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Individuals Sue Court for Unfairly Suspending Driver's Licenses of Low-Income Californians

LOS ANGELES, August 2, 2016 — Two low-income drivers today filed a lawsuit to stop the Los Angeles Superior Court's practice of suspending driver's licenses simply because drivers cannot pay extremely high citation fees — thereby punishing people because they are poor. In addition to unfairly targeting poor people, this practice disproportionately burdens black and Latino communities, according to a recent study of traffic courts in California.

The case filed today, *Mata Alvarado et al v. Superior Court of Los Angeles*, also alleges that the court violates drivers' due process rights by stripping them of the ability to fight the suspensions. The suit alleges that the court's practice of hasty suspensions does nothing to further public safety, and does unjust harm for an unrelated purpose. Driver's license suspensions help perpetuate the cycle of poverty, creating a virtual debtor's prison. Not being able to drive can lead to the loss of a job, to the inability to access medical care and the inability to apply for public benefits.

And, as the complaint shows, because of the increase in surcharges and fees associated with traffic tickets in California, a \$100 violation now actually costs nearly \$500. If a person misses an initial payment deadline, the cost of the ticket increases to \$800 or more.

One of the plaintiffs, Gloria Mata Alvarado, received a ticket for not wearing a seatbelt and was ordered to pay \$712. Mata Alvarado and her husband, who are both disabled, have an income of only \$1,500 a month. Despite her meager monthly income, the judge reduced the amount by only \$112, leaving a fine of \$600, which was still impossible for Mata Alvarado to pay. The court directed the DMV to suspend her license when she told the court she couldn't pay or perform community service.

The lawsuit follows a recent report written by legal aid advocates called [Stopped, Fined, Arrested: Racial Bias in Policing and Traffic Courts in California](#). That report revealed that more than 4.5 million Californians had been cited for failure to appear or pay traffic tickets and that in July 2014 more than 600,000 Californians had their license suspended by the courts, nearly 200,000 of them in Los Angeles County. The license suspensions disproportionately affect communities like South Los Angeles, Compton, Long Beach, Lancaster and Palmdale – areas that are predominantly black and/or Latino and experience high rates of poverty.

Antionette Dozier of Western Center on Law and Poverty, one of the attorneys for the plaintiffs said, “When a person fails to make a payment on a ticket, the court is required to determine whether the person willfully failed to pay the ticket. If they are poor and don’t have the money to pay, by definition, they cannot be found to have willfully failed to pay. They are just poor. But the courts are suspending their license anyway and this is against the law.”

On a related note, advocates sent a letter to the DMV demanding that it stop suspending the driver’s licenses of people without due process. The letter also asks that there be a clear reinstatement process for those who did not receive due process.

The plaintiffs in this case are Gloria Mata Alvarado and Toneshawa Jones. They are represented by Western Center on Law & Poverty, A New Way of Life Re-Entry Project, Rapkin & Associates LLP, Schonbrun Seplow Harris & Hoffman LLP, and Clare Pastore, Esq. of USC Gould School of Law.

The Western Center on Law and Poverty is an independent nonprofit law firm founded in 1967 as a joint legal clinic of the law schools of USC, UCLA and Loyola. We bring about system-wide change on behalf of low-income individuals and families through pivotal impact litigation; hard hitting advocacy; negotiations with state and local government; and support for local legal aid programs. The Western Center’s work reaches every county to lead the fight for justice in the state of California.

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