



## EQUAL JUSTICE UNDER LAW

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### **FOR IMMEDIATE RELEASE**

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#### **Driving While Poor in Montana**

*Montana Sued for Suspending Driver's Licenses of People Who Are Poor*

*Butte, Montana* – Today, Equal Justice Under Law, a national civil rights non-profit based in Washington, D.C., filed a class action lawsuit against Montana for suspending driver's licenses of people with safe driving records because they are too poor to pay traffic tickets or court costs. Every year Montana suspends the licenses of an estimated 10,000 people because they are unable to pay court debts. This lawsuit alleges this scheme is fundamentally unfair and violates the Constitution.

One Montana resident struggling under this policy is 22-year-old Michael DiFrancesco, who has never been charged with a moving traffic violation. Yet, Montana prevents him from having a license because he was too poor to pay a ticket for possessing alcohol when he was underage. His court debt has now ballooned to nearly \$4,000. Without a license, it's difficult for him to travel to his job as a construction worker, so he has experienced intermittent unemployment and homelessness.

Buddy Rutzke, a public defender speaking on his own behalf, says, "Almost every week, I have a heartbreaking conversation with a client who is doing everything he or she can to be a law-abiding, working member of the community, but the government has punished he or she in a way that makes that impossible. This is especially true for all but a handful of Montanans who don't have chauffeurs or affordable and reliable public transit nearby that can get them to where they need to be in order to live, work, and comply with a court's orders."

Phil Telfeyan, lead attorney and Executive Director of Equal Justice Under Law, says, "Especially in a state like Montana with few public transportation options, losing a license is devastating. Unable to drive, people often lose their jobs or have a hard time finding employment, making it even more unlikely that they will be able to pay their debts to the state. This system traps people who are poor in an impossible cycle of poverty. It needs to end."

The lawsuit has been filed in partnership with Robert Farris-Olsen and Scott Peterson of Morrison, Sherwood, Wilson & Deola, PLLP.

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Equal Justice Under Law is a legal nonprofit providing pro-bono legal services to those most in need. The organization is dedicated to achieving equality in our justice system by litigating for change in the most pressing areas of wealth-based discrimination. Since its founding in 2014, Equal Justice Under Law has filed twenty-nine lawsuits in fourteen states and the District of Columbia targeted at ending unequal practices in our justice system.