

RESOLUTION REGARDING ESCONDIDO' S TRAFFIC CHECKPOINTS

(Passed June 12, 2010)

Whereas, it has been declared in 2005 by the Ninth Circuit Court of Appeals that lack of a valid driver's license is not a sufficient reason to impound a car, and is an "unreasonable seizure under the Fourth Amendment of the United States Constitution," the Escondido Democratic Club (EDC) questions the Constitutionality of the Escondido Police Department's use of such impounds.

Whereas, the prime purpose of driver's license(DL)/driving under the influence (DUI) checkpoints is to get unlicensed and drunk drivers off the road, and while unlicensed drivers as a whole do represent a population more likely to be involved in fatal accidents than licensed drivers, the information on unlicensed drivers does not determine what percent of unlicensed drivers are illegal immigrants, so it is not proven that illegal immigrants are more dangerous drivers than the general population of drivers. Also, drivers stopped at DUI/DL checkpoints who have no license will have their cars impounded for a minimum of 30 days (average fee: \$2,000), while those stopped and arrested for DUI's with a licenses can get their cars the next day. The EDC finds this practice of DUI/DL stops to be an excessively punitive practice on residents least able to afford such fees.

Whereas, the remuneration for such impounding of cars is profitable to the towing companies employed by the City of Escondido, and an addition to the budget of the City, the EDC finds such a practice to be contrary to good governance.

Whereas, only 0.48% of all drivers screened in California at DL/DUI checkpoints were arrested for DUI or other criminal reasons, while in the roving/saturation patrols (DUI/sat.) vehicle stops 18 percent of the drivers in vehicle stops were arrested, and, further, each DL/DUI checkpoint cost the taxpayers \$4,000 and the DUI/sat. patrols cost the taxpayers \$16,000, the EDC finds that the DL/DUI checkpoints a non-cost effective use of taxpayer funds.

Whereas, while most cities in California showed a decrease in violent crime in 2009, compared to 2008, the City of Escondido showed a 22 percent increase in violent crime over that same period, the EDC feels that the Escondido Police Department's time has been ineffectively spent on the DL/DUI checkpoints, and would have been better spent on routine patrols.

Be it Resolved the Escondido Democratic Club recommends that the City of Escondido henceforth desist from further DUI/DL checkpoints, and use those funds allocated for DUI reduction in roving/saturation patrols.

