



## Support S.B. 1913: Help Texans resolve their tickets without destroying their livelihoods

Low-income people throughout Texas become trapped in a cycle of poverty when they cannot afford to pay traffic tickets and other citations. They lose their driver licenses for not paying, then get more tickets for driving without a license, which they often must do to earn a living. Eventually, they receive arrest warrants and can end up in jail for days, weeks, or even months. While in jail, they lose their jobs and housing and are driven even deeper into poverty.

**S.B. 1913 (Zaffirini)** would provide judges with new tools that still hold people accountable while avoiding this counterproductive cycle. **The bill embodies the 2016 consensus recommendations of the Texas Judicial Council, chaired by Texas Supreme Court Chief Justice Nathan L. Hecht and vice chaired by Texas Court of Criminal Appeals Presiding Judge Sharon Keller.**<sup>1</sup> It would improve court processes by doing the following:

- **Notifying people about alternatives to full payment and expanding community service options:** **S.B. 1913** would require courts to notify people about their options for alternatives to full payment if they are unable to pay their tickets. It would also expand community service options in criminal cases, allowing people to work off their fines and costs at schools and churches, or through court-ordered job skills training or GED prep classes.
- **Allowing judges the discretion to create individualized sentences:** People often leave court owing amounts that they will never be able to pay because judges never ask what they can afford. **S.B. 1913** would require judges to make a determination about a person's ability to pay so that they can consider appropriate alternatives to full payment, like community service or payment plans, at the time of sentencing.
- **Limiting arrest warrants to people who are willfully refusing to pay:** In 2015, over 2.9 million warrants were issued related to fine-only tickets.<sup>2</sup> **S.B. 1913** would limit issuance of these warrants to people the court has reason to believe are intentionally avoiding court or refusing to pay their fines and costs.
- **Ensuring access to courts to resolve unpaid fines:** People with warrants for tickets are often afraid to go to court to ask about payment plans or other alternatives for fear of getting arrested. Many courts also make it difficult to see a judge, requiring people to pay money to set a hearing—meaning low-income people with warrants for unpaid fines are unable to clear them. **S.B. 1913** would improve access to courts by preventing people from being required to pay money to set a hearing and ensuring they will not be arrested on a fine-only warrant if they go to court voluntarily.
- **Allowing qualified low-income people to legally drive to work:** Currently, more than 230,000 people are unable to get or renew their licenses until they pay off their tickets, and 370,000 vehicles cannot be registered until the owners' tickets are paid.<sup>3</sup> This means people are prevented from legally driving to work to earn a living and earn money to pay off their tickets. Under **S.B. 1913**, people who are unable to pay could keep their licenses and register their vehicles.

**Please contact us for more information:**

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<sup>1</sup> Resolution of the Texas Judicial Council regarding Modification of Statutes Governing Assessment and Satisfaction of Criminal Court Costs (Oct. 28, 2016), available at <http://www.txcourts.gov/media/1436324/modification-of-statutes-governing-assessment-and-satisfaction-of-criminal-court-costs.pdf>.

<sup>2</sup> Office of Court Administration, Annual Statistical Report for the Texas Judiciary: FY 2015, at Detail 45, 48 (2016).

<sup>3</sup> Email from Pamela Harden, Tex. Dep’t. of Pub. Safety, to Sushma Smith, Chief of Staff, Office of Tex. Senator José Rodriguez (Nov. 9, 2016) (on file with authors).