

SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PARK,

Defendant.

CITY OF SANTA ANA POLICE
DEPARTMENT,

Case II

SETTI

Real Party In Interest.

Case No.: SA137669PE

ENGROSSED SETTLED STATEMENT

30-2009

The Court, having set a Settled Statement hearing, the City of Santa Ana appearing and the defendant failing to appear and failing to submit a Settled Statement, now settles the Engrossed Settled Statement submitted by the City of Santa Ana as the engrossed settled statement on this case.

The following is a summary of what transpired during the court trial in the abovereferenced matter, heard by Commissioner Daniel M. Ornelas on May 27, 2009:

Santa Ana Police Department Officer Mark Bell was sworn and testified as to his
responsibilities, including the review of evidence obtained from an automated red light camera
system. In addition, Officer Bell testified that he has received classroom and field training
detailing the function of the automated system and has been certified to operate the Redflex
Smart-Cam System.

- 2. Officer Bell testified that, pursuant to California Vehicle Code section 21455.5(a), a program to issue only warning notices for thirty (30) days commenced on May 18, 2003, through June 30, 2003. Officer Bell further testified that the system is identified by signs, clearly indicating the system's presence, visible to traffic approaching from all directions and/or at all major entrances to the City.
- 3. Officer Bell testified that, pursuant to California Vehicle Code section 21455.6(a), a public hearing was conducted by the Santa Ana city council on July 1, 2002, on the use of automated enforcement systems. Officer Bell additionally testified that public announcements were made on May 16, 2003, when the Agenda for the Public Safety Committee was posted; also, in the form of a press conference and media release on May 27, 2003, part of which was published in the Orange County Register and Los Angeles Times on May 28, 2003.
- 4. Officer Bell testified that, on February 17, 2009, an event was recorded via an automated red-light enforcement system and reviewed for any evidence of a violation of California Vehicle Code section 21453 (a) or (c). A citation was issued for a violation, which appeared to be committed by the driver of Toyota (California license plate number traveling southbound on Bristol at Segerstrom, in the #3 lane. The vehicle appears to cross the limit line on a red light. The violation was committed at approximately 1:47 p.m. on February 17, 2009. Officer Bell additionally testified that, according to data collected at the time of the incident by the automated enforcement system, the light had been red for approximately 1.2 seconds at the time the first photograph was obtained, and the vehicle was traveling approximately 17 miles per hour. Further, the yellow phase is 4.0 seconds and the speed limit for this street is 40 miles per hour.
- 5. A true and correct copy of the notes used by Officer Bell during his court testimony regarding the automated red light camera citation is attached herewith as Exhibit "A" and incorporated herein by this reference.
- 6. People's Exhibits # 1, 2, 3, 4, 5, 6, 7, and 8 were introduced and received into evidence by the court. A true and correct copy of these exhibits are attached herewith as Exhibit

"B" and incorporated herein by this reference. A copy of the video may also be provided upon request to the Real Party In Interest. Dated: September 9, 2009 Judge of the Superior Court EL:kp

Engrossed Settled Statement