

Be Careful Where You Park this Summer

Parking tickets are as common as sunburns in the summer. One common method used by parking enforcement officers to catch violators is the infamous chalk stick. Allison Taylor, a resident of Saginaw, Michigan, was fed up after receiving her fifteenth parking ticket in a three-year period. To add insult to injury, the same parking officer wrote up all fifteen tickets. She filed a civil rights suit against the City of Saginaw on the legal theory that chalking tires without a valid search warrant constitutes a violation of the Fourth Amendment's protection against unreasonable searches.

Initially, the lawsuit was dismissed by a United States district judge in Michigan. The judge reasoned that although chalking tires constitutes a search, the search is reasonable, especially with the reduced expectation of privacy for vehicles and the "community care taking" function served through enforcing parking rules. The Sixth Circuit Court of Appeals agreed that chalking tires constitutes a search, but disagreed that chalking tires constitutes a reasonable search. As the court reasoned, chalking tires without even an "individualized suspicion of wrongdoing" is the essence of unreasonableness.

Is this going to reduce parking tickets? Maybe not. Orin Kerr, a professor of law at the University of Southern California argues that parking enforcement officers can sidestep a Constitutional violation by taking pictures of cars instead of chalking tires. And even then, sometimes it is easier to pay a parking ticket than mount a Constitutional challenge against a city's parking enforcement methods. So, for now, be careful where you park this summer.



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2. Reykjavik, Iceland - \$583 from Honolulu on Air Canada (12178 miles roundtrip or 4.8 cents per mile)



3. San Juan, Puerto Rico - \$579 from Honolulu on United Airlines (11684 miles roundtrip or 5 cents per mile)



"Again, I ask the prosecution to stop badgering the witness!"