

"Debtors" Prison Focus of League Forum

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You get pulled over for a faulty tail light, and the officer discovers you are driving with a suspended driver's license.

That ticket and fine is followed by more infractions and fines because you continue to drive, while being unable to keep up with the mounting debt or acquire insurance because of the license suspension. That "snowball effect" can land you in jail.

That cycle, and a possible solution, were spelled out at a forum presented by the League of Women Voters of Mason County titled "Modern Day Debtors' Prisons and Legal Financial Obligations" on Tuesday at the Olympic College Shelton library.

The panelists were Leslie Owen, senior attorney for the Olympia-based Northwest Justice Project, and Jennifer Serafin, a deputy public defender for Mason County.

Northwest Justice Project is a publicly funded legal aid program that provides civil legal assistance and representation to thousands of low-income people whose basic needs are affected.

"The debtor's prison is the ultimate punishment for people's inability to pay ... If you don't pay your fines, you go to jail," Owen told the members of the league.

The challenge is "How do we set up a system where people can pay, and still be accountable?" Owen said.

In Washington, about 375,000 people have suspended driver's licenses, almost 60 percent because they did not pay fines, Owen said. Many of those people keep driving because they have no other way to get to their job or take their children to school, Owen said.

If you live out here, how accessible is the bus to you she asked.

Owen said some of her clients have tickets in five counties. Then those fines go to private collection agencies; and the fines go up to 50 percent, she said. In court, the offenders are also charged 12 percent interest rate, when people in other types of cases typically pay 1 or 2 percent, Owen said. Also, "It's a huge burden on our courts," she said. Some of those offender in Mason County will get Serafin as their public defender.

Every Tuesday, the court docket is filled with people facing charges of driving with a suspended driver's license, Serafin said. She and four other attorneys handle about 35 such cases on that day.

The fines start at \$200, and go up \$50 for each infraction, Serafin said.

When the offenders can't make it to their court appearance, they are considered bail jumpers, Serafin said. That can eventually lead to home monitoring or jail time, which also costs the offender, she said.

A possible solution to the snowballing debt?

Owen said her agency wants to implement a statewide program that follows a program in Spokane that allows courts to pull people's cases from collections and consolidate them into one payment plan, with the payments being distributed to the individual courts.

"If you give people a reasonable way to pay, they will," she said.

She added, "The consolidation part is very important... This needs a statewide approach."

Stakeholders - including judges, the Attorney General's Office and the state Department of Licensing - got together to discuss the proposal, Owen said. A proposed House bill is set to be introduced in the state Senate this session, and is a start in that it states that there will be a plan set up by the next legislative session, she said.