



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of the Office of Chief Public Defender Benedict R. Daigle, Assistant Public Defender

TRANSPORTATION COMMITTEE - MARCH 4, 2024

Raised Bill No. 5331

AN ACT CONCERNING THE SUSPENSION OF MOTOR VEHICLE OPERATORS' LICENSES FOR FAILURE TO PAY FINES OR FEES OR FAILURE TO APPEAR FOR A SCHEDULED COURT APPEARANCE

The Office of Chief Public Defender **supports** *Raised H.B. 5331 (LCO 2260), An Act Concerning the Suspension of Motor Vehicle Operators' Licenses for Failure to Pay Fines or Fees or Failure to Appear for a Scheduled Court Appearance*, as the legislation is a step toward ensuring that people in Connecticut are not punished because of their poverty.

In much of Connecticut, personal vehicles are the most practical means by which individuals travel as required to maintain employment and meet other regular obligations. Thus, an individual's operator's license, while a privilege, is a necessity. As such, where suspending an individual's driving privilege is not required to guarantee public safety or address any underlying conduct, such suspension may present an unwarranted barrier to an individual's economic and family stability. Absent a test as to an individual's ability to afford fines, fees, and other charges referenced in this legislation, the committee is right to err on the side of ensuring that poverty is not punished.

With regard to an individual's failure to appear in court, some would have us believe that any reason other than hospitalization, incarceration, death, or lack of notice represents the willful missing of a court date (the inference being that punishment is warranted). It ought to go without saying that life is not so simple – especially for individuals who do not have paid time off, ready child care, and other assets at their disposal. As public defenders, we represent such individuals in more than 100,000 court cases each year.

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If the big picture goal is for people to be treated equitably and have a fair shot at socioeconomic stability, consequences that set people back regardless of ability to pay undermine the legitimacy of our public institutions. Accountability which in operation punishes some people because of their poverty – because of their inability to buy their way out of it – is not just.

While this legislation is limited in scope, it should be considered in the context of the broader conversation about ensuring that measures of accountability (including fines, fees, etc.) are strategically calibrated to allow and encourage people to move forward. That's a goal which benefits individuals, families, communities, and our state as a whole.

This office thanks the Committee and is willing to collaborate as appropriate to further promote equity in systems' treatment of individuals who are indigent. Thank you.