



## TZEDEK DC

Legal Help for People In Debt

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Chairperson Cheh, and Members and staff of the Committee on Transportation:

Thank you for convening this oversight hearing today and thank you Councilmember Cheh for your long-time leadership on transportation and consumer issues and more generally your work to make the system fairer for DC residents.

I'm Ariel Levinson-Waldman, Director of Tzedek DC, a public interest center headquartered at the UDC David A. Clarke School of Law. Tzedek DC's mission is to safeguard the rights of low-income DC residents facing debt-related crises.

We're here today to express continued concern at the DMV's procedures and practices that cause DMV to suspend shockingly high numbers of drivers' licenses for the non-payment of debt and to do so in most cases without ever investigating whether the person has the ability to pay.

Tzedek DC co-teaches financial literacy classes for low-income DC residents: at our most recent class, about ¼ of the class reported that as of the day of the class, their driver's licenses were suspended. The official data from DMV bears this trend out as well: as documents that we recently were provided by DMV through the FOIA process show, the District is suspending drivers' licenses at disturbingly high rates:

- According to a summary chart prepared by DMV officials, which we've appended to this testimony, in just the last eight years, from 2010 to 2017, there have been at least 126,217 "suspensions for DC Drivers for payments". That is astonishing and ought to be unacceptable anywhere, but especially in a jurisdiction like ours with a just over 703,000 residents, even if some of those over 126,000 suspensions include people who commute in from neighboring jurisdictions during the day.

- The average annual rate of suspensions reflected on this chart is 15,777 suspensions for non-payment of ticket-based debt.

- The trend of high suspension rates for debts is consistent too. In every single year listed on the chart, the number of suspensions indicated is over 11,500.

In addition, as shown in another DMV-prepared chart we've attached – also provided by DMV in the FOIA process – DMV continues to suspend the licenses of certain people who have been sued and received a monetary judgment in a D.C. Superior Court litigation that has not been paid – well over 1000 since 2010,



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on top of the 126,000 plus suspensions for alleged non-payments. The emerging portrait is concerning.

DMV's suspension of drivers' licenses -- while perhaps seemingly ministerial -- has huge real word impact. When a DC resident cannot lawfully drive, she can lawfully get to work only in places that are accessible in other ways. She may be cut off from other necessities such as healthcare, childcare, or groceries. The problem is particularly acute here, as soaring housing costs push low-income persons farther and farther from public transportation.

Worse, the suspensions make people *less* able to afford their fines and court debt, *and, importantly*, increases their risk of exposure to criminal charges for driving without a license when they must drive a car for critical life tasks. Not surprisingly, then, many low-income DC residents are arrested and charged for driving without a license, a criminal charge that carries with it punishment of up to a year in prison and a \$5,000 fine for the first offense -- fines that can only serve to exacerbate the underlying issue of low-income residents facing crippling debt.

Councilmember Cheh, thanks to your leadership and that of colleagues on this Council, this Committee has pending before it legislation, originally introduced by Councilmember Silverman, that would end the automatic suspension of licenses for the non-payment of ticket and court debt. That legislation represents a major opportunity for the District's policy makers to cure the ongoing harms that DMV's current license suspension practice are exacting on many thousands of low-income DC residents. We appreciate, with the benefit of data from the DMV now revealing the scope of the problem, the Committee's continued important work coming out of this oversight hearing looking at reform of the DMV's ongoing, harmful suspension practices.

### Suspensions for DC Drivers for Payments

Calendar Year	Suspensions
2010	16,312
2011	19,555
2012	16,305
2013	17,663
2014	16,742
2015	11,759
2016	14,419
2017	13,462

### **Suspensions for DC Drivers for Judgements**

<b>Calendar Year</b>	<b>Suspensions</b>
2010	309
2011	229
2012	145
2013	243
2014	139
2015	100
2016	133
2017	52