

Domino effect

Oregon's monetary sanctions punish the poor more harshly and tether them to the criminal justice system for years after their initial traffic ticket or court imposed fee was imposed.



BY EMILY GREEN
SENIOR STAFF REPORTER

For Cindy Mendoza, a 28-year-old single mother of three, getting out from under a string of traffic tickets has become impossible.

It began in 2010 when she was pulled over for speeding in Wasco County on her way to The Dalles to pick up a friend whose truck had broken down.

It was her first ticket, and the assessed fine was \$288 plus the typical add-on fees: \$37 in court fees, \$30 in assessment fees, and an "offense surcharge" of \$45, bringing the total owed to \$400.

At the time, Mendoza was 19 and living with her mother in Gresham. A recent pregnancy had forced an early end to her college career, and now she was an unemployed new mom. She had no way to pay the ticket, she said.

It was sent to collections, where it doubled, eventually growing to \$811.

In Oregon, if a court doesn't receive payment on a traffic ticket within 60 days, the driver's license is typically suspended until the ticket and accompanying fees are paid in full. Mendoza's driver's license was suspended that June, four months after she received the ticket.

She gave birth to two more boys during the next six years. She was their sole provider, and she paid on her ticket when she could. But before it was paid off, she got new tickets for driving while her license was suspended. Each ticket she couldn't pay triggered additional notices to the Oregon Department of Motor Vehicles to suspend

Fines & Fees

A Street Roots investigation into the impact of criminal fines and fees on low-income Oregonians

PART I

her license.

A cook by trade, Mendoza worked long hours. She continued to drive when she felt she had no other choice. It's not easy to take public transportation with young children, especially with the time constraints of getting between work and childcare. When resources run short at the end of the month, she often travels across town to access the food pantries that still have food boxes available in order to feed her family.

"Taking public transportation with three kids is the most frustrating, irritating process that any person can go through," she said.

Mendoza's suspensions were among more than 334,000 that were issued due to nonpayment of traffic fines in Oregon from 2007 to 2017.

In 2017 alone, the Oregon DMV issued 90,600 driver's license suspensions, not because the drivers were deemed a public safety threat but because they failed to comply with the courts. This typically means the driver hadn't paid their fines in full, DMV spokesperson David House said.

Behind each suspension is an Oregonian whose debt to the court keeps growing, often fed by compounding interest rates, penalties and administrative fees.

Street Roots interviewed dozens of people whose drivers' licenses were suspended because of to failure to pay traffic tickets, finding that most continue to drive. Whether to take care of a sick parent, go to and from work at odd hours or because they find public transportation unreliable in their area, many feel it's their only feasible option.

"If we are trying to get people to pay money, why would we take away their means of getting to work? Because in most parts of Oregon, as is true in the rest of the country, you need a car to go to work," said Lisa Foster, co-director at the Fines and Fees Justice Center based in Washington, D.C., and New York. Foster is also a former department director at the United States Department of Justice, where she served under the Obama administration.

"What happens, everywhere, is that

people drive even though their license is suspended because they have to," Foster said. "They have to go to work, they have to get their kids to school and they have to get a family member to the doctor."

As this often leads to additional, costly tickets for driving under a suspended driver's license, the driver who couldn't afford to pay the original ticket in the first place watches as their ballooning debt becomes

insurmountable.

Regardless of whether the debt begins with a traffic or parking ticket, a court-imposed criminal fine or even restitution, the way it works in Oregon, the poorer you are, the more you end up owing and the longer you are tethered to the criminal justice system as a result.

Higher-income defendants have the means to bail out of jail, pay their fines and fees and expunge their convictions as soon as they can, washing their hands of the whole mess. A standard \$435 speeding ticket might sting a little, but they can pay it and all the administrative fees upfront without having to forgo necessities such as food and heat.

Meanwhile, a lower-income defendant who is unable to pay the debt within 30 days ends up owing far more than the original amount once questionably high payment plan fees and interest rates are tacked onto their bill.

In all of Oregon's county circuit courts, it costs an additional \$125 to set up a payment plan if you owe between \$150 and \$400. If you owe more than that, it's an additional fee of \$200.

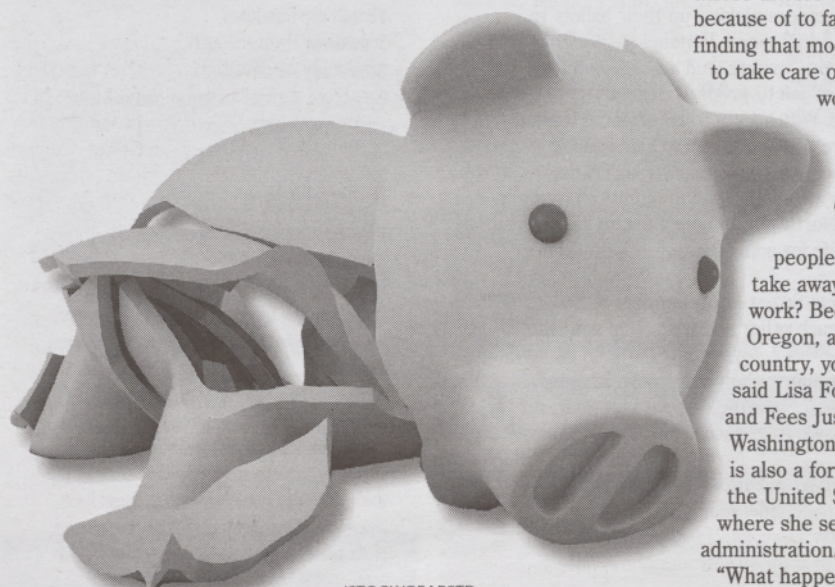
Foster, whose organization is aimed at reforming fines and fee structures nationally, said Oregon's payment plan fees are "outrageous."

"Some places charge to set up a payment plan, but I've never heard of \$125," said Foster. "And it's wrong. Why are you charging people to set up a payment plan when we know if you set up a reasonable payment plan - and there is abundant evidence to support this - people pay?"

She said reasonable would be \$10 or \$15 a month, not a payment plan that requires payment in full during a set amount of time.

West Palm Beach County, Fla., reduced its driver's license suspensions due to unpaid traffic debt 36 percent simply by implementing affordable payment plans. Naturally, tickets for driving with a suspended license have also decreased significantly.

Among Oregon courts, the set amount of time that a traffic ticket must be paid is



ISTOCK/GEARSTD

See FINES, page 5