



HOUSE OF REPRESENTATIVES

June 25, 2020

Timothy G. Sekerak
Chief Clerk of the House
State Capitol Building, H271
Salem, OR 97301

RE: Vote Explanation on House Bill 4210

Dear Chief Clerk Sekerak,

I wish to file an explanation for my “aye” vote on House Bill 4210. 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 supported this concept in the 2020 short session with HB 4065. I very much agree and support that there should be a mechanism to hold people to account for their crimes, but 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. Someone already struggling to pay their housing costs, food, or utility bill may not.

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 was 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 via other legal means, such as wage garnishment. By pursuing the debt in that manner, not only would the courts still be able to collect revenue, but the defendant who might otherwise lose their job due to a suspended license would remain employed and able to care for themselves and their families.



TIFFINY MITCHELL
STATE REPRESENTATIVE
DISTRICT 32



HOUSE OF REPRESENTATIVES

Penalties within the legal system should be aimed at creating fair, just, and productive outcomes. The current system runs counter to that aim, 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 4210.

Sincerely,

A handwritten signature in blue ink that reads "Tiffany Mitchell".

Representative Mitchell

