

**Before the Committee on Business and Economic Development
Public Hearing on: B24-0237, The Clean Hands Certification Equity Amendment Act of
2021
April 18, 2022**

**Pre-Hearing Testimony of Coalition of 32 Racial Justice, Anti-Poverty, Faith-Based, Legal
Services, and Civic Groups**

**ACLU of the District of Columbia
Ayuda
Bread for the City
Building Bridges Across the River
Capital Area Asset Builders (CAAB)
CARECEN
Catholic Charities of the Archdiocese of Washington
Coalition for Motorist Rights
Color of Change
DC Affordable Law Firm
DC Fiscal Policy Institute
DC Justice Lab
DC KinCare Alliance
DC Volunteers Lawyers Project
Fines and Fees Justice Center
Howard University School of Law Human and Civil Rights Clinic
Institute for Justice
Jewish Community Relations Council of Greater Washington
Jews United for Justice
Legal Aid Justice Center
Legal Aid Society of the District of Columbia
Legal Counsel for the Elderly
Network for Victim Recovery of DC (NVRDC)
Peter Edelman
(Carmack Waterhouse Professor of Law and Public Policy, Georgetown University Law
Center)
Pro Bono Institute
Trial Lawyers Association of Washington, DC
Tzedek DC
United Planning Organization
University of the District of Columbia David A. Clarke School of Law
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Washington Legal Clinic for the Homeless
Washington Interfaith Network (WIN)**

Chairman McDuffie, Members of the Council of the District of Columbia, and Committee staff:

Thank you to Chair McDuffie for introducing this bill and for the opportunity to share testimony in support of B24-0237: The Clean Hands Certification Equity Amendment Act of 2021. If passed and funded by the Council, this bill would address the urgent need for systemic reform to end DC's current, wealth-based license scheme, under which any DC resident who has unpaid fines or fees totaling more than \$100 is currently automatically disqualified from obtaining or renewing a driver's license, professional or small business license, or other form of DC license or permit—and with no inquiry as to their ability to pay. The bill would end the application of the Clean Hands penalty to driver's licenses, and significantly increase the threshold for debt amounts that currently automatically disqualify people from small business or professional licenses.

Our 32-organization coalition is supportive of the bill as a whole and its goals. This statement focuses on the bill's driver's license-related reforms and is offered to complement other submissions to this Committee, including those focused on the bill's professional and small business license-related reforms.

In April 2021, this coalition wrote a letter to the Council regarding the report released that day by Tzedek DC, *Driving DC to Opportunity: Wealth Should Not Determine Who Gets to Keep Their Driver's License*.¹ That report, attached along with the letter here for the record, highlights the stories on the ground of DC residents. The report shows the ways in which DC's Clean Hands law, by making it more difficult for residents to get a job or to remain employed or to get to a grocery store, childcare, a medical appointment, or a family visit, undermines families' long-term financial stability and overall well-being. The report shows how the current Clean Hands law disqualifies tens of thousands of DC residents from renewing their driver's licenses simply because they cannot afford to pay outstanding parking or traffic ticket debt. It illustrates how the current law punishes poverty, exposes residents to criminal punishment where they pose no threat to public safety, undermines residents' efforts to become financially stable, hurts employers, and diverts precious public safety resources from addressing violent crime.

Further, the report vividly illustrates how the current Clean Hands system has created a serious issue of racial inequity by tying the ability to drive lawfully to whether a DC resident has paid their fines and fees. The inequity of the impact of the Clean Hands Law lies in the disparate economic consequences — white DC households have an estimated 81 times more wealth than Black DC households, so Black DC residents are disproportionately punished for nonpayment. The associated inequity resulting from the Clean Hands Law is also evident in the criminal justice system, since many residents unable to renew their licenses continue to sometimes drive in order to accomplish critical life necessities. Based on review of MPD data from 2013-2020, Black adult DC residents are arrested for the offense of driving without a permit 19 times more frequently than White adult DC residents. Similarly, for example, in those years, of all the Ward 5 adult arrests by MPD for drivers-license related offenses, 74 percent of the arrests were of Black men. The racial equity imperatives that led you to introduce, and the Council to pass, the Racial Equity Achieves Results (REACH) Amendment Act of 2020 urgently compel reform here.

¹ See Letter and Report, attached along with the report for the record.

In addition, as the report shows, DC has become a national and regional outlier, one of just a handful of jurisdictions in the entire country and the only one in the region that clings to this harmful, outdated approach of automatically denying license renewals as punishment for unpaid parking or traffic fines and fees. This reinforces the need for reform now.

This bill would be a major step forward. In DC, wealth should not determine who can keep driving to accomplish day to day life necessities.

Thank you for your leadership and work on these critical issues.