue that mostly involves Maryland and Virginia drivers.

In summary: While ATE cameras have the potential to improve safety on DC's roads, and could be one tool for creating an equitable and safe traffic enforcement system, they will create serious barriers to economic advancement for DC residents *as long as the Clean Hands Law authorizes the government to connect traffic fines and fees to eligibility for occupational or small business licenses*. ATE cameras are not inherently bad, but they should be used as a traffic safety enforcement tool, not a way to punish poverty or exacerbate economic disparities in ways that have nothing to do with driving or public safety.

⁷¹About 6.2 million traffic tickets totaling nearly \$1.3 billion in fines and penalties have not been paid to the District since 2000. See Luz Lazo, How 6 million D.C. traffic tickets went unpaid, The Washington Post (May 11, 2023), <https://www.washingtonpost.com/transportation/2023/05/11/dc-unpaid-traffic-tickets/>

PART 5 CALL TO ACTION AND LEGISLATIVE REMEDIES

In a pending case before the U.S. District Court for the District of Columbia challenging DC’s application of the Clean Hands Law to small businesses, a group of DC workers is asking that the court require DC to stop its discriminatory practice. In an August 2023 hearing on that matter, Judge Amy Berman Jackson said that the plaintiffs have been burdened “for many years by a flawed statute.”⁷² Regardless of the outcome in that ongoing court case, the Council can and should act now to support workers in 125+ jobs in DC. Indeed, Judge Berman Jackson has noted that the continuing harm of the Clean Hands Law is primarily “a legislative problem.”⁷³

The Council has several options to end the Clean Hands Law’s current automatic disqualification of occupational and small business licenses as punishment for \$100 or more in unpaid fines and fees.⁷⁴ This section outlines some possible legislative remedies. Appendix I includes four options of a model bill for consideration. These models could be used on their own or in combination with ideas from policymakers and the public.

Repeal the Clean Hands Law or amend it to exclude occupational and small business licenses (see Model Bill 1)

The Council’s most straightforward option is to repeal the Clean Hands Law’s application to occupational and small business licenses — as it did in 2022 with regard to driver’s licenses in the bill ultimately adopted by the DC Council — in light of the law’s numerous adverse effects and limited benefits. This would keep the structure of the law in place but prevent it from having direct and devastating impacts on access to employment.

Increase the debt threshold (see Model Bill 2)

If the Council wants to ensure that people with substantial debt to the District government are prevented from getting or renewing a license, it could change the law to begin banning the issuance of a license at a much higher level of debt. This would prevent one or two small fines or fees from wreaking havoc on an individual’s ability to work and earn a living. One speeding ticket should not lead to a poverty-punishing system wherein an individual cannot work. Increasing the threshold to \$5,000 would stop the current practice of preventing people with modest debts from continuing to work, leaving them able to buy groceries, pay rent, take care of their families, and still pay off their debt.

Recognizing the law’s deep adverse impact on entrepreneurship, small business ownership and economic growth, in 2021 Councilmember Kenyan McDuffie originally introduced a bill that, as proposed, would have increased the minimum threshold for allowable debt from \$100 to \$5,000. Under his proposal, the Clean Hands Law would have barred applicants from receiving a license only after they owed the District “more than \$5,000 in past due fines, penalties, or “more than \$5,000 in past due taxes.”⁷⁵ Though the Council adopted a version of this bill and reformed the Clean Hands Law as it relates to driver’s licenses, it left the provisions affecting occupational and professional licenses unchanged. The record suggests this was due to Council worries about the bill’s fiscal impact.

⁷² Transcript of Motions Hearing in *Medhin Ayele, et. al v. District of Columbia et. al* pp. 87 lines 20-23

⁷³ *Id.* pp. 88 lines 12-14

⁷⁴ On Dec. 6, 2023, Councilmember McDuffie introduced the “Clean Hands Amendment Act of 2023” that, if adopted, would exclude occupational and business licenses from the reach of the Clean Hands Law and, further, would increase (from \$100 to \$2,500) the debt cap for persons seeking others eligible licenses within the District of Columbia. Along with a coalition of more than twenty members, Tzedek DC supports the prompt passage and enactment of B25-619, the Clean Hands Certification Economic Expansion Amendment Act of 2023. Tzedek DC Coalition Letter (2023), <https://static1.squarespace.com/static/57056a9e0442629a7a43ca60/t/6579f95e7284bb3fb3cc90d2/1702492510853/Clean+Hands+Coalition+Sign-On+Letter+12.13.2023.pdf>

⁷⁵ Alex Montgomery, Another problem with excessive ticketing, *The Washington Post* (August 13, 2021), https://www.washingtonpost.com/opinions/letters-to-the-editor/another-problem-with-excessive-ticketing/2021/08/13/df5f3748-f950-11eb-911c-524bc8b68f17_story.html

Raising DC’s Clean Hands threshold would bring the District into closer alignment with other states in our region. In Virginia, for example, if a debtor is 90 days or more late in a child support payment “of \$5,000 or more and holds a license ... to engage in a business, trade, profession or occupation ... issued by the Commonwealth, it shall order suspension”⁷⁶

Tie tickets to ability to pay and/or create an indigency exception (See Model Bill 3)

Under the current laws, DC’s traffic enforcement system and its rules for punishing nonpayment of fees and taxes treat wealthy, middle-class, and low-income individuals identically. The District should consider a) fines that are tied to income or wealth, b) proxies to measure ability to pay or define low income, and c) means-tested programs to allow residents with low incomes to maintain access to licensure while working under a reasonable system to pay their debts.

Since the goal of traffic fines should be to affect behavior, not to generate revenue, the Council should consider a fines and fees system that allows for proportionality between the income of the person fined and the amount of the fine.

An April 2023 “Dear Colleague” letter from the US Department of Justice (DOJ) noted the benefit of creating a presumption of indigency for certain classes of defendants, specifically the qualification for and receipt of public benefits or assistance, disability insurance, and food stamps.⁷⁷ As DOJ notes in that document, “This approach is logical, as individuals who cannot afford to pay for their basic needs also



cannot afford to pay fines and fees out of their already insufficient incomes. It also conserves court resources by removing the obligation to conduct duplicative ability-to-pay assessments.”

The DC government could analyze existing government systems used to determine benefit eligibility to estimate the number of residents receiving assistance, their median income, and likely ability to pay a given fine or fee. Reviewing these databases would provide an effective starting point regarding the number of residents and households who may be affirmatively harmed and suffer collateral consequences from receiving one fine or fee from the DC government they are unable to pay on time, let alone for that fine or fee to compound or prevent access to employment.



⁷⁶ Va. Code § 63.2-1937

⁷⁷ U.S. Department of Justice Office of the Associate Attorney General, letter on fines and fees (April 20, 2023), accessible at: https://finesandfeesjusticecenter.org/content/uploads/2023/04/doj_fines_and_fees_dear_colleague_letter_final_with_signatures_0.pdf

| Create a system that allows people to work in order to pay off their debt (See Model Bill 4)

DC's current payment plans require workers to pay money up front — often money that they do not have — in order to obtain the license they need to earn money in their chosen trade. The District should instead consider revising the Clean Hands Law to allow workers to pay off their debt within a fixed time period after their license is issued — for example, within two years of licensing. This change would benefit both workers and the DC government, as workers would be able to earn money and pay off their debts, while DC would be more likely to receive the money that it is owed.

In addition to the above fixes to the Clean Hands Law, DC should consider the following steps to promote equity and support workers' access to employment:

| Forgive payment plans and eliminate doubling.

As it currently exists, DC's system of punishment for inability to pay fines and fees disproportionately targets people with low incomes. To alleviate the burden of fines and fees, DC should stop its current practice of doubling a traffic or parking fine after 30 days of nonpayment.⁷⁸ Furthermore, DC could implement payment plans that consider an individual's ability to pay, allowing individuals who want to pay fines actionable access to a pathway out of debt. DC's current payment plan system does not consider individuals who cannot afford high up-front costs. For example, although Stephanie was given the opportunity to enter into a payment plan, it would have required her to pay \$3,000 right away, something she was not able to do. Payment plans should also be sensitive to individuals' financial circumstances and forgiving of a missed or late payment.



| Improve reporting on demographic breakdown of fines and license denials, to improve transparency and promote racial equity.

In addition to fixing the Clean Hands Law, the District should improve its transparency with regard to the impact of fines and fees and license denials. DC residents and policy advocates should be able to access information that details how the Clean Hands Law impacts residents by race, job, and income level.

| Require fines from traffic cameras be used for infrastructure and road design improvements, to ensure that fines exist to promote safety, not revenue.

As discussed previously, the link between automated traffic enforcement and safety is tenuous at best. To promote public trust and improve safety on the roads, DC should use 100% of revenue from traffic cameras to improve infrastructure, build safer roads, and implement traffic calming measures.

⁷⁸ Department of Motor Vehicles, "Contest Parking and Photo Enforcement Tickets," <https://dmv.dc.gov/service/contest-parking-and-photo-enforcement-tickets>



CONCLUSION

DC's Clean Hands Law requires urgent reform by the DC Council. The current law creates a barrier to employment that affects tens of thousands of workers, hamstringing small businesses, and weakens the District as a whole. Shawn, Stephanie, Antonia and countless other DC residents — many of them people of color, women, and immigrants — continue to suffer harm at the hands of a law that bans them from earning

a living because the DC government says they owe more than \$100 in debt. Whichever specific legislative language the DC Council chooses, it should act now to stop punishing poverty and enable DC workers to obtain the occupational and small business licenses they need. The Council and Mayor have an exciting opportunity in this way to unlock the system for workers, and thereby meaningfully improve the quality of DC residents' lives.



LOCKED OUT

APPENDIX

APPENDIX I: MODEL BILLS

Model Bill 1: Amending the Clean Hands Law to exclude occupational and small business licenses

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 47 of the District of Columbia Official Code to clarify that the District shall not issue or reissue a license or permit, other than a license to drive, a motor vehicle operator's permit, an occupational license, or small business license, if an applicant does not comply with the Clean Hands Act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Clean Hands Occupational and Small Business Licensing Clarification Amendment Act of 2023".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

a. Subsection 47-2862(a) is amended to read as follows:

"(a) Notwithstanding any other provision of law, the District government shall not issue or reissue a license or permit, other than a license to drive, motor vehicle operator's permit, occupational license, or small business license, to any applicant for a license or permit if the applicant:".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Model Bill 2: Amending the Clean Hands Law to increase the debt threshold from \$100

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 47 of the District of Columbia Official Code to increase the debt threshold applicable under the Clean Hands Act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clean Hands Debt Threshold Amendment Act of 2023”.

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

a. Section 47-2862(a)(1) is amended to read as follows:

“(1) Owes the District more than \$5,000 in outstanding fines, penalties, or interest assessed pursuant to the following acts, the:”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Model Bill 3: Implementing an ability to pay inquiry

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 47 of the District of Columbia Official Code to implement an ability to pay inquiry for individuals seeking an issuance or reissuance or a license or permit with respect to debts owed under the Clean Hands Act, and to allow under section 47-2863 an applicant to certify receipt of public assistance and their inability to pay a fine, fee, penalty, interest, or past due tax.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clean Hands Debt Ability to Pay Amendment Act of 2023”.

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

a) Section 47-2862 is amended as follows:

1) Section 47-2862(a) is amended to read as follows

“(a) Notwithstanding any other provision of law, the District government shall not issue or reissue a license or permit to any applicant for a license or permit, except as provided in subsection (e), if the applicant:”

2) A new subsection (e) is added to read as follows:

“(e) The District government shall not withhold a license to drive or a motor vehicle’s operator’s permit, an occupational license, or small business license, from any applicant who is unable to pay any fine, penalty, interest, or past due tax to the District.

“(1) For purposes of this subsection, any applicant who receives any of the following forms of public assistance shall be deemed unable to pay:

“(A) D.C. Healthcare Alliance, as authorized by D.C. Official Code § 7-1401 et seq.;

“(B) Emergency Shelter Family Services, as established by D.C. Official Code § 4-202.01;

“(C) General Assistance for Children, as established by D.C. Official Code § 4-202.01;

“(D) Housing assistance programs established by Section 8 of the United

States Housing Act of 1937, approved September 1, 1937 (50 Stat. 888, 42 U.S.C. § 1437(f) et seq.);

“(E) Interim Disability Assistance, as established by D.C. Official Code § 4-202.01;

“(F) Low Income Home Energy Assistance Program or Utility Discount Program as established by D.C. Official Code §§ 8-1774.14-15;

“(G) Medicaid, as established by the Social Security Amendments Act of 1965;

“(H) Program on Work, Employment, and Responsibility, as established by D.C. Official Code § 4-202.01;

“(I) Social Security Disability Insurance, as established by Title II of the Social Security Act;

“(J) Special Supplemental Nutrition Program for Women, Infants, and Children, as established by section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786);

“(K) Supplemental Nutrition Assistance program, as established by section 4 of the Food Stamp Act of 1964, approved August 31, 1964 (78 Stat. 703; 7 U.S.C. § 2013);

“(L) Supplemental Security Income, as established by Title XVI of the Social Security Act; or

“(M) Temporary Assistance for Needy Families, as established by D.C. Official Code §4-202.01.

“(2) The Mayor may promulgate regulations to identify additional applicants who may be deemed unable to pay.

“(3) Within one year of the effective date of this act, the OCFO shall develop and the Mayor shall maintain a database of persons deemed unable to pay, including all persons who receive any form of public assistance set forth in § 47-2862(e)(1) and all persons who are deemed unable to pay as a result of any regulation promulgated pursuant to § 47-2862(e)(2).

“(4) Any applicant who self-certifies pursuant to § 47-2863(a)(3) shall be deemed unable to pay.

“(5) Nothing in this section shall be construed to affect the DMV’s ability to promulgate regulations that suspend or revoke a person’s driver’s license after the accumulation of a set amount of points.”.

b) Section 47-2863 is amended to read as follows:

1) Add a new paragraph (3) to read as follows:

“(3) If an applicant owes outstanding debt over \$100 to the District government as a result of any fine, fee, penalty, interest, or past due tax as set forth in § 47-2862 and does not appear in the DMV’s database of persons deemed unable to pay as set forth in § 47-2862(e)(3), the applicant shall be provided an opportunity to certify on a form provided by the District government that the applicant either receives any form of public assistance set forth in §47-2862(e)(1) or has been deemed unable to pay as a result of any regulation promulgated pursuant to § 47-2862(e)(2).”.

2) Designate the existing paragraph (3) as paragraph (4).

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c) (1)), and publication in the District of Columbia Register.

Model Bill 4: Permitting payment plans that allow individuals to work and earn money before paying their debt

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 47 of the District of Columbia Official Code to establish a post-licensure payment schedule for payment of debts to DC government under the Clean Hands Act for individuals seeking an initial issuance or re-issuance of an occupational license or permit to allow residents to work in their chosen profession while repaying debts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clean Hands Debt Post-Licensure Payment Schedule Amendment Act of 2023”.

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2862(c) is amended as follows:

(1) Section 47-2862(c) is amended to read as follows

“(c) A license or permit shall not be denied pursuant to subsection (a) of this section if the applicant has agreed to a payment schedule to eliminate the outstanding debt, the payment schedule has been agreed to by the District government, the applicant is complying with the payment schedule, and the payment schedule is otherwise permitted by law; provided, the payment schedule may not begin any earlier than one year after conference of licensure; the down payment nor any monthly payment required under the payment plan shall not be more than 5 percent of the principal; and the applicant shall have a right to a period of time for the payment plan extending to at least two years after the date of licensure.

(2) A license or permit shall not be denied pursuant to subsection (a) of this section if the applicant has agreed to a post-licensure payment schedule to begin one year after licensure, the payment schedule has been agreed to by the District government, the applicant is complying with the terms of their professional licensure, and the payment schedule is otherwise permitted by law.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

APPENDIX II: COMPARISON OF DC TO OTHER STATES

This table describes other states' approach to license restrictions for unpaid debts. It provides evidence for what this report described: DC operates a uniquely harsh system of punishing small amounts of debt by cutting off access to employment opportunities.

** Note that many states have restrictions for unpaid child support payments, which are not covered in this table. Most states have restrictions based on unpaid taxes that do not cover traffic fines. Several states restrict driver's licenses but not occupational licenses.*

STATE	RESTRICTION ON UNPAID TAXES *	MONETARY THRESHOLD
Alabama	Yes	No
Alaska	Yes	No
Arizona	Yes	No
Arkansas	Yes	No
California	Yes	For taxes: In excess of \$100,000 For student loans: failure to pay for 180 days for a loan repayable in monthly installments, or 240 days for a loan repayable in less frequent installments
Colorado	No	
Connecticut	No	
Delaware	Yes	More than \$2,500 (unpaid for more than 180 days)
District of Columbia	Yes	More than \$100
Florida	Yes	No
Georgia	Yes	No
Hawaii	No	
Idaho	No	
Illinois	Yes	
Indiana	No	
Iowa	Yes	\$1,000

Kansas	No	
Kentucky	Yes	No
Louisiana	Yes	\$1000 or more for driver's license; \$500 or more for recreational license
Maine	Yes	No
Maryland	Yes	No
Massachusetts	Yes	No
Michigan	No	
Minnesota	Yes	No
Mississippi	No	
Missouri	Yes	No
Montana	No	
Nebraska	No	
Nevada	No	
New Hampshire	No	
New Jersey	Yes	
New Mexico	No	
New York	Yes	\$10,000
North Carolina	No	
North Dakota	No	
Ohio	No	
Oklahoma	Yes	No
Oregon	No	
Pennsylvania	No	
Rhode Island	Yes (locally)	No
South Carolina	No	

South Dakota	Yes	No
Tennessee	No	
Texas	No	
Utah	Yes	No
Vermont	No	
Virginia	No	
Washington	No	
West Virginia	No	
Wisconsin	No	
Wyoming	No	

APPENDIX III: FULL LIST OF JOBS AFFECTED BY THE CLEAN HANDS REQUIREMENT

Occupational and Professional License Categories

District of Columbia Board of Architecture, Interior Design & Landscape Architects

Architect
Interior Design
Landscape Architect
Professional Design Firm

Athlete Agent Program

Athlete Agent

District of Columbia Board of Barber and Cosmetology

Barber Instructor
Barber Manager
Barber Owner
Barber Operator
Body Artist - Body Piercer Operator
Body Artist - Tattooist Operator
Body Artist - Micropigmentation Operator
Body Artist - Body Piercer Manager
Body Artist - Tattooist Manager
Body Artist - Micropigmentation Manager
Cosmetology Instructor
Cosmetology Manager
Cosmetology Owner
Cosmetology Operator
Cosmetology Specialist Instructor - Braider
Cosmetology Specialist Manager - Braider
Cosmetology Specialist Owner - Braider
Cosmetology Specialist Operator - Braider
Cosmetology Specialist Instructor - Manicurist

Cosmetology Specialist Manager - Manicurist

Cosmetology Specialist Owner - Manicurist

Cosmetology Specialist Operator - Manicurist

Cosmetology Specialist Instructor - Esthetician

Cosmetology Specialist Manager - Esthetician

Cosmetology Specialist Owner - Esthetician

Cosmetology Specialist Operator - Esthetician

Cosmetology Specialist Instructor - Esthetician (Master)

Cosmetology Specialist Manager - Esthetician (Master)

Cosmetology Specialist Owner - Esthetician (Master)

Cosmetology Specialist Operator - Esthetician (Master)

Cosmetology Specialist Instructor - Electrologist

Cosmetology Specialist Manager - Electrologist

Cosmetology Specialist Owner - Electrologist

Cosmetology Specialist Operator - Electrologist

District of Columbia Combat Sports Commission

Announcer
Boxer
Inspector
Judge
Kickboxer
Manager
Matchmaker
Mixed Martial Artist

Physician
Physician Apprentice
Promoter
Referee
Second
Timekeeper
Wrestler

District of Columbia Board of Accountancy

Certified Public Accountant
Certified Public Accountant - Corp/ Partnership
Public Accountant

District of Columbia Board of Funeral Directors

Funeral Courtesy Cardholder
Funeral Director
Funeral Director Apprentice
Funeral Home Establishment

District of Columbia Board of Industrial Trades

Asbestos Workers
Asbestos Worker Supervisor
Electrician Apprentice
Electrician Contractor
Electrician Contractor Specialist - Fixture
Electrician Contractor Specialist - Low Voltage
Electrician Contractor Specialist - Maintenance & Repair
Electrician Journeyman
Electrician Master
Electrician Master Limited Low Voltage
Electrician Master Specialist - Elevator

Electrician Master Specialist - Escalator
Electrician Master Specialist - Maintenance & Repair
Electrician Master Specialist - Sign
Elevator Contractor
Elevator Inspector
Elevator Mechanic
Gasfitter Apprentice
Gasfitter Contractor
Gasfitter Journeyman
Gasfitter Master
Plumber Apprentice
Plumber Contractor
Plumber Journeyman
Plumber Master
Plumber/Gasfitter Apprentice
Plumber/Gasfitter Contractor
Plumber/Gasfitter Journeyman
Plumber/Gasfitter Master
Refrigeration/Air Conditioning Apprentice Mechanic
Refrigeration/Air Conditioning Contractor
Refrigeration/Air Conditioning Contractor LTD
Refrigeration/Air Conditioning Journeyman Mechanic
Refrigeration/Air Conditioning Master Mechanic
Refrigeration/Air Conditioning Master Mechanic LTD
Operating Engineer Apprentice, Class OA
Operating Engineer Construction Equip, Class 7A
Operating Engineer Construction Equip, Class 7B
Operating Engineer Crane Limited, Class 7D
Operating Engineer Crane Unlimited, Class 7C
Operating Engineer Port & Construc Equip, Class 8
Steam Engineer
Steam Engineer Hot Water Heating Boiler, Class 7
Steam Engineer Miniature Boiler, Class 5B

Steam Engineer Operating, Class 8A
Steam Engineer, Class 1
Steam Engineer, Class 2
Steam Engineer, Class 3
Steam Engineer, Class 4
Steam Engineer, Class 5A
Steam Engineer, Class 5B

District of Columbia Board of Professional Engineers

Land Surveyor
Professional Engineer
Professional Engineer - Structural

District of Columbia Real Estate Commission

Independent Broker
Property Manager
Real Estate Broker
Real Estate Broker Officer
Real Estate Organization
Real Estate Salesperson

District of Columbia Board of Real Appraisers

Appraiser Certified General
Appraiser Certified Residential
Appraiser Licensed Residential
Appraiser Trainee

Security Program

Campus/University Special Police Officer
Private Detective
Private Detective Agency Individual
Private Detective Business
Security Agency Business
Security Agency Campus/University
Security Agency Individual
Security Officer
Special Police Officer

Tour Guides Program

Tour Guide

DC Health Licensing Boards

Board of Audiology and Speech-Language Pathology

Audiologist
Audiology Assistant
Speech-Language Pathologist
Speech-Language Pathology Assistant
Speech-Language Pathology Clinical Fellow

Board of Chiropractic

Chiropractor

Board of Dentistry

Dentist
Dental Hygienist
Dental Assistant (Level I)
Dental Assistant (Level II)

Board of Dietetics and Nutrition

Dietitian
Nutritionist

Board of Long-Term Care Administration (formerly the Board of Nursing Home Administration)

Nursing Home Administrator (NHA)

Board of Marriage and Family Therapy

Marriage and Family Therapist

Board of Massage Therapy

Massage Therapist (LMT)

Board of Medicine

Medicine and Surgery (MD)
Osteopathy and Surgery (DO)
Medical Training Licensee I (A)
Medical Training Licensee I (B)
Medical Training Licensee II
Medical Training Registrant (MTR)
Anesthesiologist Assistant

Acupuncturist (ACU)
Naturopathic Physician (ND)
Physician Assistant (PA)
Polysomnographic Technician (PSN)
Polysomnographic Technologist
Polysomnographic Trainee
Surgical Assistant (SA)
Trauma Technologists

Board of Nursing

Registered Nurse (RN)
Licensed Practical Nurse (LPN)
Nurse Midwife
Nurse Anesthetist
Clinical Nurse Specialist
Nurse Practitioner
Trained Medication Employee (TME)
Home Health Aide (HHA)

Board of Occupational Therapy

Occupational Therapy Assistant (OTA)
Recreation Therapy (RT) (Registration Only)
Dance Therapy (Registration Only)

Board of Optometry

Optometrist
Optometrist/Diagnostic Pharmacy Agent
Optometrist/Therapeutic Pharmacy Agent

Board of Pharmacy

Pharmacist
Pharmacist/Vaccination and Immunization Agent
Pharmacy Intern
Pharmacy Technician
Pharmaceutical Detailer
Controlled Substance (Registration Only)
SafeRX Pharmaceutical Detailer

Board of Physical Therapy

Physical Therapist (PT)
Physical Therapist Assistant (PTA)

Board of Podiatry

Podiatrist

Board of Professional Counseling

Licensed Professional Counselor (PC)
Licensed Graduate Professional Counselor (GC)
Certified Addiction Counselor CAC I and CAC II

Board of Psychology

Psychologist
Psychology Associate

Board of Respiratory Care

Respiratory Therapist

Board of Social Work

Licensed Social Work Associate (LSWA)
Licensed Graduate Social Worker (LGSW)
Licensed Independent Social Worker (LISW)
Licensed Independent Clinical Social Worker (LICSW)

Board of Veterinary Medicine

Veterinarian

APPENDIX IV: ACKNOWLEDGMENTS

Tzedek DC is grateful to the clients and community members who gave their time and courageously told their stories in order to effect change for thousands of workers. These individuals helped shape and inspire this report and recommendations. Tzedek DC takes responsibility for any errors or omissions in it. We also offer special thanks to all of the staff members, volunteers, contributors, and allied organizations for the critical help and collaborations reflected in the report. Space constraints preclude a comprehensive listing, but we especially acknowledge:

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Tzedek DC adds special thanks to LINK for communications and strategy as well designing this report.



TZEDEK DC
Legal Help for People in Debt

 (202) 274-7386

 www.tzedekdc.org

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How DC Bans Workers with Unpaid Fines from More Than 125 Jobs or Starting a Business, and What We Can Do About It