

5-13-16

Subject: Red light cameras, on May 16 agenda

Honorable Councilmembers:

I am attaching a report ("TrcaAllCities...")[see last pages of this pdf], done by the CHP, which shows that injury collisions dropped 23% statewide, between 2004 and 2013, and persons injured dropped 26%. Those drops are nearly identical to the drops claimed, citywide, in San Mateo over a slightly longer period. (Page 2 of staff report.) What we don't see in the staff report is how the City's camera equipped intersections compared to the statewide/citywide rate, and there is one report - mentioned in my July 7 letter to you (copy below) suggesting that some of the camera equipped intersections may not have dropped at all.

The staff report (page 5) noted the danger that right turns pose to pedestrians. I (again) submit that if the number and severity of collisions caused by right turns at a particular intersection is high and has not declined - or is growing - despite years of photo enforcement, the City should study its records to determine when during the red phase most of those collisions occurred and then install "blank out" signs programmed to light up and prohibit right turns during the high risk portion of the signal cycle.

Finally, I again suggest - as I did on Oct. 3, 2014, copy attached - that you are being asked to pay way too much. Now that your cameras are ten years old, you should be paying \$1500 for them, not \$3985. Over the two years of the proposed extension, you will pay an extra \$298,200, and to cover that you will need to issue tickets to 2982 motorists - of which 924 will be your constituents.

Sincerely,

Jim

Attachments

cc: Media

----- Original Message -----

Subject:Red light cams on May 2 agenda - give public some time to respond - San Mateo

Date:Sat, 30 Apr 2016 14:46:16 -0700

From:

Reply-To:

To:mfreschet@cityofsanmateo.org, jgoethals@cityofsanmateo.org, dlim@cityofsanmateo.org, citymanager@cityofsanmateo.org,

rbonilla@cityofsanmateo.org, dpapan@cityofsanmateo.org

4-30-16

Subject: Red light cams - give public some time to respond

Venue: Item 5 on May 2 agenda

Honorable Councilmembers:

Last July I wrote to you:

During a potential five year extension of the City's camera program, 25,000 tickets could be issued, bearing \$13 million in fines, so this decision is an important one and should not be made in haste. Please schedule a council hearing about this. And then, if you want to have good input from all sides - which is the way to make an informed decision - please publish the staff report and proposed contract at least two weeks before the hearing date. (If, instead, normal meeting noticing procedures are followed, the staff report and contract will not be made public until the weekend before the council meeting at which it will be voted upon, leaving the media and general public with little time to report and comment, and the council with almost no time to read and consider those comments.)

First of all, thank you for the action you took in November, asking the police department to provide a more extensive staff report than the one they presented then. Now it appears (see staff memo, attached) that they are almost finished doing the new staff report, and could present it on May 16. So would you please consider my request, to publish the staff report at least two weeks before the hearing date?

I also want to take this opportunity to pass along to you a study, by the City of San Francisco, showing that the vast majority of their cameras have had no beneficial effect. It is attached. [It is available on the San Francisco Docs page at the website highwayrobbery.net.]

Regards,

Jim

cc: Media

Attachments

----- Original Message -----

Subject: Before you approve 2 more years tonight, are San Mateo's red light cameras working?

Date: Mon, 16 Nov 2015 10:19:54 -0800

11-16-15

To City Staff: Please provide a copy of this email to each councilmember, and to the public.

Venue: Nov. 16 council agenda, item 8, red light cameras

Subject: Before you approve two more years tonight, are San Mateo's red light cameras working?

Honorable Councilmembers:

On July 7 I wrote to you (copy below) expressing my concern about whether the red light cameras are really working to make life safer in San Mateo (and about other camera-related issues). On July 8 Capt. Ratcliffe responded that the City would respond "within the next two weeks or so." By July 27 I had not received the promised response, so I sent a reminder note. To date I have not had a response.

It seems to me that after ten years during which it issued more than 75,000 camera tickets (my total of the annual figures published by highwayrobbery.net) carrying \$37 million in fines, it would be appropriate for the City to commission a professional - and thoroughly independent - statistician to review the program's effect upon safety.

The very brief staff report submitted to yourselves for tonight's meeting also does not address these other concerns I have expressed in my previous letters to you (copies below, and attached):

1. What has the city done during the last ten years - other than operate cameras - to make those intersections safer.
2. Why the monthly rent is so much higher - double - than in other California cities. (The reduction mentioned in the staff report is no reduction - it is merely a re-naming of the Concession I asked about in my Oct. 30, 2014 email to yourselves - copy below.)
3. A discussion of the recent refund of nearly 1000 tickets.
4. The refund (above) was needed because the city overlooked an Aug. 1, 2015 change in the state rules requiring longer yellow lights. Will the required longer yellows and the resulting lower ticket volume affect the financial viability of the program? Will the required longer yellows raise pressure to issue more rolling right tickets?

5. A discussion of why the enforcement needs to be expanded at one of the intersections.
6. A discussion of the Redflex bribery scandal in Chicago and Ohio.
7. A discussion as to why most of the tickets are for rolling right turns.
8. Info as to who gets the tickets - visitors or locals, young or old.

Sincerely,

Jim

cc: Media

----- Original Message -----

Subject: Are San Mateo's red light cameras working?

Date: Tue, 07 Jul 2015 11:53:37 -0700

7-7-15

To City Staff: Please provide a copy of this email to each councilmember, and to the public.

Subject: Are San Mateo's Red Light Cameras Working?

Honorable Councilmembers:

In 2013 and twice in 2014 I wrote to you (copies attached and in thread below) about how much you are paying Redflex, and the lack of an audit trail.

Those problems have not been fixed, but since then I have uncovered additional issues with the City's red light camera program.

1. At two of the three camera enforced intersections, collisions are the same as before the program started. Beginning with calendar year 2013, California law (CVC 21455.5(i)) has required each city operating red light cameras to file an annual report disclosing, among other things, the number of tickets broken out by movement (right, left, straight) and the number of collisions before the cameras were installed, vs. the current number. I have attached San Mateo's reports for 2013 and 2014.

Reducing collisions is of paramount importance, yet San Mateo's 2014 report shows that at two of the three intersections, there is no statistically significant reduction - collisions are up slightly, or down slightly. (The 2013 report contains no collision information.) It is also possible that all of the 2014 figures, including the figures for the one intersection for which the report claims a significant reduction in accidents, have been skewed by belt tightening measures enacted during the height of the recession, like those revealed during the March 30 council meeting in the City of Ventura:

"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."

Claims of big reductions in collisions in San Mateo would also be at odds with statements by the authorities in twenty other cities, who have reported little or no reduction. (To read their statements, read the "Candor" attachment.)

When collision figures show no reduction over the years while ticketing remains steady, that suggests that the City is ticketing many people each year for technical violations having no effect upon safety.

2. **63% of the City's tickets are for right turns**, according to the 2014 annual report. That's about 3000 tickets each year worth about \$1.5 million in fines. There is a growing cloud over such heavy right turn enforcement. Consider this statement found in a Dec. 26, 2014 Wall Street Journal interview of the president of Redflex:

"Mr. [James] Saunders suggests jurisdictions refrain from issuing a [rolling right] ticket except when a pedestrian is in the crosswalk." The headline was, "Can the Red-Light Camera Be Saved? - Money-hungry politicians discredit a hopeful safety innovation." (A Jan. 22, 2015 column in the Dallas Morning News confirmed the statement The Journal had attributed to Saunders: "When I asked Redflex spokeswoman Jody Ryan about her boss' comments urging cities to lighten up on rolling reds, she answered, "It only makes sense that Jim is going to say, 'Look, we need people to be thoughtful about how they are implementing these programs and how they are issuing citations.' It wasn't that shocking.")

I submit that if the number and severity of collisions caused by right turns at a particular intersection is high and has not declined - or is growing - despite years of photo enforcement, the City should study its records to determine when during the red phase most of those collisions occurred and then install "blank out" signs programmed to light up and prohibit right turns during the high risk portion of the signal cycle.

3. **The City files charges in instances - gender and/or age mismatch - where there is no probable cause.** In a recent public records request I asked for:

"The latest version or revision of the City's manual, guidelines, business rules, orders, memos or documents describing the action(s) to be taken by a City employee or agent whose job it is to review violations and approve or disapprove the issuance of a ticket, when he or she observes a clear gender and/or age mismatch between the red light camera photo of the violating driver and the DMV file photo of the registered owner of

the vehicle and is not able to identify the violating driver with a sufficient degree of certainty."

In response to that request I received a one page Guidelines for Screening document, attached, which fails to instruct the City personnel reviewing the tickets that they shall not file charges when there is a clear mismatch, i.e., where probable cause is absent. I hope you will be as concerned as I am.

4. The City's contract with Redflex will expire in November. I want to take this opportunity to submit some "food for thought," a short list of things that I hope you will ask your staff to discuss in the report they will submit for the (presumed to be) upcoming council discussion of renewal of the contract.

A. If you ask staff about the percentage of tickets going to visitors to town, most likely you will learn that the huge majority of the tickets are going to visitors. (In the cities discussed in FAQ # 22 on highwayrobbery [dot] net, visitors got between 69% and 98.5% of the tickets. In Menlo Park the figure was 90%.)

That percentage is important because, in an area with high turnover, doing nothing but installing cameras will never stop the running; there's always new visitors, making mistakes because they are in unfamiliar territory and maybe even lost. A visitor won't know that there's a camera up ahead, so the presence of a camera won't, by itself, keep him or her from running the light and endangering the other people - mostly local residents, your constituents - who frequent the same intersection.

If a city genuinely wants to minimize running, and collisions, it will do things like the following, to make the problematic intersection stand out, look more important.

1. Put up more visible signal lights (larger diameter, with bigger backboards, with more of them placed on the "near" side of the wider intersections).
2. Paint "signal ahead" on the pavement.
3. Install lighted overhead street signs for the cross street (also placed on the "near" side), and larger bulbs in the streetlights at the intersection.
4. As described above, Install blank out signs prohibiting right turns, where appropriate.

B. Please ask staff, or Redflex, to report to you the average age of those ticketed, broken down by camera location and type of movement (straight, left, or right). Age is of interest because those intersections where the age of violators is found to be significantly

higher probably need to be made more navigable for older drivers. Sometimes it can be as simple as lengthening the yellow light.

C. A staff report to yourselves will most likely include a letter submitted by Redflex, in which they will discuss the actions the company took after it was alleged that the company spent \$2 million to bribe an official in Chicago. They may also discuss last month's guilty plea in Columbus, Ohio, by Redflex' former CEO. But that bribery is common knowledge. What is not common knowledge, and in my opinion worse than the outright bribery that happened in Chicago and elsewhere, is the extent to which California officials, government employees and their associates are immunizing themselves and their families from receiving photo enforcement and toll tickets by exploiting the CVC 1808.4 confidential registration address program. As of 2011, 1.5 million private vehicles in California - about 5% of all registrations - had the confidential registrations, and there are two bills in the legislature right now (AB 222 & SB 372) to extend the privilege to even more people. I would like to suggest that you ask staff how many City employees have the confidential registrations, and also ask the staff of the red light camera program to tell you how they have handled the roughly 300 red light camera tickets earned each year in San Mateo by those enjoying confidential registrations. Suggested questions: How many of those tickets were actually issued; how many of them were paid?

Conclusion

During a potential five year extension of the City's camera program, 25,000 tickets could be issued, bearing \$13 million in fines, so this decision is an important one and should not be made in haste. Please schedule a council hearing about this. And then, if you want to have good input from all sides - which is the way to make an informed decision - please publish the staff report and proposed contract at least two weeks before the hearing date. (If, instead, normal meeting noticing procedures are followed, the staff report and contract will not be made public until the weekend before the council meeting at which it will be voted upon, leaving the media and general public with little time to report and comment, and the council with almost no time to read and consider those comments.)

Finally, I want to point out that since I wrote to you last, nine more cities have closed their camera programs, leaving just 37 systems out of the 103 once operating in California.

Sincerely,

Jim

cc: Media

----- Original Message -----

Subject:Fwd: San Mateo overpaying for red light cameras - no audit trail

Date:Thu, 30 Oct 2014 11:04:27 -0700

10-30-14

To City Staff: Please provide a copy of this email to each councilmember, and to the public.

Honorable Councilmembers:

In 2013 and on Oct. 3 this year I wrote to you (copies attached) about how much you are paying Redflex.

Since then I've received copies of Redflex' monthly invoices to the City (copy attached), the most recent two of which show \$4980 credits (equal to 20%) entitled "Allowance for other concession."

After I submitted a records request for, "All correspondence, both internal and external, dated Jan. 1, 2009 to the present, regarding the justification for, the negotiation of, or the negotiation of the amount of, the \$4980 Allowance for Contract Concession shown on the Redflex invoice dated June 30, 2014 and any other similar Allowances or Concessions made on invoices dated during 2014," I was told that there is nothing in writing about the concessions.

So far in 2014 the concessions total at least \$14,940.

Is the city council OK with paying invoices that go up and down, when there seems to be no record as to why they do so? And are you OK with the fact that even if the concessions continue to appear each month, you still will be paying too much?

Regards,

Jim

----- Original Message -----

Subject:San Mateo overpaying for red light cameras

Date: Fri, 03 Oct 2014 11:16:12 -0700

10-3-14

Re: Red light cameras - The City is Paying Too Much

Honorable Mayor and Councilmembers:

In August I found this table in the April 2014 contract between Redflex and another of its clients, the City of Elk Grove, California.

Years in service	Fixed price not to exceed / Designated Intersection Approach per month
0-4.99	\$4696.00
5.0-6.99	\$4196.00
7.0-9.99	\$2000.00
10.0+	\$1500.00

(A full copy of the Elk Grove contract is online at the website highwayrobbery.net.)

Then in September the San Mateo City Clerk sent me Redflex invoices showing that San Mateo pays \$4980 rent per camera per month while, per the Elk Grove table, it should pay no more than \$2000. (Elk Grove, like San Mateo, has five cameras.)

If San Mateo allows the \$4980 rent to continue it will pay Redflex an extra \$178,800 of rent over the next twelve months, and to cover that extra rent the City will need to issue an extra 1788 tickets (assuming that the City gets \$150 of revenue from each ticket paid and 2/3 of those who are ticketed pay their tickets).

The contract contains an escape clause (Section 6.1) which allows the City to cancel the contract with ten days notice and no penalty (once the cameras are more than 60 months old, which they are). May I suggest that you cancel the present contract so that you can renegotiate and obtain a better price? That way you won't have to issue the extra 1788 tickets.

Even though some time has passed and much of the opportunity has been lost over the period since I last wrote to you about this (Feb. 2013, copy attached below), it's not too late to take action.

Even if the City can get a lower rent, there remains the larger question of whether the cameras are helping the public. In San Mateo, ticketing/running hasn't fallen much over

the years; the monthly average during 2013 was only 11% lower than during the first 5-1/2 years of operation. (Detailed data is available at highwayrobbery.net.) Many cities have decided to remove their cameras. Earlier this week Oceanside voted to shut down their cameras. Riverside shut down their camera system in September. In August South San Francisco shut theirs down. In June Laguna Woods shut theirs down. In May, Oakland and Walnut shut theirs down. In April Highland shut theirs down. In March Santa Ana voted to shut theirs down. In January Inglewood shut theirs down. In 2013 Belmont, El Cajon, Escondido, Hayward, Murrieta, Poway, Redwood City, San Diego, San Rafael and South Gate voted to shut theirs down. The authorities in those and other towns have said that the cameras made no significant difference. Their statements are attached below, for your review.

Finally, I would like to update the Millbrae ticket counts I sent you in September, by adding the figure for August.

478 - Jan 2013

475

548

538

669

716

786 - Jul 2013

716

753

762

677

724

598 - Jan 2014

449

641

669

1525

1255

722 - Jul 2014

982 - Aug 2014

Sincerely,

Jim

Attached:

1. Statements by authorities in other towns, from highwayrobbery.net (pasted below)
2. 2013 email to city manager

cc: Media

Attachment 1

CANDOR BY OFFICIALS

[Candor by Officials is available on the Industry PR page on the highwayrobbery.net website.]

Attachment 2

2-3-13

Confidential for the City Manager -

The six-year contract extension approved in late 2009 set the monthly rent for each of the five red light cameras to \$4980. Since then, camera prices have softened, greatly. Today, a city should not pay more than \$3000 per camera at renewal. (See FAQ # 17 on highwayrobbery.net.)

With a \$3000 rent, the City would save \$326,700 over the remaining 33 months of the contract. FAQ # 17 includes examples of cities which have achieved mid-term reductions of their rent.

The City is in an excellent negotiating position, as the contract contains an escape clause (Section 6.1) which allows the City to cancel the contract with ten days' notice and no penalty (once the cameras are more than 60 months old, which they are).

Regards,

Jim

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TABLE 1A FATAL COLLISIONS BY MONTH 2004 - 2013

MONTH	YEAR									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
January	295	270	293	280	236	248	175	220	216	194
February	272	247	265	260	260	212	198	201	198	196
March	278	273	299	316	223	218	185	194	209	242
April	309	289	286	295	277	218	211	179	217	256
May	322	318	329	295	250	236	197	216	224	223
June	296	304	330	297	252	219	201	206	230	222
July	362	389	338	290	249	208	224	247	244	247
August	353	360	357	330	284	276	206	215	240	265
September	314	308	346	290	288	221	237	234	246	237
October	317	370	312	316	275	263	222	252	246	276
November	267	357	322	317	248	251	240	236	256	254
December	316	337	316	271	271	235	224	228	232	241
TOTAL	3,701	3,822	3,793	3,557	3,113	2,805	2,520	2,628	2,758	2,853

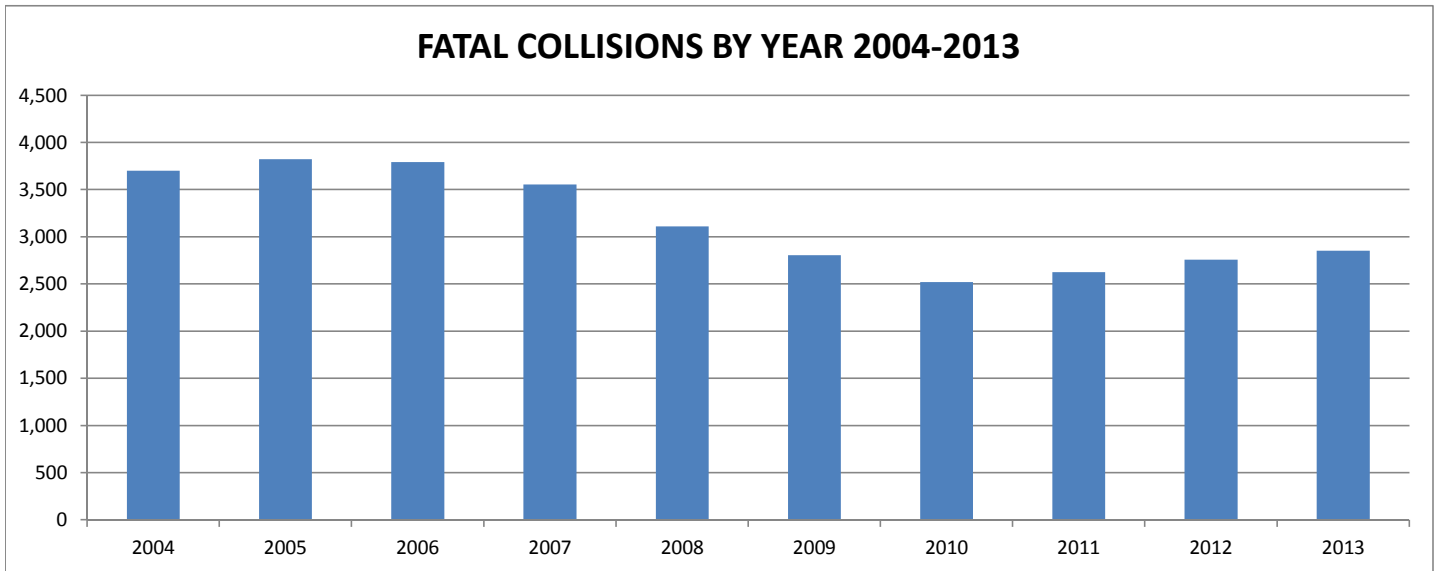


TABLE 1B PERSONS KILLED IN COLLISIONS BY MONTH 2004 - 2013

MONTH	YEAR									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
January	318	300	323	308	263	271	190	239	241	208
February	307	269	284	293	279	231	214	215	216	225
March	310	305	337	353	247	235	209	207	219	269
April	346	323	314	323	296	246	233	200	235	278
May	352	351	365	331	280	263	213	226	240	250
June	329	347	355	328	279	245	213	226	249	240
July	408	455	388	324	280	222	243	262	261	263
August	394	426	401	368	308	316	231	233	268	288
September	352	347	377	323	312	239	251	257	265	252
October	338	410	349	348	303	283	239	282	270	298
November	298	395	353	351	273	276	262	251	284	275
December	342	376	351	317	281	249	241	237	247	258
TOTAL	4,094	4,304	4,197	3,967	3,401	3,076	2,739	2,835	2,995	3,104

TABLE 1C INJURY COLLISIONS BY MONTH 2004 - 2013

MONTH	YEAR									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
January	15,623	15,428	15,389	14,073	14,108	12,899	12,365	12,092	12,854	12,130
February	16,106	15,295	15,059	13,649	13,881	12,460	11,896	12,168	12,500	11,514
March	17,400	16,908	15,810	16,111	14,862	13,955	13,573	13,217	13,798	13,448
April	16,908	16,321	14,995	15,203	14,265	13,737	13,154	12,503	13,025	12,978
May	17,194	17,120	15,910	15,874	14,488	14,533	13,510	13,131	13,814	13,722
June	16,551	16,352	15,934	15,708	13,581	13,144	13,174	12,687	13,015	12,919
July	17,368	16,781	15,718	15,715	13,570	13,814	13,524	13,516	13,219	12,913
August	17,471	16,930	16,330	16,068	14,118	13,580	13,797	14,012	13,919	13,790
September	17,547	17,040	16,121	15,976	14,237	14,191	14,042	14,130	13,578	13,735
October	17,916	17,556	16,955	16,454	15,082	14,742	14,531	14,716	14,731	14,212
November	15,939	16,482	15,995	15,161	14,073	13,096	13,570	13,376	13,113	13,019
December	17,363	16,495	15,741	15,002	14,231	13,373	13,958	13,567	12,130	12,529
TOTAL	203,386	198,708	189,957	184,994	170,496	163,524	161,094	159,115	159,696	156,909

INJURY COLLISIONS BY YEAR 2004-2013

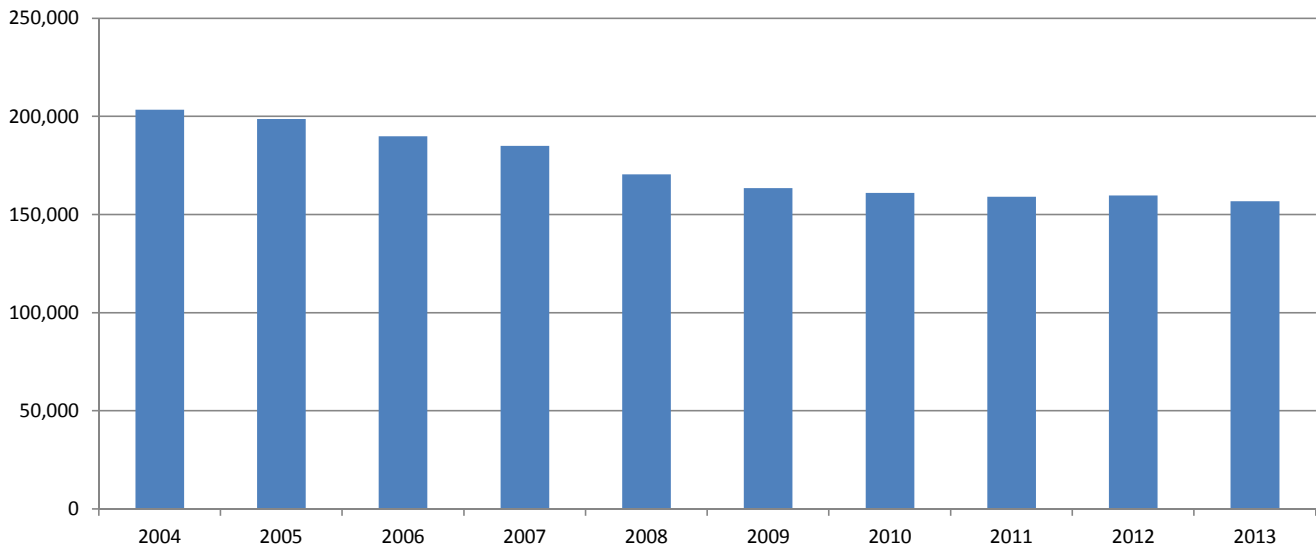


TABLE 1D PERSONS INJURED IN COLLISIONS BY MONTH 2004 - 2013

MONTH	YEAR									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
January	23,334	22,478	22,478	20,251	19,785	18,343	17,306	17,060	18,070	16,956
February	23,719	22,298	22,006	19,629	19,748	17,555	16,941	17,147	17,555	16,249
March	25,654	25,039	23,166	23,246	21,326	19,928	19,136	18,612	19,525	18,945
April	25,126	23,999	21,962	22,098	20,449	19,535	18,785	17,775	18,646	18,358
May	25,695	25,406	23,214	22,929	20,777	20,828	19,363	18,782	19,438	19,599
June	24,648	24,234	23,402	22,839	19,315	18,983	18,697	18,207	18,757	18,689
July	26,178	25,398	23,448	23,027	19,432	20,019	19,615	19,531	19,063	18,684
August	26,313	25,250	24,012	23,470	20,216	19,468	19,879	19,854	20,139	19,859
September	25,903	24,888	23,381	22,944	19,832	20,106	19,798	19,860	19,139	19,464
October	26,554	25,730	24,525	23,415	21,001	20,504	20,676	20,738	20,532	20,095
November	23,422	24,003	23,197	21,445	19,866	18,511	19,294	18,864	18,382	18,421
December	25,811	24,075	22,783	21,394	20,126	18,997	19,864	19,172	17,298	17,809
TOTAL	302,357	292,798	277,574	266,687	241,873	232,777	229,354	225,602	226,544	223,128

TABLE 1E POPULATION, MOTOR VEHICLE REGISTRATION, MOTORCYCLE REGISTRATION, LICENSED DRIVERS, LICENSED MOTORCYCLE DRIVERS, MOTOR VEHICLE MILES OF TRAVEL, AND MILEAGE DEATH RATE 2004 - 2013

Year	Population	Motor Vehicle Registration	Motorcycle Registration ^{1/}	Licensed Drivers	Licensed Motorcycle Drivers ^{2/}	Motor Vehicle Miles of Travel	Mileage Death Rate ^{4/}
2004	36,590,800	28,258,341	641,905	22,843,200	1,015,488	328,419,000,000	1.25
2005	37,004,700	28,129,822	680,857	22,927,349	1,055,370	327,500,000,000	1.31
2006	37,444,400	28,705,184	732,547	23,237,087	1,109,374	329,700,000,000	1.27
2007	37,771,400	28,908,964	772,524	23,629,860	1,161,866	330,400,000,000	1.20
2008	38,148,500	28,663,729	824,244	23,718,992	1,211,848	325,750,000,000	1.04
2009	38,476,700	28,495,919	809,129	23,700,047	1,262,020	324,275,000,000	0.95
2010	37,318,500	28,560,744	808,913	23,799,513	1,289,733	327,770,000,000	0.84
2011	37,570,300	28,463,152	818,650	23,956,498	1,329,116	325,032,000,000	0.87
2012	37,872,400	28,836,311	847,357	24,290,288	1,359,837	326,547,000,000	0.92
2013	38,164,000	29,679,221	872,403	24,643,432	1,376,299	329,174,000,000 ^{3/}	0.94

^{1/} Motorcycle Registration is also included in Motor Vehicle Registration.

^{2/} Licensed Motorcycle Drivers are included in Licensed Drivers.

^{3/} The 2013 vehicle miles of travel is an estimate. Source: California Department of Transportation.

^{4/} Number of persons killed per 100 million miles of travel.