



**House
Legislative
Analysis
Section**

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BAN TRAFFIC TICKET QUOTAS

House Bill 4538 as enrolled
Second Analysis (1-25-89)

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FEB 08 1989

Sponsor: Rep. Perry Bullard
House Committee: Judiciary
Senate Committee: State Affairs, Tourism, and
Transportation

Mich. State Law Library

THE APPARENT PROBLEM:

It appears that a number of law enforcement jurisdictions may require, or at least encourage, their officers to meet quotas for issuing traffic tickets. This has been a matter of long-standing concern for both officers and the general public. Many believe that quota systems overemphasize a relatively minor aspect of law enforcement and tend to divert attention from more serious crime-fighting, and that ticket quotas should therefore be restricted.

THE CONTENT OF THE BILL:

The Michigan Vehicle Code states that a police officer is not entitled to any fees for issuing a civil infraction citation. The bill would in addition provide that a police officer could not be required to issue a certain number of citations, including parking and standing violations, unless issuance was part of the officer's evaluation system. In any event, issuance of citations could not be given any greater consideration than any other factor used in evaluating an officer's performance.

It is at present considered misconduct in office punishable by removal for a police officer, judge, or magistrate to violate the provision regarding fees for issuing citations. The bill would extend this penalty to any person employed by the state or local unit of government.

MCL 257.750

FISCAL IMPLICATIONS:

The House Fiscal Agency says that the bill would have no fiscal impact. (1-25-89)

ARGUMENTS:

For:

A survey of officers' representatives conducted by the Fraternal Order of Police indicates that many, if not most, law enforcement jurisdictions in Michigan have some sort of quota system for issuing traffic tickets. Quota systems for traffic tickets can mean that undue attention is given to dealing with minor offenses. By demanding that ticket-issuing be given no greater consideration than any other factor in evaluating an officer's performance, the bill would encourage law enforcement agencies to concentrate on serious crime.

Response: The degree to which ticket quotas exist is a matter of dispute and therefore the degree to which a problem exists is unclear.

Against:

There are many good reasons why police officers should be writing traffic tickets: officers are supposed to enforce all laws, not just the ones they like; traffic laws are important to public safety; and often criminals are caught

during routine traffic checks. Moreover, it is reasonable to use ticket writing as a criterion in evaluating an officer's performance.

Response: The bill would not prevent using ticket-writing in evaluating an officer's performance; it would, however, prohibit ticket-writing from being given greater weight than other factors which may have more to do with an officer's effectiveness.

Against:

Ticket quotas should be banned, as the bill originally proposed to do. Ticket quotas may place undue emphasis on relatively minor offenses, diverting resources from more important aspects of police work. The bill should ensure, through a prohibition on quotas, that jurisdictions do not hold their officers to arbitrary quotas that may have more to do with generating revenues than fighting crime.

H.B. 4538 (1-25-89)