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The Cauthorn Report

Speed Traps – Helping Curryville, Auxvasse Revenue - Crippling Northeast Image

Macks Creek. The Missouri city is synonymous with one thing – speed traps. A few years ago the city set speed traps to bring in more revenue for the city. Eventually the state put an end to their shifty practices.

Curryville and Auxvasse may soon bring that same reputation to northeast Missouri. We are seeing some cops attempting to reign in some extra cash for their city. Actions taken by their law enforcement is wrong and unnecessary to protecting citizen safety.

Sometimes a city police officer will have privileges granted by the county sheriff. If they are “deputized” or “commissioned by the county” they can pull a driver over for a county violation.

However, they can’t use that power to enforce city ordinances throughout the county. City police that have rights to patrol the county cannot use that power to enforce city ordinances. They hope that most people will just simply pay the fine, which they usually do, to avoid trouble with the law.

In the case of Curryville, they have a right to enforce laws on the highway that travels through their city. Auxvasse, on the other hand, has no need to be patrolling Highway 54. The highway doesn’t travel through their city. Patrolling it does not protect Auxvasse housing or businesses.

Law enforcement should protect citizens - not generate revenue. The Missouri Highway Patrol, for instance, enforces state statutes. They do not make one dollar from a citation. Money collected from their citations is channeled to schools and other sources directed by state law.

I’ve seen and heard of actions involving Curryville and Auxvasse law enforcement that are unnecessary. The following three scenarios are violations of driver’s rights. Yet many motorists are unaware of the intricacies of the law.

In the first scenario, suppose the officer from City ‘X’ is patrolling County ‘A’. If they pull you over outside city limits, the ticket needs to be handled in the county courthouse. There have been times I’ve seen city police pull folks over outside city lines. Let me be clear here – make sure that ticket goes to the county courthouse and not the municipal court.

In the second scenario, suppose the officer witnesses a violation occurring within city limits. The officer cannot chase the car out of city limits and give a citation. Either the officer needs to pull the vehicle over and have it return to city limits, or the officer needs to get descriptive information for a warrant.

In scenario three, the officer writes a ticket using state statute as the violation. If state statutes are used, then the ticket should go to county court. Violations of state statute are not sources of revenue collectable in municipal court.

City police, and the city council members allowing – if not encouraging - the act, are going to bring a bad image to travelers coming through our region. Because of Macks Creek, state law says a city cannot have more than 45 percent of their budget come from traffic violations on state highways.

The law stopped Macks Creek. But 45 percent of a city budget is a really high plateau. If you are driving outside of city limits and get a citation from city police double-check the ticket. Make sure the scenario is legitimate before paying the fine.

Clearly, these scenarios are the exception, not the rule, for our law enforcement officials. Protecting citizens by looking for dangerous motorists is the number one priority of law enforcement. Collecting revenue is not. Curryville and Auxvasse city police need to focus more on protecting citizen safety then collecting revenue.

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