

8-22-17

Subject: Red light cam renewal, 8-24 Capitola council agenda

Honorable Councilmembers:

On the council agenda for this coming Thursday is a staff recommendation to extend the City's red light camera ticket program for another two years. (The present contract provides that absent action by the Council, the extension will occur *automatically*.)

Here's the errors and omissions I've found in the staff report.

A. Staff claims a BIG drop in accidents, but they graphed ALL accidents while they should have looked at just injury accidents (fender benders must be excluded as reporting of them varies with the police department's willingness to respond to a minor accident). Further, staff may have cherry picked the years; to represent accidents before the cameras were installed, they chose just one year, 2005, which was the year the cameras were being installed. Curiously, their graph doesn't include the years right after the cameras were installed.

Here is an example, from another red light camera City, illustrating why fender benders must be excluded from the stats. A staff report presented to the city council in the City of Ventura in 2015 demonstrated the effect of the cost cutting that was common ten years ago - and some sleight of hand. (Ventura has had red light cameras since 2000.)

In three prominent places in Ventura's written staff report, staff claimed a 75% reduction of accidents.

1. In the summary, on page 2.
2. In this table, found on page 4.

Year	Red Light Collisions	% Change from 2000 CATSS (red light camera) Launch
1998	124	
1999	128	
2000	132	
2001	107	19%
2002	115	13%
2003	100	24%
2004	101	23%
2005	93	30%
2006	92	30%
2007	45	66%
2008	41	69%
2009	40	70%
2010	39	70%
2011	34	74%

2012	38	71%
2013	36	73%
2014	34	75%

Table transcribed from Ventura staff report for 3-30-15 council meeting

3. In the first PowerPoint slide.

Ventura's mayor noticed the dramatic change between 2006 and 2007, and during the meeting she asked staff about it. Staff's response (at 3:20:20 in the City's online video) was:

"The way the police department reports collisions now is vastly different than we did when we started this program. Now we only report - correct me if I'm wrong - now we only report injury or major property damage collisions. That's different. Our total collision numbers are down quite a bit because the reporting is different."

B. Not mentioned in the staff report is Sen. Jerry Hill's bill, now in the Legislature, which will halve the fine for a rolling right turn. That's important, because 38% of Capitola's tickets (see annual report, attached) are for right turns.

C. The staff report says that Capitola officers have "incorporated a 'spirit of the law' approach when considering the issuance of a citation," and the staff report's graph of citations issued does show a significant drop in citations in 2016. Further, early 2017 figures (not mentioned in the staff report but available on the highwayrobbery [dot] net website), indicate that 2017 could be about 1/3 lower than 2016. The downside of this very low level of ticketing is that because, under the contract's Flexible Payment Plan, ATS gets only the money that comes in from fines (a violation of the spirit of Vehicle Code 21455.5(h) ), ATS is left with a monetary incentive to increase ticketing.

D. Not mentioned is the bottom line, that the City is losing money on the program. The most recent reconciliation (attached) shows that during the 2015- 2016 fiscal year, the City received only \$5620.44 to cover its costs of running the program for that year.

E. Not discussed in the staff report is whether the court has continued its practice of denying defendants the right to Trial by Declaration, as it did with the out-of-state defendant who was the subject of the order attached.

Regards,

(highwayrobbery.net)