



TESTIMONY OF MIKE FONKERT
JUST CAMPAIGN MANAGER
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE

HOUSE JUDICIARY COMMITTEE
IN SUPPORT OF HB 2434
FEBRUARY 18, 2020

Members of the House Judiciary Committee:

My name is Mike Fonkert; I am the Just Campaign Manager for the Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

Kansas Appleseed supports HB 2434. HB 2434 ends the practice of suspending a person's driver's license due to non payment of fines or court costs associated with a traffic citation. This bill will benefit the Kansas economy and will end a bad policy that makes Kansas communities less safe.

137,450 Kansans had their driver's license suspended due to unpaid fees and fines as of June 2019.¹ In 2018, Kansas had the fifth highest suspension rate in the country.² 71% of new suspensions in state fiscal year 2019 were due to unpaid tickets, court costs, or fines.³

Driver's License suspensions prevent employment. Many jobs require people to have a valid driver's license.⁴ Even for jobs that do not directly require a driver's license, a suspension can affect a person's ability to get to work, their ability to shop or buy groceries for their family, or their ability to drive their kids to school activities or doctor's appointments.⁵ A study in New Jersey showed that 42% of people lost their jobs after their driving privileges were suspended, and nearly half could not find new employment.⁶

Suspensions harm communities. The effect is not only felt by the person receiving the suspension. Stress placed on families and communities as a result of suspensions result in unemployment, under employment, lower wages, fewer employment opportunities, fewer hiring choices for employers, decreased productivity in communities, and an increase in insurance costs.⁷ Suspensions also disproportionately harm communities of color. A study in New York showed suspension rates in zip

¹ Kansas Department of Revenue. Data from Kansas Open Records Act request by Kansas Appleseed. 2019.

² Insurify Insights. "The 10 States with the Most Suspended/Revoked Licenses." 2018.
<https://insurify.com/insights/the-10-states-with-the-most-suspended-revoked-licenses/>

³ Kansas Department of Revenue. Data from Kansas Open Records Act request by Kansas Appleseed. 2019.

⁴ Corkrey, B. "Restoring Drivers' Licenses Removes a Common Legal Barrier to Employment." Clearinghouse Review Journal of Poverty Law and Policy. 2003. p.523. https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/clear37§ion=60

⁵ Gustitus, S. et al. "Access to Driving and License Suspension Policies for the Twenty-First Century Economy." 2008.
<http://research.policyarchive.org/20441.pdf>

⁶ Alan M. Voorhees Transportation Center & Rutgers School of Planning and Public Policy. "2013 Annual Report." 2014.
http://vtc.rutgers.edu/wp-content/uploads/2014/06/VTC_AnnualReport_2013_lowres.pdf

⁷ American Association of Motor Vehicle Administrators. "Best Practices Guide to Reducing Suspended Drivers." 2013. p.6
<https://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/>

codes with the highest percentage of people of color were 2.5 times greater than in zip codes with the smallest percentage of people of color.⁸

Suspensions are not effective as a collection or law enforcement tool. According to a comprehensive Best Practices Guide created by the American Association of Motor Vehicle Administrators, “The common belief that a driver license suspension provides effective, sustainable motivation to encourage individuals to comply with court ordered or legislated mandates to avoid suspension is not supported by empirical evidence.”⁹ Reducing debt to an amount people can afford is much more effective at ensuring compliance.¹⁰ Research indicates approximately 75% of all suspended drivers continue to drive.¹¹ When a law enforcement officer encounters a driver whose license is suspended for an unpaid fee or fine, their ability to help ensure the safety of other drivers and to respond to calls for service are reduced.¹²

Suspensions reduce public safety. States waste an average of 9 hours of police and court time for every suspended license case.¹³ Police departments in cities that impose more fees and fines solve violent crimes at significantly lower rates.¹⁴ It is common for municipal prosecutors in states that impose driver’s license suspensions for unpaid fees and fines to spend 30% of their caseload on license suspension cases.¹⁶

In conclusion, imposing driver’s license suspensions for unpaid fees and fines creates economic harm and is simply bad policy. It sets up barriers to employment, restricts people’s ability to buy groceries for their family or take their kids to school, and results in smaller applicant pools for employers. The suspensions do not increase the collection of fees and fines. Instead, suspensions drain public resources and make communities less safe. For all of these reasons, I urge you to support HB2434.

⁸ Fines & Fees Justice Center. “FFJC Co-Founds Driven by Justice Coalition to End Driver’s License Suspensions.” 2019. <https://finesandfeesjusticecenter.org/2019/05/08/ffjc-co-founds-driven-by-justice-coalition-to-end-drivers-license-suspensions-for-nonpayment-of-traffic-tickets-in-new-york/> (Zip Codes in New York City where people of color made up 50% or more of the driving age population vs. Zip Codes in New York City where people of color were less than 1% of the driving age population. The gap rose from 2.5x to 4x in the rest of New York State).

⁹ American Association of Motor Vehicle Administrators. “Best Practices Guide to Reducing Suspended Drivers.” 2013. p.4 <https://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/>

¹⁰ Free to Drive Campaign. “Too Poor to Drive: 6 Truths about Driver’s License Suspension.” 2019. <https://www.freetodrive.org/wp-content/uploads/2019/09/Six-Truths-About-Drivers-License-Suspension.pdf>

¹¹ American Association of Motor Vehicle Administrators. “Best Practices Guide to Reducing Suspended Drivers.” 2013. p.4 <https://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/>

¹² Id. at p. 13

¹³ Id. at p. 14.

¹⁴ Goldstein, R., Sances, M., and You, H. “Exploitative Revenues, Law Enforcement, and the Quality of Government Service.” 2016. https://www.law.nyu.edu/sites/default/files/upload_documents/YOU_policing.pdf

¹⁵ Eaglin, J. Brennan Center for Justice. “Driver’s License Suspensions Perpetuate the Challenges of Criminal Justice Debt. 2015. <https://www.brennancenter.org/our-work/analysis-opinion/drivers-license-suspensions-perpetuate-challenges-criminal-justice-debt>

¹⁶ Rosario. Twin Cities Pioneer Press. “Bills would end court practices that hit the poor hardest.” 2019. <https://www.twincities.com/2019/02/15/rosario-love-means-getting-these-bills-passed/>