



# RACIAL PROFILING ADVISORY BOARD OF WICHITA



TO CHAIR MIKE PETERSEN & SENATE TRANSPORTATION COMMITTEE Members:

RE: Support of Senate Bill 5- Restricted Driving Privileges

My name is Walt Chappell. Since 1998, I have served as Coordinator of Citizens for Equal Law Enforcement and currently as Vice Chair of the Racial Profiling Advisory Board of Wichita. Four research studies in Kansas—starting in 2000—have all verified that Black drivers are twice as likely to be issued a traffic ticket and 3xs more likely to be arrested, searched or have a physical altercation when stopped.

Passing SB5 is vital to over 200,000 Kansans—many of whom are Black or Hispanic—who have had their driver’s license suspended. If a person was driving on a suspended license because they are too poor to pay a traffic ticket, the Department of Revenue should still be allowed to reinstate their license.

It is **“NOT A CRIME TO BE POOR!!”** Just because a person has not had enough money to pay a traffic ticket in a short period of time, they should not be prevented from driving. SB5 at least lets a person to keep paying on their fine and court costs while driving on a restricted license.

But, in addition to getting SB5 passed this legislative session, we strongly encourage the Senate and House to **pass a bill to stop allowing municipal and district courts to suspend a person’s driver’s license just to collect traffic fines and court costs. Courts should never be allowed to use the removal of a person’s license just to collect a debt. The cost to each family and all taxpayers is huge and will not stop until this law is repealed.**

No business or Kansan has any legal right to arrest another person who owes them money, impound their vehicle or suspend their driver’s license. **Suspending a person’s license puts them under “House Arrest” with no legal way to drive to work, go to the doctor, buy groceries or go to church.**

**Another amendment to the current statutes also needs to be passed so courts will remove the additional fines which have been imposed for driving on a suspended license.** Allowing a person to pay just the fine for the original traffic violation and court costs without the huge additional fines and costs imposed for “driving on a suspended license” will allow thousands of Kansans to take care of their responsibility to pay the fine they owe for the first offense then have their driver’s license reinstated.

Cities and Counties should also be allowed to have an **“Amnesty Month”** where these additional fines are waived. This will allow people to pay the original fine then once again hold a job and drive legally.

FYI, at the September 17<sup>th</sup>, 2016 workshop sponsored by the Racial Profiling Advisory Board at the Wichita Atwater Community Center, 175 people paid \$25 each to apply for a restricted license. Unfortunately, only 20 were actually approved by the Dept. of Revenue under the current statute.

During 2015, the City of Wichita suspended the license of 7,000 people for non-payment of fines. In 2014, the City suspended 6,000 licenses. Statewide, there are over 200,000 Kansans who have had their license suspended. (See attached report.)

If any of these people were caught driving on a suspended license, under current law, they would not be eligible for even a restricted license. They would also be arrested, taken to jail and have their car impounded which greatly inflates the total cost of the original traffic fine.

Please pass SB5 to start removing these huge burdens from Kansans who are simply trying to earn a living, feed their families and be good citizens.

Respectfully submitted,

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Nick Jordan, Secretary  
 Lisa Kaspar, Director of Vehicles

Sam Brownback, Governor

October 29, 2015

### Data Request

I was asked to provide the total number of withdrawn Driver's Licenses in Kansas. The data collected is current as of October 27, 2015. The reason varies depending on the customer and their specific situation. The withdrawal reason could be anything from DUI, speeding, unpaid tickets etc.

Withdrawal Type	Total Number
Revocation	25,988
Cancellation	3,173
Suspensions	207,580
Restrictions	28,449

### Ideas

K.S.A 8-2110, remove language that would disqualify a driver who has a pending "driving while suspended" on their driving record. This could potentially allow more drivers to apply and become eligible for this privilege, provided they meet all other eligibility requirements. We would still require the mandatory 90 suspension period before making such approval for restricted privileges. Making this change would mirror how we handle similar requests for restricted driving privileges.

After listening to some of our customers concerns regarding unpaid tickets, it became clear more than ever that one of the potential reasons drivers become delinquent could be in part due to the large fine amount. Would it be possible to add language into any statute that references such court fees that the respective court could reduce the fee amount if the driver is indigent or deemed low income? I know it's a long shot but I figured its worth asking.

If I can be of any further assistance, please don't hesitate to call or email.

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