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Research Brief on ETI Driver's License Studies

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Research Brief on ETI Driver's License Studies

University of Wisconsin-Milwaukee Employment and Training Institute, 2017

A critical issue facing central city Milwaukee residents is access to jobs -- jobs that are increasingly beyond the Milwaukee County bus lines. The spatial mismatch between available jobs and job seekers is most acute in low-income Milwaukee neighborhoods, where job seekers have outnumbered full-time openings by a gap of seven to one and only a third of unemployed job seekers have a valid driver's license. From 1998-2017 the University of Wisconsin-Milwaukee Employment and Training Institute conducted extensive employment research on the importance of a driver's license. Among the findings:

- Mothers with young children receiving public assistance and in subsidized child care were twice as likely to find sustained employment if they had a driver's license. For this population, having a driver's license was more important for finding steady work than a high school diploma.
- Teens from lower-income neighborhoods are far less likely to obtain driver's licenses by age 18 than those from upper-income zipcodes, and youth of color have much lower rates of licensing.
- Many Milwaukee teens are unlikely to be employed full-time as adults due to non-driving suspensions they received as juveniles.

Minorities are most likely to have driver's license problems related to fine collections. Those who continue to drive to work with suspended licenses often are stopped for minor vehicle ("driving while poor") or traffic infractions only to be cited for driving under suspension or revocation -- far more serious offenses.

Wisconsin allows municipal courts to take away driving rights from residents owing money to the courts for fines, civil forfeitures, and added court costs. The use of 1- to 2-year driver's license "suspensions" for such FPF ("failure to pay forfeiture") violations has reached the point in Wisconsin where 60% of all license suspensions and revocations are fine-related rather than for unsafe driving. By contrast, 12% are for drunk driving and 12% for unsafe driving demerit points (usually multiple speeding tickets).

Thousands of teenagers and young adults from low-income Milwaukee neighborhoods receive driver's license suspensions sometimes even before they begin driving. Wisconsin youth who do not pay municipal tickets issued for infractions unrelated to driving (e.g., loitering, curfew violations, underage drinking, shoplifting) may be blocked from obtaining their driver's license for two years -- during the critical period when many are first seeking employment and when inner city youth often have early encounters with police.

ETI publications on driver's license barriers to employment are archived in the University of Wisconsin-Milwaukee Digital Commons collection at http://dc.uwm.edu/eti_pubs/.

Milwaukee Public Schools Universal Driver Education Pilot Project Evaluation Report (2017)

Under the leadership of Superintendent Darienne Driver, Milwaukee Public Schools introduced a bold initiative to address the driver's licensing needs of MPS students through a Universal Driver Education program. This report evaluated the pilot project offering free driver education services to 257 students at four high schools in spring and summer of 2016. The project successfully targeted subpopulations identified as most in need of affordable driver education, including youth of color, students living in neighborhoods with high child poverty, and students from families with lower-income. The vast majority (98%) of participants passed the state Division of Motor Vehicle written road tests, and as of November 2016, 85% had acquired learner permits and were practicing their driving skills. Factors contributing to the success of the pilot included strong leadership by the MPS Superintendent, a public-private partnership with a local driver school, use of MPS recreation department staff to coordinate enrollment initiatives, and cooperation from the DMV in making teen licensing records available to program operators.

The DMV Class of 2016: Readiness of Milwaukee 18-Year-Olds for Employment, Citizenship and Adulthood (2016)

The ETI examined the driver's license status of Wisconsin youth aged eighteen as of January 1, 2016, using license records from the Wisconsin Department of Transportation Division of Motor Vehicles. Only 30% of Milwaukee eighteen-year-olds had a driver's license (probationary or regular), compared to more than twice that rate (66%) for eighteen-year-olds statewide. Stark differences were seen in Wisconsin driver's licensing rates by race/ethnicity, neighborhood levels of child poverty, and zipcodes with concentrations of "working poor" families. Disparate licensing rates give suburban and exurban youth in the Milwaukee metropolitan area a head start over city teens in securing jobs as they enter the labor force.

Driver's License Issues and Recommendations (2015)

This ETI presentation identified public policies and practices creating obstacles for licensing of youth and workers in Wisconsin and examines racial/ethnic variations in licensing rates. The impacts of driver's license suspensions issued by courts for failure to pay fines and forfeitures were graphed and mapped for subpopulations in Milwaukee County. Recommendations were offered to further universal driver education, licensing recovery efforts, limiting court use of license suspensions to collect fees and debts, and criminal justice reforms.

Issues Related to Wisconsin "Failure to Pay Forfeitures" Driver's License Suspensions (2014)

ETI collaborated on a project with the Justice Initiatives Institute examining Branch A Milwaukee Municipal Court cases (2008-2013) using records obtained from Milwaukee Municipal Court and the Milwaukee County Sheriff's Office and focusing on populations incarcerated for municipal ordinance violations. A majority of those jailed for failure to pay municipal judgments were not employed at the

time of booking. Municipal courts often denied Wisconsin residents unable to pay or delinquent in paying court judgments for municipal citations their right to drive for 2 years -- jeopardizing workers' employment options and placing them at risk in the criminal justice system if found "driving while suspended." Thousands of low-income Milwaukee teens of color failing to pay fines on municipal violations (even if unrelated to driving) are barred from getting their driver's license for two years.

23,639 Milwaukee County Residents with Driver's License Suspensions Solely for Failure to Pay Fines and Civil Forfeitures (2012)

For this report ETI reviewed the driver license status of all Milwaukee County residents using state DOT records on driver's license status, licenses suspension and revocation records for 2008-2011 in order to assess the driver status facing workers seeking employment or attempting to retain employment. The focus of this study was the policy of suspending licenses for non-payment of fines and civil forfeitures for individuals who otherwise have no unsafe driving suspensions or in some cases are yet to obtain a license. Most (82%) of those receiving failure-to-pay suspensions were minorities and 65% were African Americans. Residents with FTF suspensions were heavily concentrated in Milwaukee's poorest neighborhoods while residents receiving unsafe driving-related suspensions such as OWI (operating while intoxicated) show more even distributions across middle income neighborhoods of the county.

Driver's License Status Report for Milwaukee County (2012)

For this status report ETI reviewed the driving records of 629,222 Milwaukee County residents in the Department of Transportation files, including drivers with current licenses as of January 1, 2012 plus unlicensed residents who received suspensions and revocations from 2009 through 2011.

Barriers to Employment: Prison Time (2007)

This report for Legal Action of Wisconsin and the Private Industry Council of Milwaukee County found that only 7% of Milwaukee County residents released from state correctional facilities showed a valid driver's license with no recent suspensions or revocations. The study recommends that the City of Milwaukee and the Department of Corrections cooperate to help address driver's license problems prior to release.

The EARN (Early Assessment and Retention Network) Model for Effectively Targeting WIA and TANF Resources to Participants (2007)

This study requested by the Private Industry Council of Milwaukee County recommended a data-driven service delivery system for Milwaukee with early detection of barriers to employment prior to delivery of services and for targeting post-exit services to those identified as high-risk. Post-program wage data on WIA participants with less than 12 years of education showed that those with a valid driver's license were four times more likely to show earnings above the poverty level, compared to those without a current license.

The Driver License Status of the Voting Age Population in Wisconsin, (2005)

This research study funded by the Greater Milwaukee Foundation provided a first-time analysis of the driver's license issues based on the race and ethnicity of drivers and unlicensed adults in Wisconsin. Less than half (47%) of Milwaukee County African American adults and 43% of Hispanics adults had a valid driver's license compared to 85% of white adults in the balance of Wisconsin outside of Milwaukee County. For young adults ages 18-24, only 26% of African Americans and 34% of Hispanics in Milwaukee County had a valid driver's license, compared to 71% of young white adults in the Balance of the State.

Removing Transportation Barriers to Employment: The Impact of Driver's License Suspension Policies on Milwaukee County Teens (2000)

This study used Wisconsin Department of Transportation driver's license and suspension and revocation files to determine what happened to suspended teens as they reached working age and to describe differences in policy impact by neighborhood. The study identified 9,046 Milwaukee County teens (ages 16-18) with suspended licenses, with 87% of the suspensions solely for failure to pay fines.

Removing Transportation Barriers to Employment: Assessing Driver's License and Vehicle Ownership Patterns of Low-Income Populations (1998)

This study examined the Wisconsin Department of Transportation (DOT) driver's license records for 331,304 suspensions (in 1992-1996) and 125,717 revocations by type and number of actions, geocoded addresses for 491,118 Milwaukee County licensed residential vehicles, and matched driver's license and vehicle registration records to determine car ownership patterns. The Milwaukee Public Schools census and U.S. census data were used to determine driver's license and suspension rates for teenagers by zipcode, central city and suburban areas. This research work was part of a continuing effort to provide insights into the child care and transportation conundrum facing low-income families in Milwaukee County.

Among the research highlights of the above studies were the following.

- As a result of legislative reforms initiated by the CDLRE (see below), the number of revocations issued to Milwaukee County residents dropped by over 17,000 from 2009 to 2011.
- Annual OAR (operating after revocation) charges dropped from 10,124 to 64, and OWS (operating while suspended) revocations went from 5,815 to 130.
- Drug conviction suspensions have all but been eliminated under legislative reforms initiated by the CDLRE.
- License suspensions issued for failure to pay forfeiture (FPF) remain extremely high -- 97,036 suspensions in 2011. Three-fourths of suspensions issued to county residents in 2011 were for FPF rather than for unsafe driving.

- In a three year period over 23,000 residents had DOT suspensions solely for non-payment of fines and forfeitures. This does not include persons with other suspensions for unsafe driving offenses or with revocations for any reason.
- African American males in their twenties had the most serious suspension and revocation problems.
- Given the costs of driver's education for schoolage youth and failure of the state to support in-school driver's ed, far fewer minority teens had licenses or learning permits.

Center for Driver's License Recovery & Employability

One of the most promising workforce initiatives in Milwaukee is the Center for Driver's License Recovery and Employability, established in March 2007 to increase the number of licensed driver's among Milwaukee County's low income populations. The CDLRE provides driver's license recovery assistance to county residents aged 18 and above, with suspended and revoked driver's licenses, income at 200% of poverty or below, and having no pending Operating While Intoxicated (OWI) offenses. Major partners in the program include Wisconsin Community Services, Legal Action of Wisconsin, Milwaukee Area Technical College, and the Municipal Court of Milwaukee.

An analysis of license issues as of 2012 found the following accomplishments of the CDLRE from an employment perspective:

1. Aiding hundreds of county residents in handling their driver's license problems and restoring their driving privileges.
2. Dramatic reductions in the number of revocations issued in Milwaukee County and statewide.
3. Near elimination of drug conviction suspensions.
4. Promotion of programs to help lower-income teens secure affordable access to driver's ed and assistance in getting their license.
5. Recognition of the importance of helping ex-offenders restore their driving privileges.
6. Providing public education about the Failure to Pay Forfeiture ("driving while poor") suspension policies and modeling community service and installment payment alternatives.
7. Identifying the driver's license as a primary asset for employment.

The Employment and Training Institute has conducted three program evaluations of the CDLRE program from 2007 to 2010.

Third Year Evaluation of the Center for Driver's License Recovery & Employability (2010)

The ETI evaluation found continuing high license recovery success rates (57% for the three-year period) even though the client population served in 2009 had more difficult challenges (i.e., more clients without employment, more referrals from the corrections and court systems, and more clients with multiple legal problems). Clients were referred to the program from a network of City of Milwaukee, social services, employment services, legal, court, and corrections agencies and faced problems in over

100 different municipal and circuit courts. (The largest number of cases -- 2/3 of the total -- were in Milwaukee municipal court.) The program is housed in the Milwaukee Area Technical College whose students also use the program. All clients are low-income and 92% are minorities.

Second Year Evaluation of the Center for Driver's License Recovery & Employability (2008)

This evaluation tracked earnings of clients completing case management services in 2007 and found early gains of \$759 per quarter (\$253 a month) for women obtaining their driving privileges. Women successfully obtaining their driving privileges showed a 64% increase in earnings in First Quarter 2008 (compared to First Quarter 2007), while women not obtaining their driving privileges showed only 4% gains. Improvements were also seen in the unemployment rate among successful CDLRE **male** clients (dropping from 58% to 54%) and in the percentages of men earning at least full-time minimum wages. However, men's history of prior state incarceration was a stronger predictor of their First Quarter 2008 earnings than either their level of schooling or driver's license attainment. Over a fourth of male clients served by the CDLRE had records of incarceration in state correctional facilities, and 58% of these men obtained their driving privileges.

The low-income residents seeking assistance from the CDLRE faced a daunting array of obstacles for restoration of their driving privileges. They owed \$782,815 in outstanding fines and had 4,140 cases involving 60 different municipal and circuit court systems. From January to July 2008, 60% of CDLRE clients obtained their driving privileges, even higher than the 51% success rate reported for 2007. License recovery rates reached 70% for clients referred by employment service agencies and for clients who received legal services as part of their case management (the most difficult cases).

The problem of low-income residents, and particularly younger workers, driving without a license has serious negative consequences for the courts and was reflected in lower earnings reported for clients prior to their entry into the CDLRE program. Two-thirds of the teen clients (and 52% of clients in their 20s) had suspensions and revocations (many initially due to failure to pay fines unrelated to driving, such as curfew violations, jaywalking, underage drinking) but **no** driver's license. Wisconsin discontinued state support for driver's education in the high schools a number of years ago. Youth under age 18 are required to enroll in a certified driver education program (most at their own expense), and high school dropouts under age 18 are not eligible for a Wisconsin license under current rules. As of April 2008, an estimated 11,855 City of Milwaukee teens ages 16 and 17 did not have a driver's license or learning permit, and almost half of these teens lived in inner city neighborhoods.

Assessment of 2007 Client Outcomes for the Center for Driver's License Recovery & Employability (2008)

ETI reviewed the first year of operation and found high success rates in clients obtaining license privileges. All clients were low-income, 96% faced financial fines or court costs. 93% were minorities, and 2/3 were males (the group most impacted by driver's license concerns). The largest group served were African American males.

The emphasis of the CDLRE services model was on personal responsibility with clients expected to redress their licensing problems. Clients were provided advice on the steps required to restore or obtain their driving privileges and offered tools needed to maintain a clear license in the future. Case managers and legal staff provided training to clients on how to work through the court systems, identify deadlines and action steps required, and monitor each client's progress. One important feature of the CDLRE program was developing supervised community service alternatives for clients unable to meet the financial costs of outstanding fines and fees. Nearly half of the clients coming to the CDLRE performed community service work to help pay their outstanding fines.

News Features on ETI Driver's License Research

In summer of 2015 Pawasarat provided research to Vivian Wang, a Yale University student with an internship at the **Milwaukee Journal Sentinel** and interested in pursuing the research ETI had conducted related to correlations between driver's license suspensions and Milwaukee high rates of black male incarceration. The summer-long collaboration resulted in a 3,200-word feature article in August 15, 2015, by Wang on "*Ticket to Nowhere: The Hidden Cost of Driver's License Suspension*," summarizing ETI research studies, with interviews with ETI researchers, and including original research work by Wang and the MJS staff.

The news feature was followed by a **Milwaukee Journal Sentinel** editorial detailing recommendations for improving court practices and drawing on ETI research. The **Washington Post** quoted from the MJS story at length in its August 26, 2015, online newspaper.

Wisconsin Public Radio consulted with Pawasarat for background research for the Kathleen Dunn Show for its August 26, 2015, coverage of "The High Cost of Driver's License Suspensions" and its November 16, 2015 coverage on "Criminal Justice Group Launches Initiative to Reduce Prison Population: WISDOM Looks to Get More Inmates Eligible for Parole Out of Prison."

The **Milwaukee Neighborhood News Service** developed a 5,300 word "Special Report on Milwaukee Municipal Court: Residents of Poor Neighborhoods See More Than Their Share of Costly Municipal Citations," with reporter Brendan O'Brien using ETI research and additional data requested from John Pawasarat for this in-depth feature. The Milwaukee NNS frequently includes research findings from the Employment and Training Institute in its news coverage.

2007 Driver's License Recommendations: Milwaukee Journal Sentinel Editorial Board

The use of the driver's license in Milwaukee as punishments for not paying fines (and leading to thousands of license suspensions) was the subject of a community discussion convened on June 11, 2007, by the **Milwaukee Journal Sentinel** editorial board. The discussion included Tyrone Dumas of the Milwaukee Public Schools; James Gramling, former Milwaukee municipal judge; Herman John of the Milwaukee Bar Association; and John Pawasarat, director of the Employment and Training Institute. Following this session, the editorial board launched an occasional series on "**No License: A Roadblock to**

Work" and issued recommendations for improving the current situation where thousands of Milwaukee County workers have suspended or revoked licenses.

The editorial board recommended the following. (See the [January 19, 2008 *Milwaukee Journal Sentinel* editorial](#) for the rationale for each recommendation.)

1. The state (Governor Jim Doyle and the Wisconsin Legislature) should "opt out of a federal law that requires at least a six-month suspension of driver's licenses for all drug offenses."
2. The state should "require the courts to grant indigent or low-income defendants reasonable installment payment plans in lieu of the automatic suspension of their licenses."
3. The state should allow state courts to "sentence indigent defendants to community service in non-criminal traffic offenses."
4. The state should "encourage courts to collect overdue fines through holds on income tax refunds."
5. The state should "reinstate universal driver's education in the public schools."
6. The state should "bar courts from charging fees to reopen driver's licenses."
7. The state should "step up funding for agencies . . . such as the Center for Driver's License Recovery and Employability."
8. "Agencies involved in boosting employment [i.e., the Milwaukee Area Workforce Investment Board and the W-2 agencies] should milk driver's license data to identify participants who need help in getting valid licenses."
9. "The state Department of Workforce Development should require that Wisconsin Works agencies aggressively seek to help their clients repair any driver's license problems."
10. "The Department of Corrections should help its population to obtain valid driver's licenses upon release."
11. Local governments should "forbid the use of driver's license suspension for non-payment of fines."
12. The Milwaukee Common Council should end the "practice of requiring residents to pay for the privilege of parking in front of their homes."
13. "Employers should require a license only if it's related to the job."

Full copies of the *Milwaukee Journal Sentinel* editorials are available online, along with a streaming video discussion of the issues, at the following websites:

- "Editorial: Unfair suspensions leave workers idling. Revoking or suspending driver's licenses in Wisconsin has made it all that much harder for low-income residents to obtain and retain employment" [Milwaukee Journal Sentinel, January 19, 2008](#). An accompanying [article by Gregory Stanford](#) traced the experience of three Milwaukee residents in restoring their driving privileges with assistance from the Center for Driver's License Recovery & Employability.
- "Editorial: Stranded in Milwaukee. City officials are right to push for more jobs in the central city, but why do they make thousands of residents less employable by taking away their driver's licenses?" [Milwaukee Journal Sentinel, July 27, 2007](#).

- "Editorial: The poor take a big hit if a license becomes a club. Officials should scotch laws that take away driving rights for non-driving offenses. The lack of a license amounts to a big competitive disadvantage in a metro area built for the automobile" [Milwaukee Journal Sentinel, June 17, 2007](#).
- A perspective paper outlining the importance of the [driver's license as a link to employment](#) by John Pawasarat.
- The Milwaukee Journal Sentinel editorial board discussion session in [streaming video](#).
- A column by Eugene Kane, "[Restoring driver's license is key to opening many doors](#)" encourages "outlaw drivers" (who continue to drive after receiving suspensions based on unpaid parking tickets and traffic violations) to "come in from out of the cold" by redressing these problems through the Center for Driver's License Recovery & Employability.

Milwaukee Shepherd Express Concerns with Safety

The ***Milwaukee Shepherd Express*** has explored safety issues related to teens not obtaining their driver's licenses due to state cut-offs of aid support for driver's education in the schools and requirements that 16 and 17-year-olds take a commercial or school driver's ed program prior to obtaining their probationary license. See:

- [A Simple Solution to Unemployment: Driver's licenses are key to finding work](#) (December 4, 2008)
- [Teen Driving Privileges Are Key to Employment and Safety: Driver's education and legal assistance will help](#) (December 11, 2008).

License Initiatives in Other States

In 2015 the **State of California** adopted legislation directing the courts in each of its 58 counties to implement an 18-month amnesty program for residents issued driver's license suspensions for non-driving reasons (i.e., failure to pay child support, failure/inability to pay court fines, truancy, non-moving violations) and to develop reduced payment plans for those with poverty-level incomes. This initiative is expected to impact up to four million California residents and is based in large part on research conducted by ETI in Wisconsin.

The **San Francisco's Office of Economic & Workforce Development** is using the state mandate and drawing extensively on ETI's driver's license research and evaluation work in developing a new city/county/state initiative addressing driver's license suspension problems and lack of licensing among lower-income residents.

The Mobility Agenda, an Annie E. Casey initiative, described license recovery efforts in Maryland and New Jersey in a 2008 report on [Access to Driving and License Suspension Policies for the Twenty-First Century Economy](#).

- In **Baltimore** lawyers for the Legal Aid Bureau have successfully challenged state practices to suspend licenses for non-custodial parents, arguing that reinstatement of the driver's license or allowing work-restricted licenses to allow the parent to work is in the child's best interest. Research in 1997 found that 9,000 non-custodial parents in Maryland had had their licenses suspended but only about 800 had gotten these licenses reinstated.
- In **New Jersey** a 2001 study found that more than half of nearly 200,000 New Jersey drivers with suspended licenses had received the suspensions for failure to pay fines or fees rather than for safety violations. In response, the state legislature created a Motor Vehicles Affordability and Fairness Task Force which recommended an amnesty program and consideration of a "restricted license category" to help drivers with suspensions retain their jobs. A pilot License Reinstatement Program operates in Essex County.

A 2005 study by the Annie E. Casey Foundation and The Brookings Institution reported on license suspension policies affecting workers in 14 major U.S. cities. The study reported that "failure to pay a fine or appear in court is almost always the number one cause of license suspensions or revocations....Many times these fines or court appearances are for relatively minor driving or parking offenses, or non-driving related violations." (p.2) Most states studied offer a conditional license allowing suspended drivers to get to and from work.