

TRANSPORT

## In Praise of Traffic Tickets

Don't roll your eyes. They're good for you in more ways than you think.

By Tom Vanderbilt

Posted Friday, Aug. 28, 2009, at 1:36 PM ET

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What do Timothy McVeigh, Ted Bundy, David "Son of Sam" Berkowitz, and 9/11 ring-leader Mohammed Atta have in common? They're all murderers, yes, but another curious detail uniting them is that they were all also brought to police attention by "routine" traffic violations.

While living in Florida, for example, Mohammed Atta ran afoul of traffic law on numerous occasions. An arrest warrant was even issued after he skipped a court appearance (related to not having had a valid driver's license during a traffic stop), which raises the haunting possibility that his fatal path might have been interrupted had these transgressions been linked to other legal violations, such as overstaying a visa. (In fact, at least [two of the other 9/11 hijackers](#) had been pulled over for speeding, too.)

As anyone who has seen the "cherries" flash in the mirror will understand, the dreaded and oft-scorned traffic stop is the most common scenario in which Americans encounter the police—indeed, for many, the only one. According to Department of Justice estimates, in 1999 there were 43,800,000 "contacts" between police and the public nationwide, and 52 percent of these were traffic stops. And, however unfair or annoying we make traffic stops out to be, I want to point out their broad social usefulness.

Police insist there is no such thing as a "routine traffic stop." For one, there is the hazard of the stop itself. One analysis found that in a 10-year period, 89 officers were killed and more than 600,000 were assaulted by the persons they had pulled over. And a cursory scan of the morning headlines will attest that supposedly routine stops for speeding or some other violation often result in a trunk's worth of drugs, a cache of hidden weapons, or an outstanding warrant for some other violation (though [a recent Supreme Court ruling](#) against "warrantless searches" may limit the number of cases in which such evidence is found).

Which brings us to the first social benefit of the traffic ticket: It is a net for catching bigger fish. One reason simply has to do with the frequency of the traffic stop, particularly in a country like the United States, where the car is the dominant mode of transportation: Most crimes involve *driving*. But another factor is that people with off-road criminal records have been shown, in a number of studies, to commit more on-road violations. A [U.K. study](#) (whose findings have been echoed elsewhere) that looked at a pool of driving records as compared with criminal records found that "2.5% of male drivers committed at least one primary non-motoring offense between 1999 and 2003 but this group accounted for 30.6% of the men who committed at least one 'serious' motoring offense." (Interestingly, the proportion was even more marked for women.)

It might seem logical that someone willing to commit crimes off-road would be willing to drive in a criminal manner—that a low regard for the law translates across environments. But what about otherwise law-abiding citizens who flout traffic laws? Here we encounter the general and long-standing reluctance in the United States to consider traffic violations to be "real" crime. Instead, as sociologist H. Laurence Ross has observed, they tend to be regarded as "folk crimes": seemingly lesser acts of "everyday deviance," perhaps victimless, perhaps white-collar, perhaps the type committed by people you know. They're the sort of crimes—unlike, say, the pathological rampage of a serial killer—you might

look at and say, "There but for the grace of God go I."

Even the most socially abhorrent driving crimes, like a fatal crash involving an alcohol-impaired driver, often evoke curiously lenient legal responses. Consider the nonautomotive case of Plaxico Burress, who accidentally shot himself with an unregistered, concealed gun. Stupid? Yes. Illegal. Yes. End result? A painful leg injury (to himself)—and two years in jail. Now compare that with fellow NFL player Leonard Little, who in 1998 ran a red light and smashed into a car whose driver died the next day from her injuries. Little was found to have a BAC of 0.19, more than twice the legal limit in the state of Missouri. Stupid? Yes. Illegal? Yes. End result? Another person lost her life. Little's sentence, compared with Burress', was minor: 90 days. He missed only eight football games and was able to keep his license.\*

One often hears, in cases like this, comments along the lines of "his guilty conscience will be punishment enough." But *ex post facto* regret is worthless from the perspective of public health, which seeks *preventative* measures to stop people from dying. Which raises the second benefit of traffic tickets: They help keep people—drivers and those outside the car—alive. Several [studies](#) have found a "negative correlation" between someone receiving a traffic violation and their subsequent involvement in a fatal traffic crash.

The consequences of *not* issuing tickets were shown in a [recent study](#) of traffic violations in New York City. From 2001 to 2006, the number of fatalities in which speeding was implicated rose 11 percent. During the same period, the number of speeding summons issued by the NYPD *dropped* 11 percent. Similarly, summonses for red-light-running violations dropped 13 percent between 2006 and 2008, even as the number of crashes increased. As an alternative approach, consider France, where the dangerous driver is as storied a cliché as a beret on the head and a baguette under the arm. As the ITE Journal notes, since 2000, France has reduced its road fatality rate by an incredible 43 percent. Instrumental in that reduction has been a roll-out of automated speed cameras and a toughening of penalties. For example, negligent driving resulting in a death, which often results in little punishment in the United States, carries a penalty of five years in prison and a 75,000-euro fine.

The "folk crime" belief helps thwart increased traffic enforcement: Why should the NYPD, whose resources and manpower are already stretched, bust people for dangerous driving when they could be going after murderers? Well, apart from the fact that more people are killed in traffic fatalities in New York City every year than they are in "[stranger homicides](#)," there is the idea, related to the link between on-and-off-road criminality, that targeting traffic violators might be an effective way to combat other crimes. Which brings us to the third benefit of traffic tickets: increased public safety. Hence the new Department of Justice initiative called DDACTS, or Data Driven Approaches to Crime and Traffic Safety, which has found that there is often a geographic link between traffic crashes and crime. By putting "high-visibility enforcement" in hot spots of both crime and traffic crashes, cities like Baltimore have seen reductions in both.

The program recalls the "broken windows" theory, made famous by James Q. Wilson and George Kelling, which argued, using the metaphor of one broken window on a building inexorably leading to more, that not enforcing smaller, "quality-of-life" issues encourages larger transgressions:

Window-breaking does not necessarily occur on a large scale because some areas are inhabited by determined window-breakers whereas others are populated by window-lovers; rather, one unrepaired broken window is a signal that no one cares, and so breaking more windows costs nothing.

Both broken windows and data-driven policing have offered as at least partial explanations for New York City's declining crime rate, and it would seem logical that a [similar program](#) would help reduce the level of traffic deaths and injury. One person driving fast, or going through a red light, or even failing to signal, is essentially a broken window—a sign that no one cares. But again we come up against social resistance in equating aggressive driving with crime. This was nowhere more evident than [in a review of my book \*Traffic\*](#) by James Q. Wilson himself, who opened with the statement: "I drive my car very fast." Now, I have no way of knowing how fast "very fast" is or where he does this fast driving. And even though the review is a nice one, I couldn't help but notice the irony that this behavior is presumably

against the law, and the fact that he does it without reprimand contributes to a lessened respect for traffic law and perhaps the law itself. ("We suggest," as it was put in the broken-windows article, "that 'untended' behavior also leads to the breakdown of community controls.")

Even the progenitor of broken-windows theory cannot see how it might apply to the public space of the road, which speaks to the conflicted feeling we have toward traffic laws. On the one hand, surveys do find a clear majority of people concerned about traffic violations. (In [one study](#), speeding on residential roads ranked as the No. 1 "antisocial behavior" people were concerned with.) On the other hand, drivers routinely speed through residential environments. Since we all tend to emphasize "other drivers" as the problem in any traffic incident, traffic tickets, when they do come, can be written off as bad luck or merely some cop "making a quota."

On that front, in fact, there is some [evidence](#) that local police do indeed issue more tickets when their communities are faced with budgetary problems. [A study](#) by economists Michael D. Makowsky and Thomas Stratmann found that Massachusetts towns in "financial distress" were more likely to issue a ticket than give a warning to out-of-town drivers. But they also found that out-of-town drivers were more implicated in crashes and, finally, that an increase in tickets not only bolstered the town's coffers; it led to fewer crashes.

*Correction, Aug. 30, 2009: This piece originally stated that Leonard Little missed just six football games after his 1998 crash and racked up another DUI six years later. In fact, he missed eight football games, and he was not convicted of driving while intoxicated in the later incident. ([Return](#) to the corrected sentence.)*

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