

## FROM THE *JOURNAL* COMMITTEE

### “Innovative Solutions to Transportation Issues”

They say that all roads lead home. But what happens when people and communities lack the ability to get home? To work? To the doctor? This winter’s MIE *Journal* Special Feature addresses these questions and raises some interesting and innovative solutions. “Wheels of Justice” focuses on transportation issues faced by low-income people and how the legal aid community has attempted to resolve transportation issues through advocacy and special projects.

In “True Cost to Rent: Transportation Costs and Housing Affordability,” author Rachel Blake argues that the cost of transportation should be included when we consider housing affordability and the effects of transportation costs on low and very low income clients. Janet Chung’s sobering piece “When Your Home is a Vehicle” examines *City of Seattle v. Steven Long*, a case on review by a Washington appellate court after the City impounded Mr. Long’s home (the truck he was living in) along with the tools of his trade, winter jacket, food and money for parking for longer than 72 hours.

Marisol Aguilar makes “The Case for Transportation Advocacy,” shining a spotlight on low-income and majority-minority communities that lack basic infrastructure and services, including access to transportation. Aguilar argues that “transportation is as much of a social justice issue as access to housing.”

A series of articles addresses serious complications arising from driver’s license suspensions and the difficulty with driver’s license restoration. The articles recognize the “poverty penalty,” legal in 44 states, which results when an individual cannot pay a simple ticket, leading to license suspension and often to devastating effects like job loss or limited employment options, inability to obtain medical care, and limited housing options.

Perhaps one of my favorite transportation articles in this volume of the *Journal* is “Beep Beep! How Mobile Services Programs are Overcoming Transportation Barriers for Clients.” This article discusses delivery of legal services through creative methods like mobile legal clinics in rural and isolated areas, bringing legal aid and volunteer attorneys to communities that are

difficult to serve. Also you will find articles in this *Journal* on the challenges of obtaining Real IDs, undertaking statewide drivers relicensing reform, and auto repair financing scams.

Take time to recognize that February is Black History Month. Shawn Boehringer’s article, “Dr. King Influences Us,” is a personal reflection on the work of Dr. Martin Luther King, Jr., reminding us that Dr. King’s legacy is alive in the work of legal aid programs across the country.

I would be remiss if I did not direct readers to “Language Justice in Legal Services,” an in-depth article on assessing and strengthening organizational practices to effectively serve individuals who do not communicate in English. As a legal services provider in a community where there is a large Spanish-speaking population, I found this article particularly helpful and will likely refer back to it for years to come because moving from basic language access to language justice is a necessity for today’s legal services programs. Greg Landry and Tzung-Lin Fu’s exposition on data security, retention and destruction is another important article you will refer to going forward.

Finally, I was heartened to read Osana Steave’s book review and recommendation for audiobooks. Not only is *Talking to Strangers* at the top of my current reading list but, as an avid audiobook listener, I could not agree with her recommendation more. If you have not tried listening to an audiobook, I encourage you to do so.

Thank you for taking the time to read this *Journal*. I hope you find it as interesting and inspiring as I did.



Erica Ludwick  
Managing Attorney  
Legal Services of Northeastern  
New York



**MISSION:** MIE’s mission is to promote excellence in management to ensure high quality advocacy on behalf of

low-income people. MIE advances best practices and innovation in leadership, management, supervision and fundraising by supporting a full and free exchange of ideas and providing training, consulting and a flagship journal for the legal aid community.



## DR. KING INFLUENCES US

By Shawn Boehringer, Executive Director<sup>1</sup>  
Legal Aid of Southeastern Pennsylvania

I have been fortunate to connect to Dr. Martin Luther King, Jr.'s history through a number of experiences, some of which came about as a result of a career in legal services. The earliest



was coursework at Gettysburg College, where a professor in the Department of Religion, Michael McTighe, assigned King's Autobiography and Letter from Birmingham Jail for two of his classes. McTighe's scholarship focused on the intersection

of religion and politics in American life. MLK Day for legal services staff offers an opportunity for reflection on how King's movement to further social justice connects with our work.

My first employment in a legal services office was as a law student intern in the summer of 1991 on St. Helena Island, South Carolina, for the Neighborhood Legal Assistance Program, which served communities on the Atlantic coast from Myrtle Beach to the Savannah River. The office, near the village of Frogmore, served the two southernmost counties in the state. It had a small staff of four, including two lawyers, and was located in the Hastings Gantt Cottage at Penn Center, founded as Penn School in

1862 by Quaker philanthropists from Philadelphia to educate freed slaves, emancipated after Union forces took control over the South Carolina barrier islands early during the Civil War.

By the late 1960s, Penn Center had become a community center, and served as the site for Southern Christian Leadership Conference retreats, led by King, who was its President at the time. King stayed at Gantt Cottage during the retreats. By this time, King had broadened his movement from one primarily focused on civil rights to one encompassing human rights, peace, and social justice issues. King's address at the SCLC retreat at Frogmore in late 1967 presented his vision for the Poor People's Campaign, which sought a commitment from the U.S. to end poverty through massive investments in housing, education, employment, and other programs. During the same period, fledgling federal programs including VISTA, Job Corps, Community Action, Head Start, and Legal Services

were taking shape under the Office of Economic Opportunity.

In early April 1968, the Poor People's Campaign took King to Memphis to support striking sanitation workers who were paid lower wages than their white counterparts, worked in dangerous and unhealthy conditions, and who were denied the right to submit grievances



*Rev, Jesse Jackson, Joan Baez, Ira Sandperl, Martin Luther King Jr., Dora McDonald (Martin Luther King Jr. secretary) annual Southern Christian Leadership Conference staff workshop Penn Center, Frogmore, SC 1966. The Bob Fitch Photography Archive — Spotlight at Stanford — Stanford University.*

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regarding their work. King's visit followed the February 1968 deaths of two workers, who were horrifically crushed in a compactor truck as they huddled in the truck's covered area to escape the rain. King died amidst the hard struggle of transforming the Poor People's Campaign from vision to reality. King spent significant time in southeastern Pennsylvania in the service area covered by Legal Aid of Southeastern Pennsylvania, and his experience here certainly influenced his work. He gave an address at Villanova in 1965, which the university commemorates each year with events in his honor. From 1948-51, King attended Crozer Theological Seminary in Upland and graduated as valedictorian of his class. He became close with Rev. Pius Barbour, who served as the minister at Calvary Baptist Church in neighboring Chester for more than 40 years. One story recounts that King's first stop in the U.S. in 1964 after returning from Oslo with the Nobel Peace Prize was to Chester to meet with Rev. Barbour. The church continues to operate in the shadow of the Commodore Barry Bridge and within walking distance of the LASP office in Chester. This year for MLK Day, LASP attorneys conducted an expungement and clean slate clinic with two members of Pennsylvania's General Assembly delegation in Darby, Delaware County, about eight miles north of where King attended seminary.

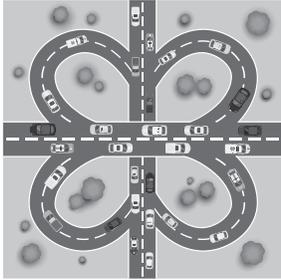
The Calvary Baptist Church in Chester is significant to me for another reason: Donald Jackson, later Muhammad Kenyatta, was ordained as a minister there at age 14 in 1958. Kenyatta would attend Harvard Divinity School and earn his law degree at Harvard, where he led a boycott over the lack of racial diversity on the law school faculty. I was a student at the University at Buffalo law school in 1992 enrolled in Kenyatta's Civil Rights in Constitutional History class when he passed away, too young, at age 47.

Kenyatta dedicated his life to civil rights work, and his advocacy focused on voting rights issues in Mississippi, leadership of an international education program involving the U.S., Tanzania, and Ghana, and in 1975, he challenged Frank Rizzo for Philadelphia mayor in the Democratic primary. Kenyatta was most certainly influenced by King, especially in light of the connection

the two had to Calvary Baptist, and his legacy is particularly germane today. Kenyatta's grandson Malcolm was elected in November 2018 to the Pennsylvania House from Philadelphia, the first openly gay person of color elected to either chamber of the PA General Assembly.

King's legacy is alive in the work of legal services programs across the country. The Pennsylvania Legal Aid Network, for example, provides MLK internships and fellowships to law students and graduates, to prepare them for careers in the public interest and to increase access to these careers. LASP recently hired an alumnus of that program, and his charge will be to enhance community engagement with individuals, families, and groups in areas LASP serves that have significant Spanish-speaking populations. King most surely would have supported robust legal services delivery to those living in poverty. For LASP and other legal services programs, the daily work our staff does on behalf of clients to protect their human rights and dignity in the areas of housing, employment, consumer law, family law, public benefits, and clean slate work represents a humble honoring of his advocacy and legacy.

- 1 Shawn Boehringer is Executive Director of Legal Aid of Southeastern Pennsylvania (LASP), a nonprofit which provides free civil legal services in Bucks, Chester, Delaware and Montgomery counties. He may be reached at [sboehringer@lasp.org](mailto:sboehringer@lasp.org).
- 2 My Gettysburg College professor Michael McTighe also tragically passed away too young at age 44 in 1993. His colleague Michael Birkner submitted this obituary to the November 1994 edition of the news magazine of the American Historical Association: <https://www.historians.org/publications-and-directories/perspectives-on-history/november-1994/in-memoriam-november-1994>. McTighe's wife, Carolyn Carter, has had a long and distinguished career as a legal services lawyer and is currently the Deputy Director of the National Consumer Law Center. Professor Kenyatta's obituary from the January 7, 1992 Philadelphia Inquirer can be accessed here: <https://www.newspapers.com/image/174866614/?terms=Muhammad%2BKenyatta%2BObituarysboehringer@lasp.org>.



# The Free to Drive Campaign

By Priya Sarthy Jones, National Campaign Director<sup>1</sup>  
*Fines and Fees Justice Center*

Around the country, there are currently over 11 million driver’s licenses suspensions simply because drivers can’t afford court-ordered fines and fees. What



starts out as a simple traffic citation can lead to insurmountable debt and often a criminal record. In 44 states, these cruel and counterproductive “Failure to Pay” and “Failure to Appear” laws are criminalizing poverty, undercutting economic growth, and undermining public safety.

Most of us have done it: rolled through a stop sign without coming to a complete stop; turned or changed lanes without signaling; or gone a little bit over the speed limit. When that happens, and you get caught, you get a ticket. That ticket comes with a cost, and for many Americans that price tag is disastrous.

For every ticket issued, there is a fine associated with the punishment for the offense. However, in almost every U.S. jurisdiction there are a number of fees or surcharges added onto tickets that can double, triple and even quadruple the amount due. For example, in Kentucky the fine on a ticket may be \$20, but once the court fees assessed, it’s \$143. And if you can’t pay this, you get charged additional fines and fees, and before you know it you owe hundreds or even thousands of dollars to the courts.

Advocates and some lawmakers are beginning to realize the damage of taking away someone’s license. People lose their job, lose the ability to take their kids to school, and to access basic necessities like food or healthcare. A study in New Jersey, for example, found that 42% of drivers lost their jobs when their driver’s license was suspended. Driving is such a necessity that 75% of people continue to drive after their license gets suspended — risking criminal charges, more fines and fees, and even jail time.

In response to this issue, the Fines and Fees Justice Center and our partners launched the Free to Drive

campaign, a coalition of over 130 organizations from across the ideological spectrum who share the following belief:

*Restrictions on driving privileges—including suspensions, revocations, or renewals of driver’s licenses or registration—should never be used to coerce debt payment or punish people who don’t appear in court.*

This national coalition brings together strange bedfellows, from Koch Industries and Americans for Prosperity, to the American Civil Liberties Union and the Civil Rights Corp. This issue has the potential to unite virtually everyone. While license suspensions predominantly harm those in poor communities and communities of color, it also hurts the overall economy. A study in Phoenix, Arizona found that when 7,000 drivers had their licenses reinstated, GDP increased by an estimated \$149.6 million as a result, along with increases in employment and tax revenue.

These types of bipartisan partnerships are what it takes to get laws changed in most states. In Texas, a broad coalition recently passed a new law ending the “Drivers Responsibility Program,” which became infamous for suspending licenses when drivers did not pay the program fee. Texas made nearly a million licenses eligible for reinstatement and forgave \$2 billion in debt to do so. The Texas Fair Defense Project, Texas Appleseed and Right on Crime, just to name a few, worked together to make this happen. And in Virginia, where temporary reform was passed in 2019, the Legal Action Justice Center and Republican sponsor William Stanley have been working diligently with state partners to make this change permanent.

In the 2020 legislative session, bills to reform driver’s license suspension laws are on the table in Maryland, Utah, Washington and a handful of other states. The Fines and Fees Justice Center is leading campaigns in New York and Florida, where bills have already been introduced. In Michigan, the state’s Joint Task

Force on Jail and Pretrial Incarceration recently made a recommendation to the legislature to eliminate driver's license suspensions for Failure to Pay and Failure to Appear.

Advocates in each state are pursuing this reform work through coalitions that best reflect the political landscape of their states. When developing partnerships to address this issue, groups should think about what influences their legislature, bringing more businesses and work development advocates into the fold, and engaging the Free to Drive coalition members in local reform efforts.

In addition to building strong coalitions, here a few other things to think about when pursuing reform efforts in your state:

- **Data:** Get as much data as you can from courts and the DMV about driver's license suspensions, fines and fees owed, and charges for driving on a suspended license.
- **Resources:** Develop factsheets and other easily accessible materials that explain the impact of driver's license suspensions in your state. Focus them on public safety, workforce development, health-care, and other ways driver's license suspensions impact residents in your state.
- **Engage Impacted Individuals:** There are real names, faces and families devastated by this policy. Feature their voices in your work as much as possible, and include them in your decision-making processes. They can be leaders in this movement.

The Free to Drive campaign has a dedicated site [FreetoDrive.org](http://FreetoDrive.org), where you can find story maps, factsheets, videos and more resources for this national campaign. The Fines and Fees Justice Center's online clearinghouse is a virtual library of information about efforts to reform fines and fees in the legal system, including driver's license suspension efforts across the country.

- 1 Priya Sarathy Jones is the National Campaign Director at the Fines and Fees Justice Center. Reporting to the Co-Directors she is principally responsible for working with and/or leading national coalitions that address fines and fees reform and for providing assistance to institutions, organizations and individuals who seek FFJC's expertise on fines and fees reform across the country. At present, the issues FFJC participates in or is building national coalitions to include: to reform fines and fees in the juvenile justice system; abolish drivers' license suspensions; and, explore the implementation of "day fines" or graduated economic sanctions.. Sarathy Jones also serves as the primary point of contact for requests for assistance that FFJC receives from community organizations, advocates, courts, justice-system stakeholders and legislators — and then works collaboratively with them to address their needs. Prior to joining the Fines and Fees Justice Center, Sarathy Jones served as a Policy Advisor at the Office of Justice Programs, Bureau of Justice Assistance where she focused on providing support to national initiatives for the office. Her portfolio included Public Defense, with an emphasis on 6th Amendment issues, as well as wrongful conviction and capital case litigation. She has also worked with the Byrne Criminal Justice Innovation program, the White House's Promise Zone Initiative, the Office of Community Oriented Policing Services, the House Oversight Committee and Congressional and Legislative Affairs. She holds a J.D. and B.A. in Psychology and Criminal Justice from the University of South Carolina. Sarathy Jones lives in Washington, DC and may be reached at [psjones@finesandfeesjusticecenter.org](mailto:psjones@finesandfeesjusticecenter.org).

The Free to Drive campaign has a dedicated site [FreetoDrive.org](http://FreetoDrive.org), where you can find story maps, factsheets, videos and more resources for this national campaign.