



HOUSE OF REPRESENTATIVES

February 18, 2020

Dear Chief Clerk Sekerak,

I wish to file an explanation for my “aye” vote on House Bill 4065. While I have heard compelling arguments on both sides of this issue, I want to ensure my statement is on record for why I voted “aye.”

I very much agree and support that there should be a mechanism to hold people to account for their crimes. I also feel that suspending a person’s license for failing to pay fines disproportionately impacts working people who are less economically advantaged. People who can afford to pay are privileged enough in that regard to have the financial capacity to do so—so while the impact to them is significant in that they may immediately have part with funds, they at least have the resources to do so.

The idea behind suspending a person’s driver’s license is a “punishment” meant to motivate violators to pay their fines. In truth—this policy actually ends up being counterproductive to the purpose for which it is intended. When a person loses their license, they increase their likelihood of actually *losing* their job or have trouble in finding work because they ultimately often lose access to their transportation (a situation further exacerbated in rural areas because of a lack of comprehensive public transit options). The needs of an individual or family doesn’t stop when a license is suspended though—for example, doctor’s appointments, taking children to school, or visiting a food bank. As a result, people often drive on a *suspended* license, which could lead to additional fees and fines.

The perpetual cycle of debt ends up disproportionately impacting low-income Oregonians, many of whom are people of color. Though our courts do derive some revenue from court fines, courts will still be able to recoup this money by sending defaulted debts to a collections agency, which could result not only in interest accruing on a debt, but also potentially wage garnishment from that job a defendant likely would get to keep. By pursuing the debt in that manner, not only would the courts still be able to collect revenue, but the defendant would remain employed and able to care for themselves and their families.

Penalties within the legal system should be aimed at creating productive outcomes. The current system runs counter to this philosophy, merely punishing those with fewer resources by holding hostage their driving privileges in exchange for funds many simply don’t have. I believe this legislation will lead to outcomes that maintain justice in our communities without disproportionately punishing people who are less economically advantaged. I am pleased to support HB 4065.

Respectfully,

Representative Mitchell

