



## CA Legal Orgs Bring First-of-its-kind Lawsuit Challenging Harmful Driver's License Suspension Policies

### Coalition sues Solano County and puts California counties on notice

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#### Media Contacts:

**Bethany Woolman, ACLU of Northern California**, [bwoolman@aclunc.org](mailto:bwoolman@aclunc.org), 415-621-2493

**Candice Francis, Lawyers' Committee for Civil Rights of the San Francisco Bay Area**, [cfrancis@lccr.com](mailto:cfrancis@lccr.com), 415-543-9697 x216

**Linda Kim, Bay Area Legal Aid**, [lkim@baylegal.org](mailto:lkim@baylegal.org), 510-250-5218

San Francisco, CA - A lawsuit was filed today [against Solano County Superior Court](#), challenging the court's practice of suspending the driver's licenses of people who are too poor to pay exorbitant traffic fines. In 2015, over 11,000 driver's licenses were suspended in Solano County for failure to pay alone. In California, millions of people do not have valid driver's licenses because they cannot afford to pay traffic fines and fees. This is the first lawsuit in California to challenge the suspension of driver's licenses as a means of collecting unpaid traffic fines.

Lead plaintiff in the suit is Rubicon, a nonprofit that provides employment, career, financial, legal and health & wellness services thousands of low-income people across the Bay Area. "Many of Rubicon's program participants rely upon having a driver's license to find or keep employment," said Jane Fischberg, CEO, Rubicon Programs. "When their license is suspended due to traffic fines and fees they cannot afford to pay, our participants' lives are put on hold, and their families suffer."

After the Solano County Superior Court failed to make adequate improvements following a [demand letter](#) in April of 2016, the plaintiffs -- Rubicon, the ACLU of Northern California, and a low-income individual named Henry Washington -- filed suit. Plaintiffs are represented by:

- The ACLU of Northern California
- Bay Area Legal Aid
- The Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR)
- Legal Services for Prisoners with Children
- Western Center on Law & Poverty
- Pillsbury Winthrop Shaw Pittman LLP

Solano County is not unique in violating the rights of low-income people. Seventeen counties across California today [received letters](#) from the coalition, notifying them that their driver's license suspension policies and practices were illegal and unconstitutional. Nine more California counties will receive letters

today from Legal Services of Northern California, requesting to meet to discuss driver's license suspensions.

Unconstitutional driver's license suspension policies have important implications for California's communities of color. A [2016 report from LCCR](#) reveals dramatic racial and socioeconomic disparities in driver's license suspensions and arrests related to unpaid traffic fines and fees. Public records from the California Department of Motor Vehicles and U.S. Census data demonstrate that in primarily Black and Latino communities, driver's license suspension rates range as high as five times the state average. Moreover, data collected from fifteen police and sheriff's departments across California show that Black motorists are far more likely to be arrested for driving with a suspended license for failure to pay an infraction citation than White motorists. Rates of driver's license suspensions due to a failure to appear or pay a ticket are directly correlated with poverty indicators and with race.

U.S. Department of Justice recently urged local courts nationwide to put an end to policies that penalize people simply for being poor – including the practice of suspending driver's licenses when individuals miss payments on fines. This practice is all too common in California traffic courts, and is not prevented by amnesty policies that went into place last year.

#### ***Quotes from the Coalition:***

##### **ACLU of Northern California**

"We're filing this suit in order to protect a fundamental principle of our justice system—that a person should not be punished simply for being poor. By not taking people's ability to pay into account, the courts are hurting families, communities, and the state as a whole." – Christine P. Sun, Legal Director

##### **Bay Area Legal Aid**

"A driver's license is key to economic survival, and no one should lose their license just because they are too poor to pay a ticket. The courts shouldn't be funded off the backs of poor people." – Rebekah Evenson, Director of Litigation and Advocacy

##### **The Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR)**

"There are significant socio-economic and racial disparities in who loses their driver's license across the state. Solano County's current practices are compounding and creating a two-tiered system in Solano County: Even for two Solano County drivers who rolled through the exact same stop sign, a person with money can pay and be done, and a person who cannot afford \$200 up front gets additional fines, loses their license, and often, as a result, loses their job as well." – Elisa Della-Piana, Legal Director

##### **Legal Services for Prisoners with Children**

"Many courts, including in Solano County, are routinely suspending poor people's drivers' licenses for "willful failure to pay" traffic court fees. There is nothing willful about poverty. Courts need to have clearly defined opportunities for people to show their inability to pay and they need to make sure people have notice of these opportunities. Without such a process, Solano County Superior Court is violating Californians' due process rights and unfairly punishing people for being poor." – Brittany Stonesifer, Staff Attorney

##### **Western Center on Law & Poverty**

"This case illustrates how expensive it is to be poor. Our courts should be trying to resolve that problem rather than making it worse." – Richard A. Rothschild, Director of Litigation

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