

## Suspended license filings up for ML municipal court in '05-07

*The number of driving while license began increasing during 2006*

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Medical Lake Municipal Court filings showed moderate spikes in the numbers of cases handled by the city from 2005 to 2007.

Total court filings showed numbers climbing higher in both 2006 and 2007 from a count of 500 cases filed in 2005, the highest spike showing in the criminal traffic-other category, which includes driver license suspensions in the third degree. Medical Lake Municipal Court Justice Richard Kayne, who presented biennial stats to the City Council on Feb. 19, said this is a state wide trend.

The number of third-degree driving while license suspended cases started to climb in 2006 following reinstatement of a state law that made it a criminal offense. The number of infractions accounted for over 100 filing cases in 2007, up from less than 100 in 2006. Last year's increase was far less than the spike between 2005 and 2006.

In Washington state, it's easy to have a license suspended, Kayne said. The driving force behind most suspensions is money, as individuals in this category often face personal financial issues that prevent them from paying fines, which get reported to the State Department of Licensing, and results in a suspension of the license. In some cases, drivers don't know their license has become suspended if they've recently moved and not confirmed a change of address with the DOL. Address changes submitted through the postal service are not forwarded through to the DOL, which can compound fees.

Third-degree suspended licenses can also result from having no insurance in the event of a traffic accident, or failing to pay child support.

"It becomes a Catch-22 for a lot of people...particularly low-income people, to start with a simple ticket, which compounds itself into a criminal charge," Kayne said.

The court currently offers a re-licensing program that gives incentives to drivers to get their licenses reinstated. The program is based on similar programs currently used by the city of Spokane that come and go with grant funding, though the city incurs no cost to offer the service, as it's been worked into regular court proceedings. Drivers are given the option at the time of arraignment.

"The effort is really focused on people getting their licenses back," Kayne said of the program, in which drivers are provided information explaining the conditions of their suspension, and what fines they must pay. If drivers can have their license reinstated within 60 days, the court dismisses the criminal charge, and the infraction becomes a NVOL (no valid operator license) No. 2 and will cost a fine of \$128 dollars. The driver must have picture identification to get the No. 2 charge; otherwise the criminal charge will be retained as a NVOL No. 1.

The program offers some time flexibility for people needing more time to meet the required terms of their reinstatement; so long as they provide record they're making substantial progress.

The criminal ticket is a powerful incentive to restoring licenses, Medical Lake city attorney Cindy McMullen said.

“Our philosophy is that we want our drivers to be licensed and insured if they’re driving... it’s really a benefit to everyone on the road,” McMullen said.

About 95 percent of city cases that use the program end with licenses getting reinstated, she added.

In other statistics, the number of criminal non-traffic filings was down slightly a second year in 2007, including domestic violence.

City Administrator Doug Ross questioned whether or not DV is a continuing issue for Medical Lake, to which Kayne said DV accounts for “a big chunk” of court cases.

“Looking at the statistics from 2006 to 2007...you don’t see a rise in the number of cases filed. But that number doesn’t always reflect what happens,” he added.

McMullen added the court’s DV advocacy series added last year through the Spokane YWCA helped create some reduction in the number of repeated DV cases in the community.

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