

The Virgin Islands Consortium

Dept. Of Justice Has Suspended Over 40 Driver's Licenses As Crackdown On Child Support Delinquency Continues

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ST. THOMAS -- The Department of Justice in a teleconference with media houses on Monday, announced that it had suspended well over 40 driver's licenses of parents found to be delinquent on child support payments, as the department continues to push its zero tolerance for delinquency policy.

The announcement, along with many others, was made by Claude Walker, the territory's attorney general, and Kathryn Jensen-deLugo, D.O.J.'s Paternity and Child Care Division program administrator.

D.O.J. has also reinstated at least 4 driver's licenses, Mr. Walker noted, as he attempted to reassure concerned residents that once the issue of nonpayment is satisfied, the department also has the authority to remove the restrictions. To remove the suspension, the delinquent parent must first pay in full the arrears owed, or agree to a payment plan with D.O.J. clearly demonstrating the ability and willingness to pay.

"We're making it clear to the public that although we have the authority to suspend, we also do reinstate," Mr. Walker said. The suspension, however, goes beyond driver's licenses, they include professional licenses as well, according to Mr. Walker. He said D.O.J. has noticed a number of business sectors where the problem of delinquency is prevalent, among them taxicab drivers and contractors.

Mr. Walker, stating that most delinquent child support parents are fathers, said D.O.J. has the ability to track mothers who are forced to seek financial assistance from the Department of Human Services. "That means it's the taxpayers ultimately who are paying for this," he said. "We see this clearly in the data of the mother having to get SNAP [Supplemental Nutrition Assistance Program] and then come off of it as she must, if she has the required child support payments." D.O.J. is also working on a new list of driver's license suspensions, but will first give the delinquent parents a last chance to come into compliance with either face-to-face meetings, or some form of notification.

The department revealed its most recent territory-wide child support collection figures, with a total of \$543,240 being collected in April; \$727,250 in May; and \$532,024 in June. The dollar figure fluctuates by month based on a number of reasons, said Mrs. Jensen-deLugo, including children coming into adulthood (called emancipation) which clears parents from being required to make payments, and loss of employment. Primarily, however, a significant fluctuation will occur when D.O.J. garnishes wages -- including tax intercept or seizure of a bank account, Mrs. Jensen-deLugo said. These types of collections are not done every month but several times throughout the year.

As for passports, D.O.J. does not directly enforce restrictions, that aspect is controlled by the Department of State; D.O.J.'s job is to report the child support delinquency with D.O.S. However, according to Mrs. Jensen-deLugo, "I can tell you that if I have 50 people on my license suspension list, then 50 people's passports are restricted." She explained that once a delinquent parent arrives at \$500 in arrears, this person is automatically reported to the Credit Bureau. Once the arrears amount arrives at \$2,500, every other type of enforcement -- from passport restrictions, driver's and professional license suspensions and bank account seizure -- happens automatically.

While the automation program existed in the Department of Justice for years -- long before the current administration -- it wasn't until the Mapp administration that enforcement measures were being pursued, Mrs. Jensen-deLugo said. Giving an example, Mrs. Jensen-deLugo said while most U.S. states have an automated system for license revocation, the territory has to rely on manual enforcement. "I can tell you that for five years prior to this administration, that process was not being followed through with," she said.

D.O.J. has a zero arrears balance policy. "In other words, if you owe \$2,500 or more, you must pay off your balance unless you request a hearing for modification and the judge grants you a modification on your order, which grants you credit for a portion of that

money," Mrs. Jensen-deLugo said. She said the program was failing in that area prior to the current D.O.J. leadership.

But suspending people's driver's and professional licenses and the restriction of passports can be counterproductive, Mrs. Jensen-deLugo said. That is why D.O.J. favors working with delinquent parents for solutions that would see payments being made. And it's the reason the A.G. has been encouraging parents to enter into a payment plan or request a hearing for modification, which Mrs. Jensen-deLugo said parents have every right to, "because we cannot take money that you're not making," she said.

For Mr. Walker, however, the mission is clear: The Department of Justice, under his tenure, will not tolerate the neglect of child support by able parents, whether these parents be government employees, are part of the private sector, or own businesses themselves.