



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF SB 884:

Driver's Licenses - Suspension for Child Support Arrearages - Exception

TO: Delegate Luke Clippinger, Chair, and Members of the Judiciary Committee

FROM: **Nicole Hanson-Mundell, Executive Director of Out for Justice**

DATE: March 29th, 2022

Out for Justice, Inc. (OFJ) is an organization led by individuals who are both directly and indirectly impacted by the criminal justice system. We advocate for the reform of policies and practices that adversely affect successful reintegration into society. We accomplish our mission through the three E's: 1) **ENGAGE** formerly incarcerated individuals, families and friends through grassroots outreach and community events; 2) **EDUCATE** our member base and communities on the policies and practices impacting our communities and navigating the legislative process for reform; 3) **EMPOWER** those impacted by the criminal justice system to utilize their voices and experiences to enact tangible change.

Out for Justice, Inc. supports SB884 as a means of repealing the punitive practice of driver's license suspensions for lower-income obligors.

Mobility is key in Maryland's regional economy. The Census Bureau reported that [almost 50% of Marylanders travel outside of their county](#) for employment. This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. In fact, only [9% of jobs in the Baltimore region can be reached within one hour, one-way by public transit](#). Thus for economic sustainability, both a valid driver's license and a vehicle are necessary.

In 2015, NPR reported that 62% of Marylanders who owe child support make less than minimum wage, but owe at least \$10,000 in unpaid arrearages. They will never pay down this debt, especially when the current law magnifies the issue by crippling their mobility. [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support an obligor shall have their license or privilege to drive suspended. Beyond this, [Maryland Code Ann., Transportation §16-303](#) states that driving on an invalid license (suspended, canceled, or revoked) in Maryland is a crime punishable by up to (1) one year in jail, a \$1000 fine, or both. As such, child support debt triggers a suspended driver's license, arrest, or hefty fines, further complicating the ability of low-wage workers to secure employment and make payments.

Data suggests that this issue is racialized as well, adversely disrupting the lives of African-Americans. Although Blacks make up 31.1% of Maryland's population, [MDOT data suggests](#) that they made up to 71% of the roughly 27,000 license suspensions between 2015 - 2020. If a disproportionately higher number of black Marylanders lack access to a valid driver's license due to license suspensions and are blocked from participating in a mobile economy, it stands to reason that current state policy is actively preventing them from



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making payments.

Lastly, there is **no** evidence that suggests suspending an individual's driver's license improves the collection of arrears in the long run for persons at this income level. Suspending licenses for lower-income obligors runs counter to the stated purpose of increasing compliance in child support payments and engagement with family where appropriate. In fact, it cripples the primary way that the Child Support Enforcement Agency can collect (wage garnishments) by eliminating access to employment needed to pay down arrears.

SB884 seeks to address this issue by suspending licenses for child support arrears of those making less than 300% of the Federal Poverty Level (FPL) or \$39k annually..

For these reasons, we strongly urge the committee to report **favorably on SB884**.

Sincerely,

Nicole Hanson-Mundell
Executive Director
Out for Justice, Inc.