

TESTIMONY IN SUPPORT OF SENATE BILL 0164/ HOUSE BILL 0326:

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

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee.

FROM: **Donte Henry**

DATE: February 9th, 2023

My name is Donte Henry. I am a resident of District 8 in Baltimore support(s) HOUSE BILL 326 to repeal the punitive practice of driver's license suspensions for lower-income obligors. This is my first time participating in testimony about this issue in Annapolis, as I wasn't aware that the General Assembly could handle my situation.

I have three children, two of which I pay child support orders for even though one of the mothers was incarcerated for child abuse. The second mother put me on child support despite us both raising our daughter so that she could receive daycare vouchers. I have been on child support for roughly 16-18 years despite these unusual circumstances and was incarcerated for roughly 14 years during that time period.

I work for and attend the HTP Homes training program in home construction, and I love it. I'm also currently looking for side work to increase my supplemental income, but my Maryland driver's license has been suspended supposedly since 2014 while I was detained. When I was released, I had no idea that my license was suspended as I thought being incarcerated would logically put the payments on hold - it does not. So when I was pulled over for a minor traffic stop, I discovered that my license was suspended for arrears received during incarceration.

My car was then towed, and I had to pay over \$300 in cash to get my car from the impound lot at risk of further penalties. *After* I paid the money, they said that because my license was invalid, I could not even acquire my vehicle from the impound lot. So they took my money *and* my car, which was never returned to me solely because my license was suspended for arrears that I collected while incarcerated. Again, I just found out that my license was suspended.

Keep in mind I was recently released from incarceration and, having a record, face massive barriers to employment. So I am bewildered how suspending my license for arrears is supposed to help me, a returning citizen, secure the money and employment necessary to pay back the arrears—above all, paying child support while incarcerated make absolutely NO SENSE. You are essentially forced to come home with a suspended license for child support debt that there was NO WAY you could pay while you are detained.

SENATE BILL 164/ HOUSE BILL 326 ends the practice of suspending licenses for child support arrears of those making less than 300% of the Federal Poverty Level (FPL) or \$41k annually. No evidence 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 the Child Support Enforcement Agency can collect (wage garnishments) by eliminating access to employment needed to pay down arrears. For these reasons and more, we urge a favorable report on SENATE BILL 164/ HOUSE BILL 326.