The Effectiveness of Red Light Traffic Camera Enforcement

Issue | Background | Findings | Conclusions | Recommendations | Responses | Attachments

Issue

Is the installation and use of red light traffic cameras a cost effective and productive strategy for reducing the incidence of vehicle collisions or are cities using these camera installations primarily as a source of revenue?

Background

Over the past four years, eight cities in San Mateo County have installed traffic cameras at numerous intersections. The cameras monitor and record red traffic light violations and have the stated objective of reducing the incidence of vehicle collisions at the traffic intersections that are monitored. In addition to running a red light (going straight through an intersection), in some cases the cameras also monitor whether a motorist stops at a red light before making a right hand turn. This recorded video is reviewed by police agency personnel. If sufficient evidence exists to support prosecution, the violator is issued a citation to appear in traffic court. The cities' police agencies have adopted this technology to supplement their traffic enforcement efforts.

Besides driving straight through a red light, there are two types of right-turn violations at a red light. The first is failing to stop completely before turning. This violation is cited under Vehicle Code (VC) section 21453(a) because the action reflects a failure to stop and thus is categorized as red light "running" in the same sense as driving straight through the intersection. The second type of right-turn violation involves coming to a full stop, but then proceeding to turn right in an unsafe manner. This turn could be unsafe because of the presence of pedestrians, on-coming traffic, or other conditions. This latter offense carries a much lower fine under VC section 21453(b).

The 2008-2009 San Mateo County Civil Grand Jury issued a report entitled "Red Light Cameras Increase Safety" and addressed the issue "Are photo enforcement red light cameras in Redwood City effective as traffic safety devices?" The report focused exclusively on Redwood City and the one red light camera installed at Whipple and Veterans Blvd. This current report expands on the previous report by incorporating all cities in San Mateo County that have red light cameras installed. However, the fundamental issue of traffic safety remains the same. The 2008-2009 San Mateo County Civil Grand Jury report recommendation to Redwood City was:

> *Develop an annual review process which compares the number of collisions pre and post installation of the photo enforcement camera. Determine whether the equipment is serving as an effective deterrent and whether additional safety features should be implemented.*

Redwood City in its response stated that "… steps will be put into place within the next 30 days that will allow an annual review to take place." A review was held with the Chief of Police and other senior police officials in late April, 2010.

Vendors

All of the traffic camera systems used by police agencies in San Mateo County are provided by two private firms. Two cities, Millbrae and South San Francisco, contract with American Traffic Solutions[1]. The remaining cities contract with Redflex Traffic Solutions[2]. Although there are two separate vendors, the provisions of the individual contracts are substantially the same. All of the equipment, installation and maintenance of the traffic camera system are the responsibility of the company providing the service. The contracts usually run five years with options to extend. Contracts can also be terminated earlier than 5 years, but with financial consequences. The equipment belongs to the vendor and is not the responsibility of the city.

The Redflex Traffic Systems agreement specifically refers to vehicle collisions in its recitals:

> *WHEREAS, it is a mutual objective of both Redflex and the Customer to reduce the incidence of vehicle collisions at the traffic intersections that will be monitored pursuant to the terms of this Agreement.*

The American Traffic Systems agreement makes no such reference to an objective of reducing vehicle collisions.

Citation Revenue and Operating Costs

The 2010 fine for failure to stop at a red signal under VC 21453(a) is $446.00; however only a portion of this is funded back to the city that issued the citation. The total amount of the fine and the proportion that each city receives is determined by state statute.

Although the precise amount each city receives is different, in general, the portion of the fine paid to the city is approximately 33%, with the rest going to the county and the state. This amount is the same whether the citation is issued by an officer or as the result of a violation recorded by the camera system.

The cost associated with each red light camera consists of a fee paid to the vendor and the cost of employees who review and authorize citations. The contracts require that a flat monthly fee be paid for each installation. The monthly fees range from $5,395 to $6,350.

Based on the survey received from the cities, only the City of San Mateo provided full time dedicated sworn staff to the evaluation of the video recorded by the cameras. In all other cases, each individual city uses part-time sworn officers' help to evaluate possible violations, appearance in court, and answering questions from the general public. Millbrae and San Carlos contract with the City of San Mateo for their administrative support.

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[1] American Traffic Solutions Inc.
7681 East Gray Road
Scottsdale, AZ 85260

[2] Redflex Traffic Systems, Inc.
23751 N. 23rd Ave, Ste 150
Phoenix, AZ 85085

The number of citations increases significantly within a few months once a camera system is commissioned. (See chart on page 7) However the number then tends to decline and level out.

Warning Signs and Public Education

The 2008-2009 San Mateo County Civil Grand Jury report made several recommendations related to signage and public education:

Install a photo enforcement camera notification sign alerting traffic traveling eastbound on Whipple Avenue approaching Veterans Boulevard.

Continue the practice of widespread public notice of activation of new automated red light photo enforcement cameras at intersections.

Continue expanding RWCPD web-site to include public education about the photo enforcement camera notification system.

Menlo Park
El Camino & Glenwood

All current jurisdictions provide signage before entry into the city and most before entry into the red light intersection which complies with the statutory requirement. However, the signage is not always clearly visible unless the driver is looking for it. In some cases the signage can be found in the right hand lane some yards before the intersection. By contrast the signage used in San Carlos is posted on the signal stanchion itself and clearly visible to oncoming traffic (See Appendix A for more pictures of signage used).

The cities and intersections which had red light cameras installed and were surveyed included the following:

Jurisdiction / Intersections	**Installed**
Burlingame	
El Camino Real @ Broadway	3/22/2009
Daly City	
San Pedro @Junipero Serra	3/11/2008
Junipero Serra @ Washington	6/24/2009
John Daly @Sheffield	7/1/2009
Hickey @ Gellert	7/7/2009
Menlo Park	
Bayfront Expressway @ Willow Rd-WB	5/1/2008
El Camino Real @ Ravenswood / Menlo	9/1/2008
El Camino Real @ Glenwood	10/1/2008
Millbrae	
Millbrae Avenue @ Rollins RD (NB & SB)	9/18/2006
Redwood City	
Whipple Avenue @ Veterans Blvd	3/1/2008
Veterans Blvd @ Whipple Ave.	8/1/2009
San Carlos	
Brittan Avenue @ Industrial	11/25/2008
San Mateo	
Hillsdale Blvd @ Saratoga and Saratoga @ Hillsdale Blvd	4/20/2005

Jurisdiction / Intersections	Installed
Hillsdale @ Norfolk	7/29/2005
4th Avenue @ Humboldt	10/31/2006
South San Francisco	
El Camino Real @ Westborough Blvd	8/15/2009
El Camino Real @ Hickey Blvd.	8/15/2009

Since completion of the survey in September 2009, a number of new red light cameras have been installed throughout San Mateo County. The above table is not an up-to-date representation of all red light cameras installed as of the release of this report.

Investigation

In its investigation the 2009-2010 San Mateo County Civil Grand Jury (Grand Jury) reviewed each of the contracts negotiated by the cities with red light camera installations. Follow up questions and interviews were conducted with some of the agencies. The Grand Jury also reviewed a number of current local and national news articles on the subject.

The Grand Jury surveyed all the police agencies in San Mateo County. The survey asked each agency if they had red light cameras or if they were considering them. For those with cameras, the survey requested information on how they administer their traffic camera programs and their effect. The inquiry asked for the amount of staff time required to administer the program, revenues received, and accident statistics before and after the camera systems were implemented.

The four areas that the investigation focused on were:

- Are the cameras meeting their objective of reducing accidents?
- Is the outlay of city funds to lease the systems justified by the results?
- Are the camera systems an effective supplement to the actions of police officers?
- What expenses and revenues are generated by employing red light traffic cameras?

The Grand Jury requested data on accident frequency prior to camera installation and after installation of the camera. The data as provided by the jurisdictions did not have enough precision and was not comparable between jurisdictions and therefore no accident statistics will be reported here.

Findings

1. The cities choose locations for the two suppliers of red light cameras to evaluate. The vendors then recommend the location of cameras based on studies which evaluate the potential number of possible red light violations and not necessarily the number of accidents that can be prevented.
2. Police Departments and traffic engineers provide their input as to where cameras should be installed with primary emphasis on safety rather than the number of citations that can be issued. Ultimately, both the city and the vendor must agree on the location for installation.
3. The red light camera systems installed in the county are generating significant revenue for the cities. In 2009, the amount the cities receive per citation ranges from $119.17 (San Mateo) to $142.49 (San Carlos).

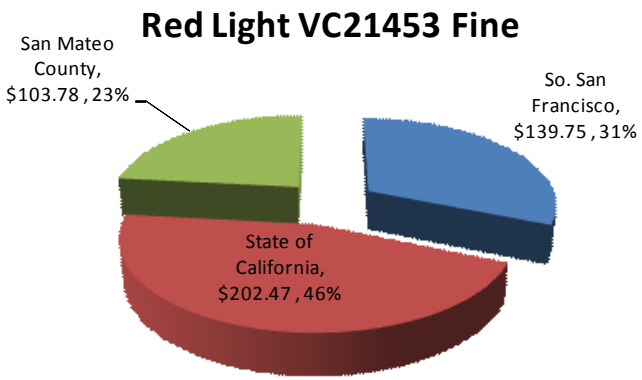
4. Three cities, Belmont, South San Francisco, and Burlingame have recently instituted red light traffic camera programs. The inception dates are too recent to report reliable empirical data. For the remaining cities, the grand jury estimated the potential monthly revenue based upon data received from the cities.

Jurisdiction / Intersections *through Sept. 30, 2009*	**Average Monthly[3] Citations**	**Potential City Revenue**
Daly City		
San Pedro @ Junipero Serra	177	$23,276
Washington @ Junipero Serra	121	15,912
John Daly @ Sheffield	243	31,955
Hickey @ Gellert	119	15,649
Total Daly City	660	$86,792
Menlo Park		
Bayfront Expressway @ Willow Rd	137	$20,550
El Camino Real @ Ravenswood & Menlo	327	49,050
El Camino Real @ Glenwood	166	24,900
Total Menlo Park	630	$94,500
Millbrae		
Millbrae Avenue @ Rollins RD	343	$49,351
Redwood City		
Whipple Avenue @ Veterans Blvd	89	$11,522
Veterans Blvd @ Whipple Ave.	*418	*54,114
Total Redwood City	507	$65,636
San Carlos		
Brittan Avenue @ Industrial	53	$6,280
San Mateo		
Hillsdale Blvd @ Saratoga	361	$43,020
Hillsdale @ Norfolk	61	7,257
4th Avenue @ Humboldt	165	19,663
Total San Mateo	587	$69,940

**Average was calculated based on data from November 2009 through March 2010*

[3] Average number of citations and average revenue earned is based on data provided by the respective police agency to the Grand Jury's survey. The number of citations and the revenue data as reported were for varying lengths of time – some for a few months; some for a year or more. An average monthly number was computed based on data provided as of September 30, 2009 and used here so as to make the information comparable from jurisdiction to jurisdiction.
The cities receive a portion of the total fine levied on the motorist. Please see the chart under finding #10 which uses South San Francisco as an example for the allocation of the red light violation fine. Each city surveyed provided the

5. The data as reported indicated that in all the jurisdictions above, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs. (Recently, the City of San Carlos extended the yellow light time to comply with state standards and found that the number of citations fell dramatically. As a result the revenue from red light citations could no longer cover the associated costs.)
6. Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued. Based on the data provided by the cities, there was no overall trend indicating a noticeable change in accident rates before and after installation of red light cameras.
7. Most cities are protected from losses by a "cost neutral" clause in their contracts. In the event that fine revenue received does not cover the monthly cost of the contract, the city is only required to pay the actual amount that it did receive. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts following a recent court case where a citation issued with this clause in place was dismissed by the court.[4]
8. A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.
9. The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses and as a result is often appealed to the traffic court. The state mandated fine in 2010 for failure to stop at a stop signal or failure to halt before turning right on a red light is $446.00. Traffic School is an additional $60.00. By contrast, the fine for failure to halt at a stop sign is $214.00; and the fine for going 15 mph over the speed limit is $214.00.
10. Using South San Francisco as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446.00 fine would be distributed among the city, the county and the state as follows:



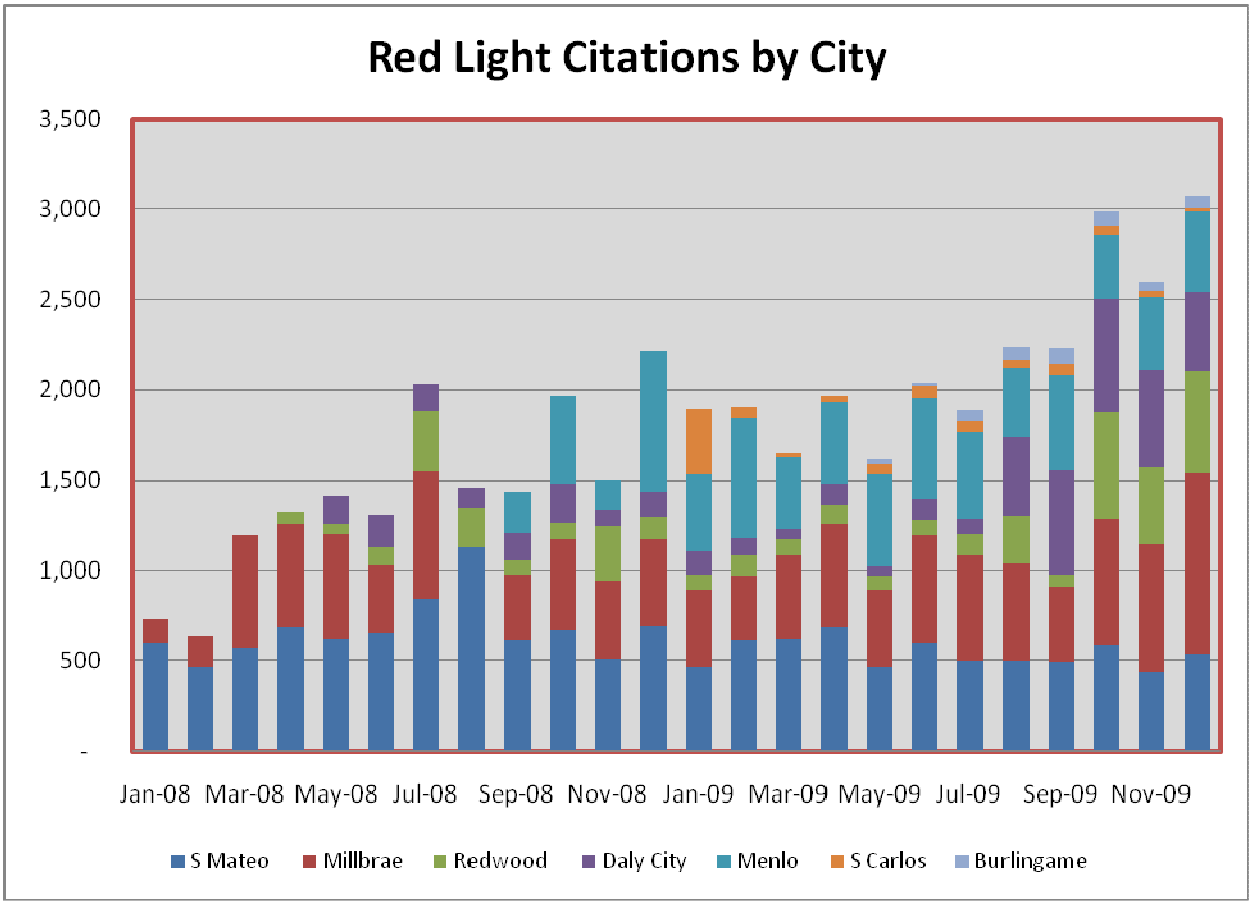
amount it receives for each citation. This amount was multiplied by the average monthly citations to derive average monthly revenue.
The potential revenue is based on the number of citations issued in any given month; however the transmittal of the funds from the county to the cities actually occurs some months later. In addition citation fines may be reduced by the traffic court if appealed. The revenue data presented is before payment to the vendor.

[4] In a September 2009 ruling, a San Mateo Superior Court Judge threw out a ticket from a San Mateo City red light camera based on the argument that the city's contract is illegal. California law states that a company such as Redflex or American Traffic Solutions can't charge based on the number of tickets the camera issues.

11. The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009. The Superior Court of San Mateo County reported the following information:

	2008	2009	% Change
Red Light Citations	17,211	30,948	80%
All Other Citations	113,023	133,871	18%
Total Citations	130,234	164,819	27%

12. The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity which requires additional staffing and resource commitment.
13. Local court personnel who have already been reduced by 20% from layoffs and mandated furloughs are in arrears by approximately six months in processing traffic complaints.
14. Based on court statistics the chart below provides an indication of the increasing volume of red light camera citations being issued over the two years ending December 31, 2009. South San Francisco was not included because on Feb. 5, 2010, the City had announced that it would be refunding/dismissing all tickets issued from the beginning of the program up to Jan. 27, 2010 - this was later extended to Mar. 10, 2010. The impact on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.



15. There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.
16. Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents. Appendix "A," contains a selection of pictures of the warning signs used by the cities. Some such as San Carlos are clearly visible placed high and on the signal itself. Others such as those used in Menlo Park are in the far right, some distance from the intersection and often partially hidden by trees and other highway signs. In Daly City there were no warning signs at the intersection of Junipero Serra and Washington.
17. Police departments view the use of red light cameras and the associated signage as "behavior modification", basically educating the public that they must be careful to observe moving violations at all intersections.
18. The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

Conclusions

The 2009-2010 San Mateo County Civil Grand Jury concludes that:

1. There are no uniform protocols established throughout San Mateo County for evaluating possible infractions and determining the issuance of a citation, thus making court decisions difficult and undermining the trust of the county's citizenry.
2. Although the purpose for the installation and maintenance of red light cameras may have been public safety, they have also come to represent a significant source of funding for the cities.
3. Cities have not established consistent and standardized reporting and evaluation processes to determine if the red light camera, at any particular intersection, is in fact, reducing the number of vehicle collisions.
4. With some exceptions, signage is not being used as a tool for slowing down oncoming traffic and thereby reducing the accident rate.
5. The use of red light traffic cameras is cost-effective and financially viable when compared to utilizing police officers to perform equivalent enforcement. All of the cities that have implemented this technology and still have the "cost neutral" clause in place have covered contractual costs and administrative costs.
6. The camera technology provides an effective method of enforcing a vehicle code violation that has a high probability of causing an accident.
7. Cities, when determining whether to install a red light camera, have failed to consider the impact on the Superior Court of San Mateo County and on the citizenry who need to access that court.
8. Within the county there should be no differences between the cities in the criteria used for the issuance of a citation.

Recommendations

The 2009-2010 San Mateo County Civil Grand Jury recommends the following to the City Councils of the cities of San Mateo County:

1. Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.
2. Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.
3. Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.
4. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.
5. Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.
6. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

The Effectiveness of Red Light Traffic Camera Enforcement

Appendix A

Selected Pictures of Red Light Cameras and Warning Signs

NB on El Camino & Glenwood

SB on El Camino at Menlo

NB on El Camino at Ravenswood

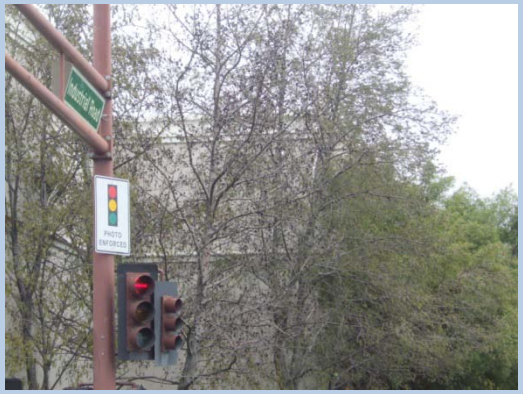
EB on Willow & Bayfront Exp.

SB on El Camino & Valparaiso
There are no cameras in the EB direction

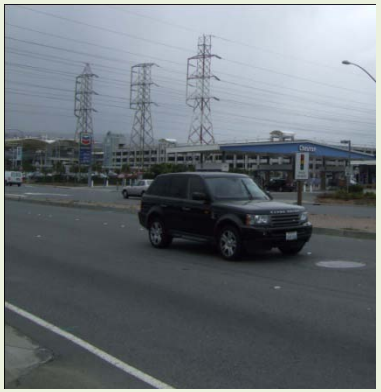
PHOTO ENFORCED
Warning Signs Used
In **Menlo Park** tend to be in the far right hand lane and some distance from the intersection.

This Warning Sign used in **Redwood City** is located right on the signal itself. It is noticeable to anyone making a right turn but not to a driver in the two left lanes.

EB on Whipple & Veterans



These Warning Signs used at Brittan and Industrial in **San Carlos** are located right on the signal itself. They are up high enough for all drivers to see them. San Carlos also has a warning sign prior to the intersection.



This is the only Warning Sign used at the intersection of Millbrae Ave and Rollins Rd in **Millbrae.** It is not clearly visible to all drivers.

South San Francisco

Hickey & El Camino

This warning to stop before turning right is located on southbound El Camino Real

BELMONT POLICE DEPARTMENT

Donald J. Mattei, Chief of Police

September 15, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 95063-1655

Re: Response to Grand Jury Report - Effectiveness of Red Light Camera Enforcement

Dear Judge Cretan:

Thank you for allowing us to respond to the Grand Jury's final report *The Effectiveness of Red Light Camera Enforcement.* While the City of Belmont is the most recent jurisdiction in San Mateo County to implement red light photo enforcement, we have been working on this project since 2006 and would like to outline our concerns with the recommendations in the report. This response was approved by the Belmont City Council, at its regularly scheduled public meeting, on September 14, 2010.

- While collisions are a factor to be considered, they are not the sole factor driving a decision to install a camera. Equally important factors are difficulty of officer-based enforcement, high traffic volume and/or high violation count and the presence of other non-motor vehicle traffic such as bicycles and/or pedestrians.

- Section 2 1455.6(a) CVC already mandates a public hearing prior to installation of a camera system.

- In an effort to mitigate any possible adverse impact on the court, our staff held meetings with court staff prior to our cameras being activated and we continue to work closely with court staff.

- In the report, the Grand Jury indicated an increase in citations between 2008-2009 of over 34,000 citations, representing an approximate 27% increase. The report also indicated that the County receives approximately $103.00 per citation. That would amount to approximately $3.5 million in new revenue to the County. Has any of this money gone to off-set related court costs? If not, why?

Response to Grand Jury Report
Effectiveness of Red Light Camera Enforcement

- The use of collision data prior to and after installation is subjective and open to interpretation and while useful, other factors should also be considered. Cameras can have a global impact on collision rates and overall traffic law compliance. Cameras are not solely an accident reduction device but have value as an enforcement, education and accident prevention tool.

- In 2008 a Red Light Photo Users Group was formed to address issues of mutual concern and address the court's request for consistency between agencies and a draft protocol was developed by the Police Chiefs & Sheriff Association (PCSA). While not formally adopted, it has been used as a guideline by all agencies. The users group has updated the 2008 protocol so that it can be formally adopted by the PCSA this year.

- The issue of signage is addressed by section 2 1455.5(a)(l) CVC. Our city chose to post signs at all major entrances to the city, as it has a global effect of encouraging compliance at all signal-controlled intersections. The placement of signs is regulated by Caltrans through the Manual on Uniform Traffic Control Devices (MUTCD).

- Centralization of camera citation administration may achieve a cost saving, however no cost benefit analysis has been done. The issue of consistent and professional application is already being addressed by PCSA protocol, mentioned previously.

In the face of ever-shrinking budgets, red light cameras allow for the re-deployment of increasingly scarce traditional officer-based resources, while maintaining enforcement at heavily travelled intersections. The Belmont Police Department intends to examine and report on the effectiveness of our Red Light Camera Enforcement Program during our annual report to the Belmont City Council in November.

Sincerely,

Donald J. Mattei
Chief of Police

CITY OF BRISBANE
POLICE DEPARTMENT

ELIZABETH MACIAS
CHIEF OF POLICE

August 30, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 Old County Road
Redwood City, CA 94063-1655

Dear Honorable Clifford V. Cretan:

This letter is in response to the 2009/2010 Grand Jury report of June 7, 2010 which contained findings that pertain to the City of Brisbane. Listed below are the Jury's recommendations followed by the City of Brisbane response. The City Council will review the below recommendations at their first available meeting on September 13, 2010.

The Effectiveness of Red Light Traffic Camera Enforcement

The San Mateo County 2009-2010 Grand Jury makes the following recommendations to the City Councils of the cities of San Mateo County:

1. Consideration of where a red light camera is installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in public hearings.

RESPONSE: *The City of Brisbane agrees in part with the findings. The city agrees that the decision to install a red light camera should be driven by factors other than increasing potential revenue. However, accident data alone is an insufficient means of determining the appropriate need and location for a red light camera. Hazards to the general public (bicyclists and pedestrians), viability of officers to enforce the intersection manually, citizen complaints, and accident potential due to high percentage of violations are just samples of other viable considerations.*

In regards to public hearings, Section 21455.6(a) CVC already requires a public hearing prior to the installation of a red light camera system.

2. Each Jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

RESPONSE: *The City of Brisbane agrees in part with the findings. Accident data has always been a useful tool in measuring the positive impacts of traffic enforcement. However, traffic accident data should be combined with other measurable factors to determine the overall effectiveness of a particular red light camera. One of the positive effects of a red light camera system is to highten the general awareness of the average driver. As a result, the effect of a red light camera or a series of cameras in a community can affect the overall accident rate within that community. Whether or not the percentage of violations have decreased at a particular red light camera intersection is another measurable factor to consider.*

3. Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

RESPONSE: *The City of Brisbane agrees in part with the findings. As stated above, accident rate data is only part of the analysis necessary to evaluate the effectiveness of a particular red light camera. A report to senior officials should include all information relevant to that particular city and their system of red light cameras.*

4. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and effectively evaluate appeals that come before it.

RESPONSE: *The City of Brisbane agrees with the findings. A county wide protocol to address these issues has been drafted and will be reviewed for adoption by the Police Chiefs and Sheriff Association (PCSA) later this year.*

5. Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

RESPONSE: *The City of Brisbane agrees in part with the findings. Signage, in conjunction with a red light camera, can be an effective tool in reducing the accident rates at these intersections. Signage for red light cameras is covered under 21455.5(a)1 CVC and regulated by Caltrans through the Manual on Uniform Traffic Control Devices.*

6. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating

possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional applications of the protocols affecting San Mateo drivers.

RESPONSE: *The City of Brisbane agrees with the findings. Centralizing the administrative tasks associated with evaluating violations and issuing citations could achieve budgetary savings and provide more consistent and professional services to the community.*

Thank you for the opportunity to comment on the recommendations made by the Grand Jury.

Sincerely,

Elizabeth Macias,
Chief of Police

The City of Burlingame

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August 19, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063

Re: San Mateo County Civil Grand Jury report titled "The Effectiveness of Red Light Traffic Camera Enforcement"

Dear Judge Cretan:

The Burlingame City Council received the San Mateo County Civil Grand Jury report titled "The Effectiveness of Red Light Traffic Camera Enforcement." The report contained eighteen "findings" and six "recommendations" in early June 2010.

The City Council was requested to submit comments in regards to the findings and recommendations within 90 days.

For the eighteen "findings," Council was to indicate one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

Additionally, for the Grand Jury's "recommendations," Council was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public

agency when applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report.

4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation therefore.

It should be noted that the City of Burlingame no longer operates a Red Light Camera system. The City terminated its contract with Redflex Traffic Systems on June 30, 2010; however, we would like to outline our concerns with the eighteen Findings and six Recommendations in the Grand Jury's report.
The Burlingame City Council, at its meeting of Monday, August 16, 2010 approved the responses to the findings and recommendations.

On behalf of the City of Burlingame, I would like to thank the Grand Jury for their work on this report.

Sincerely,

Cathy Baylock
Mayor

FINDINGS

Finding #1

"The cities choose locations for the two suppliers red light cameras to evaluate. The vendors then recommend the location of cameras based on studies which evaluate the potential number of possible red light violations and not necessarily the number of accidents that can be prevented."

Response to Finding #1

- The City of Burlingame disagrees partially with the finding. The City of Burlingame initially evaluated systems from both RedFlex Traffic Systems and American Traffic Solutions (ATS). Ultimately, Redflex was chosen as the vendor who evaluated the intersections.

Finding #2

"Police Departments and traffic engineers provide their input as to where cameras should be installed with primary emphasis on safety rather than the number of citations that can be issued. Ultimately, both the city and the vendor must agree on the location for installation."

Response to Finding #2

- The City of Burlingame agrees with the finding.

Finding #3

"The red light camera systems installed in the county are generating significant revenue for the cities. In 2009, the amount the cities receive per citation ranges from $119.17 (San Mateo) to $142.49 (San Carlos)."

Response to Finding #3

- With regard to the City of Burlingame, we partially disagree with this finding. The Red Light Camera Program in the City of Burlingame was not a cost effective law enforcement tool. The City of Burlingame chose to terminate its contract June 30, 2010. The amount received from fines fell between the ranges indicated.

Finding #4

"Three cities, Belmont, South San Francisco, and Burlingame have recently instituted red light traffic camera programs. The inception dates are too recent to report reliable empirical data. For the remaining cities, the grand jury estimated the potential monthly revenue based upon data received from the cities."

Response to Finding #4

- The City of Burlingame is unable to provide an opinion in regards to Finding #4 as there is not reliable empirical data for Burlingame.

Finding #5

The data as reported indicated that in all the jurisdictions above, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs. (Recently, the City of San Carlos extended the yellow light time to comply with state standards and found that the number of citations fell dramatically. As a result

the revenue from red light citations could no longer cover the associated costs.)

Response to Finding #5

- The City is unable to provide an opinion in regards to Finding #5 as there is not reliable empirical data for the City of Burlingame. The Red Light Camera Program in the City of Burlingame was not a cost effective law enforcement tool. The City of Burlingame chose to terminate its contract June 30, 2010.

Finding #6

Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued. Based on the data provided by the cities, there was no overall trend indicating a noticeable change in accident rates before and after installation of red light cameras.

Response to Finding #6

- The City is unable to provide an opinion in regards to Finding #6 as there is not reliable empirical data for the City of Burlingame. The Red Light Camera Program in the City of Burlingame was not a cost effective law enforcement tool. The City of Burlingame chose to terminate its contract June 30, 2010.

Finding #7

Most cities are protected from losses by a "cost neutral" clause in their contracts. In the event that fine revenue received does not cover the monthly cost of the contract, the city is only required to pay the actual amount that it did receive. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts following a recent court case where a citation issued with this clause in place was dismissed by the court.

Response to Finding #7

- While we do not have information regarding other cities, with regard to the City of Burlingame, we disagree with this finding. The City of Burlingame's contract never included a "cost neutral" clause.

Finding #8

A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.

Response to Finding #8

- While we do not have information regarding other cities, with regard to the City of Burlingame, we agree with this finding in general. However, it is important to recognize that this fine, similar to other fines, does fluctuate. It is also important to remember that turning right against a red-light without stopping is a clear danger to drivers, bicyclists, and pedestrians (young and old) which is the reason why it is illegal in the State of California.

Finding #9

The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses and as a result is often appealed to the traffic court. The state mandated fine in 2010 for failure to stop at a stop signal or failure to halt before turning right on a red light is $446.00. Traffic School is an additional $60.00. By contrast, the fine for failure to halt at a stop sign is $214.00; and the fine for going 15 mph over the speed limit is $214.00.

Response to Finding #9

- While the stated fines are correct, we disagree with the finding that the fine for failure to stop for a right hand turn "is out of proportion". This finding appears to be an opinion of the Grand Jury and there is no documented evidence to prove that the violation in question is out of proportion to similar offenses. A controlled intersection is unique due to the sense of safety it provides to the motorist and to the pedestrian. Pedestrians find safety with the crosswalk light which gives them permission to cross while motorists find safety in a green or red light. Based on the City of Burlingame experience, the statement that right hand term violations are "often appealed to the traffic court" is not correct. It should also be noted that the State of California sets the fines and courts assessments for vehicle code violations.

Finding #10

Using South San Francisco as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446.00 fine would be distributed among the city, the county and the state as follows:

State of California	*$202.47*	*46%*
So. San Francisco	*$139.75*	*31%*
San Mateo County	*$103.78*	*23%*

Response to Finding #10

- Because we do not have information regarding the City of South San Francisco, the City of Burlingame is unable to agree or disagree with this finding.

Finding #11

The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009. The Superior Court of San Mateo County reported the following information:

Red light Citations	*2008: 17,211*	*2009: 30,948*	*%Change: 80%*
All Other Citations	*2008: 113,023*	*2009: 133,871*	*%Change: 18%*
Total Citations	*2008: 130,234*	*2009: 164,819*	*%Change: 27%*

Response to Finding #11

- Because we do not have information regarding the number of citations processed by the courts, the City of Burlingame is unable to agree or disagree with the finding. It is important to realize the percentage change column is deceiving. "Red Light Citations" increased by 13,737 citations while "All Other Citations" increased by 20,848 citations. The difference was 7,111 more "All Other Citations" than "Red Light Violations."

Finding #12

The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity which requires additional staffing and resource commitment.

Response to Finding #12

- Because we do not have information regarding the number of citations, the courts' ability to process those citations, the City of Burlingame is unable to agree or disagree with the first part of this finding. The City disagrees with the finding that the court has not received any additional funding. Using the figures in Grand Jury Finding #10, the County of San Mateo receives 23% ($103.78) of a red light violation fine. Using the number of red light citations the County processed in 2008 and 2009 (as noted in Grand Jury Finding #11), the County collected an estimated $ 4.9 million dollars in 2008 and 2009 for red light citations. This is not consistent with the Grand Jury's finding.

Finding #13

Local court personnel who have already been reduced by 20% from layoffs and mandated furloughs are in arrears by approximately six months in processing traffic complaints.

Response to Finding #13

- Because we do not have information regarding the number of citations, the courts' ability to process those citations and internal budgetary functions of the court, the City of Burlingame is unable to agree or disagree with the finding.

Finding #14

Based on court statistics the chart below provides an indication of the increasing volume of red light camera citations being issued over the two years ending December 31,2009. South San Francisco was not included because on Feb. 5, 20 I0, the City had announced that it would be refunding/dismissing all tickets issued from the beginning of the program up to Jan.27, 2010 - this was later extended to Mar. 10,2010. The impact on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.

Response to Finding #14

- While we do not have information regarding other cities, with regard to the City of Burlingame, the City Burlingame partially agrees with the finding. The City did not consider the Court's workload when considering the placement of red-light enforcement cameras. Paramount considerations were the safety of the public and enforcement of the law.

Finding #15
There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.

Response to Finding #15

- The City of Burlingame disagrees with this finding. A draft protocol was developed by the San Mateo County Police Chief's and Sheriff Association in 2008. Jurisdictions using red light cameras have informally adopted it as their guideline. Also in 2008 a San Mateo County Red Light Photo Users Group was formed to address court's request for consistency between agencies using red light cameras. A committee within the User's Group has been formed to update the 2008 protocol so that it can be formally adopted.

Finding #16
Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents. Appendix "A," contains a selection of pictures of the warning signs used by the cities. Some such as San Carlos are clearly visible placed high and on the signal itself. Others such as those used in Menlo Park are in the far right, some distance from the intersection and often partially hidden by trees and other highway signs. In Daly City there were no warning signs at the intersection of Junipero Serra and Washington.

Response to Finding #16

- While we do not have information regarding other cities, with regard to the City of Burlingame, we disagree with this finding in general. Section 21455.5 (a) (1) of the California Vehicle Code states that the *"governmental agency may maintain an automated traffic enforcement system if it identifies the system by signs that clearly indicate the system's presence and are visible to traffic approaching from all directions, or posts signs* ***at all major entrances to the city****, including, at a minimum, freeways, bridges, and state highway routes."*

There are signs posted at all major entry points from San Mateo, Hillsborough and Millbrae into the City of Burlingame including, freeways, bridges, and state highway routes. However, this is academic as the City of Burlingame terminated its contract on June 30, 2010 and thereby discontinued the Red Light Camera Program because it was not a cost effective law enforcement tool.

Finding #17
Police departments view the use of red light cameras and the associated signage as "behavior modification", basically educating the public that they must be careful to observe moving violations at all intersections.

Response
The City of Burlingame agrees with the finding.

Finding #18
The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

Response
The City of Burlingame agrees with the finding. Red Light Cameras increase the safety for officers and the motoring public. Many times the intersections which are selected for Red Light Camera's are extremely complicated and dangerous. They are not conducive for traditional enforcement due to the number of traffic lanes, traffic congestion, planters, available parking to monitor the intersection and the overall design of the intersections.

RECOMMENDATIONS
The 2009-2010 San Mateo County Civil Grand Jury recommends the following to the City Councils of the cities of San Mateo County:

Recommendation #1
Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

Response to Recommendation #1
- The City of Burlingame no longer utilizes Red Light Camera Enforcement. The recommendation will be implemented if the City of Burlingame installs a Red Light Camera System in the future.

Recommendation #2
Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

Response to Recommendation #2
- The City of Burlingame no longer utilizes Red Light Camera Enforcement. The recommendation will be implemented if the City of Burlingame installs a Red Light Camera System in the future.

Recommendation #3
Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

Response to Recommendation #3
- The City of Burlingame no longer utilizes Red Light Camera Enforcement. The recommendation will be implemented if the City of Burlingame installs a Red Light Camera System in the future.

Recommendation #4

Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

Response to Recommendation #4

- The recommendation should be implemented in the future. The San Mateo County Police Chief's and Sheriff Association has asked the County Red Light Users Group to implement consistent protocols for cities utilizing camera systems. There is no date set for completion.

Recommendation #5

Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

Response to Recommendation #5

- The City of Burlingame no longer utilizes Red Light Camera Enforcement. The recommendation will be considered if the City of Burlingame installs a Red Light Camera System in the future.
- It should be noted that this Recommendation is addressed in 21455.5 (a) (1) of the California Vehicle Code.

Recommendation #6

Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

Response to Recommendation #6

The City of Burlingame no longer utilizes Red Light Camera Enforcement. The recommendation will be considered if the City of Burlingame installs a Red Light Camera System in the future.

CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

September 14, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: Civil Grand Jury Report on the Effectiveness of Red Light Traffic Camera Enforcement

Dear Judge Cretan:

On behalf of the City Council of Daly City, I have been requested to submit for the City the following responses to the Civil Grand Jury findings and recommendations pertaining to the above referenced report:

FINDINGS

Finding #1
The cities choose locations for the two suppliers of red light cameras to evaluate. The vendors then recommend the location of cameras based on studies which evaluate the potential number of possible red light violations and not necessarily the number of accidents that can be prevented.

Response
The City **partially disagrees** with this finding. The Police Department provided our vendor with collision data that identified the top ten intersections in our City with the most auto collisions. The vendor then provided the Police Department with the potential red light violation numbers.

Finding #2
Police Departments and traffic engineers provide their input as to where cameras should be installed with primary emphasis on safety rather than the number of citations that can be issued. Ultimately, both the city and the vendor must agree on the location for installation.

Response
The City **agrees** with this finding.

Finding #3
The red light camera systems installed in the county are generating significant revenue for the cities. In 2009, the amount the cities receive per citation ranges from $119.17 (San Mateo) to $142.49 (San Carlos).

Response
The City **partially disagrees** with this finding. The Daly City Police Department receives $131.50 per citation. Revenue generated from this program as of June 1, 2010 has been $428,721.98. The Police Department has expended $373,055.61 which pays for the Program Administrator's salary and the $24,000.00 equipment lease per month to Red Flex. This results in $55,666.37 net revenue to the City, which is not a significant source of revenue.

Finding #4
Three cities, Belmont, South San Francisco, and Burlingame have recently instituted red light traffic camera programs. The inception dates are too recent to report reliable empirical data. For the remaining cities, the grand jury estimated the potential monthly revenue based upon data received from the cities.

Response
The City **agrees** with the finding that Daly City's estimated revenue from the red light traffic camera program is $86,792 per month.

Finding #5
The data as reported indicated that in all the jurisdictions above, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs. (Recently, the City of San Carlos extended the yellow light time to comply with state standards and found that the number of citations fell dramatically. As a result the revenue from red light citations could no longer cover the associated costs.)

Response
The City **agrees** with this finding. The Daly City Police Red Light Camera Program as of June 1, 2010 has generated $55,666.37 in revenue for the City. In addition, due to the volume of citations being issued, the Police Department needs to hire another program administrator. This administrator's salary should continue to be covered by the program revenues.

Finding #6
Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued. Based on the data provided by the cities, there was no overall trend indicating a noticeable change in accident rates before and after installation of red light cameras.

Response
The City **wholly disagrees** with this finding. The primary concern for implementing this program in the City of Daly City has always been the benefit received from greater traffic safety in our community. Since the start of this program the City of Daly City has experienced a **29% drop in traffic collisions citywide**.

Finding #7
Most cities are protected from losses by a "cost neutral" clause in their contracts. In the event that fine revenue received does not cover the monthly cost of the contract; the city is only required to pay the actual amount that it did receive. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts following a recent court case where a citation issued with this clause in place was dismissed by the court
Response
The City **disagrees** with this finding. The City has no knowledge as to the terms of the San Carlos and San Mateo contracts or whether such contracts contain any cost neutrality clauses and whether or not such clauses were removed. The City further **disagrees** with the description that a recent court case dismissed a citation based upon the cost neutrality clause. The legality of the cost neutrality clause has not yet been litigated.

Finding #8
A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.

Response
The City **strongly disagrees** with this finding. Three out of four red light camera approaches capture right turn violations in the City of Daly City. At these three approaches there were a total of 6,395 violations. Of the total violations, only 1,764 were for right turn violations. Right turn violations represent only 27.5% of total violations, which is not a significant portion of the citations issued.

Finding #9
The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses and as a result is often appealed to the traffic court. The state mandated fine in 2010 for failure to stop at a stop signal or failure to halt before turning right on a red light is $446.00. Traffic School is an additional $60.00. By contrast, the fine for failure to halt at a stop sign is $214.00; and the fine for going 15 mph over the speed limit is $214.00.

Response
The City **strongly disagrees** with this finding. The dangers of turning right on a red light, without first stopping, creates an unsafe movement because the driver has failed to look for pedestrians crossing the street or vehicles entering the roadway from another direction. The Police Department believes that the effect of failing to stop can cause fatalities and therefore, is

equally as dangerous as a straight through violation at the same intersection. Thus, the fine of $446 is proportionate to the severity of the violation.

Finding #10
Using South San Francisco as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446.00 fine would be distributed among the city, the county and the state as follows: South San Francisco, $139.75, 31% State of California, $202.47 , 46% San Mateo County, $103.78 , 23%

Response
The City **agrees** with this finding.

Finding #11
The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009. The Superior Court of San Mateo County reported the following information:

	2008	2009	% Change
Red Light Citations	17,211	30,948	80%
All Other Citations	113,023	133,871	18%
Total Citations	130,234	164,819	27%

Response
The City **agrees** with this finding.

Finding #12
The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity which requires additional staffing and resource commitment.

Response
The City **partially disagrees** with this finding. The Grand Jury report cites a 27% increase in traffic violations, which results in an increase in revenue for the County. This increased revenue could be used to fund increased staffing in the Court.

Finding #13
Local court personnel who have already been reduced by 20% from layoffs and mandated furloughs are in arrears by approximately six months in processing traffic complaints.

Response
The City **disagrees** with this finding. This finding implies that the increase in citations is the cause of the court backlog. Rather, it is the 20% personnel reduction due to lay-offs and furloughs that has contributed to the six-month backlog, not the increase in citation processing.

As stated previously, the increase in revenue from red light camera traffic citations could be used to fund increased staffing in the Court.

Finding #14
Based on court statistics the chart below provides an indication of the increasing volume of red light camera citations being issued over the two years ending December 31, 2009. South San Francisco was not included because on Feb. 5, 2010, the City announced that it would be refunding/dismissing all tickets issued from the beginning of the program up to Jan 27, 2010 - this was later extended to Mar. 10, 2010. The impact on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.

Response
The City **partially disagrees** with this finding. At the beginning of this program, the Daly City Police Department hosted a meeting with Superior Court personnel to discuss implementation of the Automated Red Light Traffic Camera Enforcement program. The purpose of the meeting was to discuss the impact of the program on the Superior Court.

Finding #15
There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.

Response
The City **partially disagrees** with this finding. The Daly City Police Department has implemented a formal protocol for the processing of citations by our personnel. The Police Department follows guidelines in the processing of all citations and is consistent in the application of those guidelines. The Police Department is currently participating with other agencies in the County to create a countywide protocol for the processing of red light camera violations.

Finding #16
Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents. Appendix "A," contains a selection of pictures of the warning signs used by the cities. Some such as San Carlos are clearly visible placed high and on the signal itself. Others such as those used in Menlo Park are in the far right, some distance from the intersection and often partially hidden by trees and other highway signs. In Daly City there were no warning signs at the intersection of Junipero Serra and Washington.

Response
The City **disagrees** with this finding. The Police Department has complied with Vehicle Code section 21455.5 in the placement of red light camera warning signs. The Vehicle Code requires

that signs be posted in one of two ways. One option is to post warning signs at each intersection where cameras are installed that are clearly visible to traffic approaching from all directions. The second option is to post warning signs at all major entrances to the city which obviates the need to place additional signs at each intersection. The Police Department has chosen to place warning signs at all entrances to our City. There are currently 26 signs posted. This option alerts all drivers entering the City to be aware that the City utilizes red light photo enforcement.

Finding #17
Police departments view the use of red light cameras and the associated signage as "behavior modification", basically educating the public that they must be careful to observe moving violations at all intersections.

Response
The City **agrees** with this finding.

Finding #18

The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

Response
The City **agrees** with this finding.

RECOMMENDATIONS

Recommendation #1
Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

Response
The **City has implemented this recommendation** since the inception of the program. The City Council approved the red light camera enforcement program at an open public meeting. Prior to selecting the intersections for installation of red light cameras, the Police Department identified the top 10 intersections which had the highest incidence of traffic collisions. The City believes that the selection of intersections should not only be based on the number of vehicle collisions, but should also include the number of violations at a given intersection, as each violation represents a potential collision. The **City agrees** that the potential amount of revenue to be generated by citations should not be a factor in the installation of red light cameras. Taken to the

most logical conclusion, if red light camera enforcement programs are 100% effective, no revenue will be generated at all. The City Council has delegated to the Police Department the authority for the selection of new intersections in the future based upon the relevant traffic collision data.

Recommendation #2
Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

Response
The **City has implemented this recommendation** since the inception of the program.

Recommendation #3
Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

Response
The City **partially agrees with this recommendation**. Annually, the Police Department will provide to the City Council a detailed report on the red light camera enforcement program and the resulting impact on reducing traffic accidents. However, the City **does not agree** that a reduction in vehicle accidents warrants the removal of red light cameras, as the cameras continue to serve as an effective deterrent to red light traffic violations, as well as an effective tool to further reduce traffic collisions.

Recommendation #4
Working through the County Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

Response
The **City will implement this recommendation** and is currently in the process of developing consistent protocols and standard operating procedures throughout the County.

Recommendation #5
Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

Response
The **City will not implement this recommendation**. Existing signage within the City regarding red light camera enforcement complies fully with State law. The **City does not agree** that additional signage warning motorists to make a full stop before turning right on a red light is warranted because the CA Vehicle Code requires a full and complete stop for any red traffic light, whether solid red, red arrow or flashing red. According to the Department of Motor Vehicles, this is considered a basic rule of law when operating a motor vehicle, irrespective of red light camera enforcement.

Recommendation #6
Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

Response
The **City may consider implementation of this recommendation** to the extent that there is sufficient data to support the centralization of the administrative tasks of evaluating possible violations and issuance of citations. The City will continue to work with other jurisdictions to develop a standard protocol for the issuance and processing of such citations.

In conclusion, the City of Daly City appreciates the opportunity to provide written responses to the San Mateo County Civil Grand Jury Report on the Effectiveness of Red Light Traffic Camera Enforcement. The City Council of Daly City approved the responses contained herein on September 13, 2010.

Should you or the Grand Jury require additional information or clarification concerning the responses provided, please contact me directly at (650) 991-8127.

Sincerely,

Patricia E. Martel
City Manager

CITY OF EAST PALO ALTO
OFFICE OF THE CITY MANAGER

February 9, 2011

Honorable Clifford Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063

Re: 2009-2010 San Mateo County Grand Jury Report: The Effectiveness of Red Light Camera Enforcement

Dear Judge Cretan,

We are in receipt of the Grand Jury's final report, "The Effectiveness of Red Light Camera Enfrocement". Pursuant to your June 7, 2010 request for response, the East Palo Alto City Council held a public meeting on February 1, 2011, and approved this response. The City of East Palo Alto responds to the Grand Jury findings, conclusions, and recommendations as follows:

The 2009-2010 San Mateo County Civil Grand Jury report on Red Light Cameras concludes that:

1. There are no uniform protocols established throughout San Mateo County for evaluating possible infractions and determining the issuance of a citation, thus making court decisions difficult and undermining the trust of the county's citizenry.

2. Although the purpose for the installation and maintenance of red light cameras may have been public safety, they have also come to represent a significant source of funding for the cities. Cities have not established consistent and standardized reporting and evaluation processes to determine if the red light camera, at any particular intersection, is in fact, reducing the number of vehicle collisions.

3. With some exceptions, signage is not being used as a tool for slowing down oncoming traffic and thereby reducing the accident rate.

4. The use of red light traffic cameras is cost-effective and financially viable when compared to utilizing police officers to perform equivalent enforcement. All of the cities that have implemented this technology and still have the "cost neutral" clause in place have covered contractual costs and administrative costs.

5. The camera technology provides an effective method of enforcing a vehicle code violation that has a high probability of causing an accident.

6. Cities, when determining whether to install a red light camera, have failed to consider the impact on the Superior Court of San Mateo County and on the citizenry who need to access that court.

7. Within the county there should be no differences between the cities in the criteria used for the issuance of a citation

City's Response:
The City of East Palo Alto does not currently utilize Red Light Cameras. Therefore, the City can neither agree or disagree with the Grand Jury's findings at this time.

The 2009-2010 San Mateo County Civil Grand Jury recommends the following to the City Councils of the cities of San Mateo County with regards to the use of Red Light Cameras:

1. Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

2. Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

3. Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

4. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

5. Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

6. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

City's Response:
The City of East Palo Alto does not currently utilize Red Light cameras. Therefore, the recommendations have not yet been implemented. If the City does decide to use Red Light cameras in the future, the City will consider implementing the recommendations outlined by the Grand Jury after analyzing at that time whether each recommendation is warranted or reasonable.

Respectfully,

ML Gordon
City Manager

RESOLUTION NO 4093

A RESOLUTION OF THE EAST PALO ALTO CITY COUNCIL APPROVING THE CITY MANAGER'S LETTER OF RESPONSE TO THE 2009-2010 SAN MATEO COUNTY GRAND JURY REPORT ENTITLED "THE EFFECTIVENESS OF RED LIGHT CAMERA ENFORCEMENT"

WHEREAS, The San Mateo Grand Jury issued a report, "The Effectiveness of Red Light Camera Enforcement" ("Report"), and;

WHEREAS, the Report includes findings, conclusions and recommendations regarding Red Light Camera use and enforcement, and;

WHEREAS, the City Council is required to respond to the findings, conclusions and recommendations of the Grand Jury at a public meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of East Palo Alto does hereby approve the City Manager's Letter of Response to the 2009-2010 San Mateo Grand Jury Report, "The Effectiveness of Red Light Camera Enforcement".

PASSED AND ADOPTED by the City Council of the City of East Palo Alto on the 1st day of February, 2011, by the following vote:

AYES: **ABRICA, EVANS, MARTINEZ, ROMERO**
NAES: **0**
ABSENT: **WOODS**
ABSTAIN: **0**

Carlos Romero, Mayor

ATTEST:

ML Gordon, City Clerk

APPROVED AS TO FORM:

Vincent C. Ewing, City Attorney

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL DOCUMENT

8 FEB 2011

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
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July 20, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: City of Foster City's Response to the Grand Jury Report Regarding the Effectiveness of Red Light Traffic Camera Enforcement

Dear Judge Cretan:

We are in receipt of the Grand Jury Report dated June 7, 2010 regarding the Effectiveness of Red Light Traffic Camera Enforcement. In view of the fact that the City of Foster City does not have any Red Light Traffic Cameras and does not intend to install any Red Light Traffic Cameras, this issue does not apply to us; therefore, the City neither agrees nor disagrees with the Grand Jury's findings and recommendations. If in the future the City of Foster City were to consider the installation of Red Light Traffic Cameras, the City would take this Grand Jury Report under advisement at that time.

The City Council approved this response to the Grand Jury Report at its regular meeting of July 19, 2010.

Sincerely,

Rick Wykoff
Mayor

CITY OF HALF MOON BAY
City Hall, 501 Main Street Half Moon Bay CA 94019

July 7, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: Grand Jury Findings and City of Half Moon Bay Responses

Dear Judge Cretan:

At its July 6, 2010 meeting, the Half Moon Bay City Council reviewed and approved the following responses to the Grand Jury's June 7, 2010 entitled "The Effectiveness of Red Light Traffic Camera Enforcement" (the "Report").

Findings:
The City Council neither agrees nor disagrees with the findings contained in the Report, inasmuch as all of the findings pertain to agencies that have implemented the use of red light traffic cameras as an enforcement mechanism, and the City of Half Moon Bay does not and currently has no plans to utilize red light traffic cameras in the near future.

Recommendations:
The City Council has not implemented any of the Grand Jury's recommendations. Should the City Council consider utilizing red light traffic cameras in the future, it will consider implementing such recommendations after analyzing whether each recommendation is warranted or reasonable.

Very truly yours,

Michael Dolder
Interim City Manager
City of Half Moon Bay

cc: Mayor and City Council
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PDF to grandjury@sanmteocourt.org

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CITY OF MENLO PARK

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August 30, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-2655

Dear Judge Cretan:

Subject: Response to Grand Jury Report "The Effectiveness of Red Light Camera Enforcement"

In response to the above referenced Grand Jury report, the City of Menlo Park respectfully submits responses to the findings and recommendations contained in the report. This letter was approved by the City Council at its regular meeting held on August 24th, 2010.

Grand Jury Findings

1. The cities choose locations for the two suppliers of red light cameras to evaluate. The vendors then recommend the location of cameras based on studies which evaluate the potential number of possible red light violations and not necessarily the number of accidents that can be prevented.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *The City of Menlo Park recommends locations for evaluation to the vendor based upon a variety of concerns including, but not limited to, collision data, complaints from the public and the ability of officers to safely conduct enforcement activities. The volume of traffic is directly related to the potential for traffic collisions. The police department recommendations and the vendor evaluations incorporate the volume of traffic in determining the existence and severity of a traffic safety problem.*

2. Police Departments and traffic engineers provide their input as to where cameras should be installed with primary emphasis on safety rather than the number of citations that can be issued. Ultimately, both the city and the vendor must agree on the location for installation.

The City of Menlo Park agrees with the finding.

3. The red light camera systems installed in the county are generating significant revenue for the cities. In 2009, the amount the cities receive per citation ranges from $119.17 (San Mateo) to $142.49 (San Carlos).

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *The potential for revenue generation is significant but cannot be relied upon as a steady revenue stream. The focus of the program is the reduction of traffic collisions based upon open and notorious camera enforcement. Revenue from issued violations is not static and may be eliminated/reduced as a result of dismissal, non-payment and fine reduction.*

4. Three cities, Belmont, South San Francisco, and Burlingame have recently instituted red light traffic camera programs. The inception dates are too recent to report reliable empirical data. For the remaining cities, the grand jury estimated the potential monthly revenue based upon data received from the cities.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *These calculations are based on collection of 100% of violations processed and are therefore inaccurate and unrealistic. A realistic estimate of the potential monthly revenue would consider dismissals, failure to pay fines and fine reductions.*

5. The data as reported indicated that in all the jurisdictions above, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs. (Recently, the City of San Carlos extended the yellow light time to comply with state standards and found that the number of citations fell dramatically. As a result the revenue from red light citations could no longer cover the associated costs.)

The City of Menlo Park agrees with this finding. Currently, revenue earned exceeds direct costs. The cost analysis did not consider indirect costs allocated to the personnel charged with review, issuance and enforcement of citations, which reduces the net positive revenue. The City of Menlo Park has no information or comment related to the San Carlos reference, other than all Menlo Park red light monitored intersections are compliant with state standards with regards to yellow phase timing.

6. Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued. Based on the data provided by the cities, there was no overall trend indicating a noticeable change in accident rates before and after installation of red light cameras.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *Collision data needs to be analyzed based upon the primary collision factor and relevance to the monitored*

approach. The City of Menlo Park has seen a reduction in collisions in the red light camera monitored approaches.

7. Most cities are protected from losses by a "cost neutral" clause in their contracts. In the event that fine revenue received does not cover the monthly cost of the contract, the city is only required to pay the actual amount that it did receive. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts following a recent court case where a citation issued with this clause in place was dismissed by the court.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *The City of Menlo Park's contract does contain a cost neutrality clause but its language does not relieve the City of its financial obligations to Redflex. If the revenue received in any one month does not support the full payment of the month's invoice, the unpaid amount is deferred and the outstanding balance is carried forward. Any revenue received for one year after the expiration or termination of the contract must be used to pay any outstanding balance. In a recent court case, People v. Berdell on appeal Judge Mark Forcum ruled that the city's agreement is legal.*

8. A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.

The City of Menlo Park agrees with the finding.

9. The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses and as a result is often appealed to the traffic court. The state mandated fine in 2010 for failure to stop at a stop signal or failure to halt before turning right on a red light is $446.00. Traffic School is an additional $60.00. By contrast, the fine for failure to halt at a stop sign is $214.00; and the fine for going 15 mph over the speed limit is $214.00.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *The fine for failure to stop for a red signal light is $446.00, whether a driver is travelling straight through an intersection or is turning. These offenses are similar and the associated fines are appropriate in that both involve signal controlled intersections and both present serious safety implications for other drivers and pedestrians. The fine for failing to stop for a stop sign controlled intersection does seem to be disproportionate to the fine for a signal controlled intersection.*

10. Using South San Francisco as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446.00 fine would be distributed among the city, the county and the state.

The City of Menlo Park agrees with the finding.

11. The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009.

The City of Menlo Park agrees with the finding.

12. The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity which requires additional staffing and resource commitment.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *Red light camera enforcement programs in San Mateo County have generated an estimated $3 million for the county alone since their inception. This finding may be correct on its face, but it ignores the counties receipt of the revenue generated by the program while at the same time failing to use those funds to support the program with adequate personnel to process the citations.*

13. Local court personnel who have already been reduced by 20% from layoffs and mandated furloughs are in arrears by approximately six months in processing traffic complaints.

The City of Menlo Park does not agree nor disagree with this finding. ***Reason:*** *Lack of information related to the finding.*

14. Based on court statistics the chart below provides an indication of the increasing volume of red light camera citations being issued over the two years ending December 31, 2009. South San Francisco was not included because on Feb. 5, 2010, the City had announced that it would be refunding/dismissing all tickets issued from the beginning of the program up to Jan. 27, 2010 – this was later extended to Mar. 10, 2010. The impact on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *Increased workload should not be a consideration when traffic safety is the issue.*

15. There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.

The City agrees with the finding.

16. Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents. Appendix "A," contains a selection of pictures of the warning signs used by the cities. Some such as San Carlos are clearly visible placed high and on the signal itself. Others such as those used in Menlo Park are in the far right, some distance from the intersection and often partially hidden by trees and other highway signs. In Daly City there were no warning signs at the intersection of Junipero Serra and Washington.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *Current signage meets all state mandated requirements for posting. There are actually two signs posted at the Bayfront and Willow location. The sign pictured in the appendix at Menlo and Ravenswood is 42' from the nearest tree. Further, due to the fact that all Menlo Park approaches are at CalTrans maintained intersections, the City of Menlo Park cannot post additional informational signs without CalTrans approval. Finally, the signs are not designed to "slow down drivers"; they are designed to inform the public of a red light camera monitored intersection.*

17. Police departments view the use of red light cameras and the associated signage as "behavior modification", basically educating the public that they must be careful to observe moving violations at all intersections.

The City of Menlo Park disagrees wholly or partially with the finding. ***Reason:*** *The red light camera enforcement program is designed and intended to reduce traffic collisions and increase traffic safety.*

18. The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

The City of Menlo Park agrees with the finding.

Grand Jury Recommendations

Recommendations:

1. Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

Implemented: *This was done prior to the inception of the program. Intersections were identified by accident data and supported by violation data. The locations were not identified based upon their potential for revenue. The decision to utilize city council open hearings to determine future installation locations will need additional analysis. This will require additional collaboration among city departments, department heads, city council and the red light camera program manager. This could take three to six months to complete.*

2. Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

Implemented: *The red light program manager monitors red light camera intersections quarterly by running accident statistics to continually measure the ongoing effectiveness of the system.*

3. Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

Will be implemented: *An annual report will be generated and forwarded to senior officials annually at the conclusion of the calendar year.*

4. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

Will be implemented: *The County Police Chiefs and Sheriffs Association as well as participating agencies are working on a San Mateo County Users Group Protocol. We expect its implementation in the near future.*

5. Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a fill stop before turning right on a red light.

Implemented: *Prominent signage is posted and has been since the inception of the program. As to the second part of this recommendation, "include signage warning motorists to come to a full stop before turning right on a red light," Additional signage at any given intersection could actually be more confusing and difficult to read.*

6. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

Recommendation needs further analysis: *As viable as the recommendation sounds, this will take further exploration from the Police Chiefs and Sheriffs Association and/or the City Managers Association, to determine how the centralization of administrative tasks would occur. This could take 3-6 months to take place.*

Conclusion:

Traffic and transportation issues are important to the Menlo Park community. They are also important to the Menlo Park Police Department in its effort to deliver effective police services to the community.

Traffic enforcement is critical to the enhancement and maintenance of a safe environment for our motoring public, pedestrians and bicyclists. The reduction of traffic collisions is a key goal of the red light camera program, but it is not the only consideration when evaluating its effectiveness. Other factors such as the volume of traffic and violation count, as well as the ability to safely provide traditional enforcement using motorcycles and/or automobiles must be considered. Red light cameras are an integral part of our overall effort to enhance traffic safety in the City of Menlo Park.

Thank you for this opportunity to respond. Please contact me at (650) 330-6600 should you have any questions regarding the City's response to the report or its participation in the red light camera enforcement program.

Sincerely,

Glen Rojas, City Manager

City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

July 27, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

The Millbrae City Council and I have reviewed the San Mateo County Grand Jury report on The Effectiveness of Red Light Camera Traffic Enforcement. The Grand Jury also requested that the City of Millbrae provide a response to the findings and recommendations contained in the report.

Attached you will find the City of Millbrae's official response to the June 7, 2010 letter from the Superior Court. The City Council has reviewed and approved this letter and the attached responses to the Grand Jury report during our regular meeting held July 27, 2010.

The members of the Millbrae City Council and City staff are dedicated to providing traffic safety in our community. We appreciate the Grand Jury's time and effort into compiling the report on The Effectiveness of Red Light Traffic Camera Enforcement. We hope you will find our commentary helpful.

Sincerely,

Paul Seto, Mayor
City of Millbrae

City of Millbrae Comments
Grand Jury Report on The Effectiveness of Red Light Traffic Camera Enforcement
July 27, 2010

The City of Millbrae reviewed the San Mateo County Grand Jury report on The Effectiveness of Red Light Traffic Camera Enforcement. The City of Millbrae concurs with the 2008 Grand Jury findings that red light cameras increase safety, which is the sole purpose of the Millbrae photo enforcement program.

Responses to the Grand Jury Findings:

- Findings 1 & 2 – Partially Agree
  - Staff from the Police Department and Engineering Department at the City of Millbrae selected locations for photo enforcement in order to enhance traffic safety. Intersections were selected based on several factors that effect traffic safety, such as roadway configuration, traffic volume, collision history and violation frequency. For example, the City of Millbrae utilizes photo enforcement at the intersection of Millbrae Avenue and Rollins Road. This is a multiple lane intersection that has a significant amount of vehicular and pedestrian traffic due to a BART Station, a Caltrain station, and recent commercial developments at this location. The traffic volume at this intersection has increased over the years as more and more people take advantage of public transportation. The multiple lanes and traffic volume at this intersection make it difficult for officers to safely enforce violations. Each violation has the potential to result in a collision. An effective method to prevent collisions is to reduce the number of violations. Enforcement is a proven prevention method.

- Findings 3, 4 & 5 – Partially Disagree
  - While the City of Millbrae receives fines that exceed the red light photo equipment costs, not all red light camera systems are generating revenue. Some cities report revenue, others report a "break even" amount, and some report fines from violations do not cover the equipment rental expenditures.

- Finding 6 – Partially Disagree
  - The City of Millbrae does view collision statistics as one of several factors to consider when evaluating the effectiveness of photo enforcement. This cannot be the exclusive method. Roadway configuration, traffic volume, and the number of violations must also be considered. For example, the amount of vehicular traffic on Millbrae Avenue and the number of traffic lanes at the intersection with Rollins Road make it difficult for officers to safely enforce violations. While we agree the trends for collision history vary, the goal is to eliminate the violation that causes or contributes to the collision; therefore, the number of violations must be considered as well.

- Finding 7 - Disagree
  - Several years back, the City of Millbrae amended its contract with the equipment vendor to eliminate any "cost neutral" clause, and currently pays a pre determined fixed cost for equipment rental.

- Findings 8 & 9 - Agree
  - The City of Millbrae does have more violations associated with right turns. Regardless of the direction, a red light violation has the potential to cause a serious accident, whether that is with a pedestrian in the crosswalk or a vehicle lawfully entering an intersection. Accordingly, the fine should be uniform.

- Finding 10 - Agree
  - The fines received from red light camera citations vary, and it's estimated that the City of Millbrae receives approximately $120 of the $446 fine set by the state.

- Finding 11 – Agree
  - Red light cameras provide 24-hour enforcement, which could not be staffed by traditional enforcement. It is not a surprise that the number of citations has increased, especially since more cities have employed the use of photo enforcement.

- Finding 12 – Partially Disagree
  - The Grand Jury Report notes that the County receives a percentage of the fine, which could and should be used to offset what is assumed to be a temporary increase in workload. It is the goal of photo enforcement to reduce potential collisions as a result of fewer violations; therefore, the numbers of citations should gradually decrease as motorists become aware of photo enforcement. The City of Millbrae offers violators an opportunity to view the footage prior to contesting the violation in court. This helps to relieve some of the burden on the courts.

- Findings 13 & 14 - Agree
  - The City of Millbrae has also reduced the number of staff devoted to traffic enforcement over the past several years. The Grand Jury reports that eight cities over four years have installed photo enforcement. This is a relatively short time frame. As mentioned in finding 12, the burden should ease over time. The City of Millbrae will continue to work with the courts in any way we can to help improve the processing photo enforcement citations.

- Finding 15 – Partially Disagree
    - The California Vehicle Code defines what constitutes a violation. Photo enforcement technology assists officers in observing violations. The City of Millbrae contracts with the City of San Mateo for photo enforcement review and red light violation processing, which does bring consistency amongst some of the agencies in San Mateo County. This is also one of the Grand Jury's recommendations.

- Findings 16 & 17 – Partially Disagree
    - The City of Millbrae complies with the California Vehicle Code requirement that photo enforcement signage is posted in the City. We favor the use of any additional tool, such as signage, that will gain voluntary compliance with traffic laws, and agree that public education is a valuable component of traffic safety.

- Finding 18 – Agree
    - Red light cameras provide 24-hour enforcement, which could not be staffed by traditional enforcement. As noted in finding 6, roadway configuration and traffic volume also play a role. The City of Millbrae finds red light photo enforcement on Millbrae Avenue safer than traditional officer enforcement due to the heavy volume of traffic and the multiple lanes of traffic.

<u>Responses to the Grand Jury Recommendations:</u>

- Recommendation #1 - Implemented
    - The City of Millbrae agrees that the number of vehicle collisions should be one of the factors to consider when determining where cameras should be installed. The number of violations should also be a primary factor that is considered as each one represents a potential injury collision. The reason to utilize photo enforcement is to reduce violations that lead to collisions and not for financial gain. The California Vehicle Code requires each City to hold a public hearing prior to beginning a photo enforcement program. The City of Millbrae did hold a public hearing prior to beginning a photo enforcement program.

- Recommendation #2 - Implemented
    - A reduction in collisions is one factor the City of Millbrae considers when evaluating the on-going effectiveness of its red light photo enforcement program. A reduction in the number of violations is another factor we use when evaluating success. Fewer violations result in fewer opportunities for collisions.

- Recommendation #3 - Implemented
  - The City Council receives regular reports on accident statistics in the City of Millbrae. The City Council believes that traffic safety is crucial to all of our roadways and should not be limited to those few intersections where photo enforcement is used. The City of Millbrae will continue to look at the number of violations when evaluating the effectiveness of photo enforcement. The goal is to reduce the number of violations as well as the number of accidents.

- Recommendation #4 – Partially Implemented
  - The City of Millbrae is a participant in the San Mateo County Red Light Photo Enforcement Users Group. We would welcome a protocol developed by the San Mateo County Police Chiefs and Sheriff Association which would enhance the consistency that already exists in the county. The City of Millbrae contracts with the City of San Mateo and both agencies offer motorists the opportunity to view the footage and contest the alleged violation before the citation appears in court. This process helps to reduce the number of appeals made to the court. The courts are provided with a percentage of the fine from red light violations, which should be used for efficient dispositions to red light photo enforcement citations.

- Recommendation #5 – Partially Implemented
  - The City of Millbrae complies with the photo enforcement requirements set forth in the California Vehicle Code. This includes the posting of signs that notify motorists of the presence of photo enforcement at the intersection where the equipment is used. The Grand Jury recommendation suggests that additional signage include warning motorists to come to a complete stop. The City does not post this additional reminder as this is implied by the official traffic control device, similar to stop signs and speed limit signs.

- Recommendation #6 – Partially Implemented
  - The City of Millbrae already centralizes the photo enforcement management by contracting with the City of San Mateo, and agrees with the Grand Jury recommendation that this is an efficient method.

CITY of PACIFICA
INCORPORATED • NOV. 22, 1957
Scenic Pacifica

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August 10, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, California 94063-1655

Re: The Effectiveness of Red Light Traffic Camera Enforcement

Dear Judge Cretan:

In response to your request for comments regarding the findings and recommendations of the 2009-2010 Grand Jury report filed on June 7, 2010 pertaining to "The Effectiveness of Red Light Traffic Camera Enforcement", the Pacifica Police Department has a limited response, as we do not have any red light cameras in our jurisdiction.

While we are unable to respond to the findings of the Grand Jury report, we have reviewed the Grand Jury recommendations and find these recommendations to be reasonable in the event we were to consider the installation of red light cameras in the future.

Our response to the Grand Jury report was reported at the City of Pacifica council meeting on August 9, 2010, wherein it was approved.

If you have any questions regarding our response, please do not hesitate to contact us.

Respectfully,

Sue Digre

Sue Digre
Mayor

Police Department
Louis A. Cobarruviaz
Chief of Police

1301 Maple Street
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Telephone (650) 780-7122
FAX Line (650) 780-7149

August 24, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063

Dear Judge Cretan,

On June 10, 2010, the Redwood City Council received the San Mateo County Civil Grand Jury report titled "The Effectiveness of Red Light Traffic Camera Enforcement." The report contained 18 "findings" and six "recommendations."

The Redwood City Council was requested to submit comments within 90 days to your Honor. Specifically, Council was requested to submit the following:

For the 18 "findings," Council was to indicate one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

Additionally, for the Grand Jury's "recommendations," Council was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame

shall not exceed six months from the date of publication of the Grand Jury report.

4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation therefore.

The City Council has authorized me to present the City's response to the Court. The Redwood City Council, at its meeting of August 23, 2010 approved the responses to the findings and recommendations.

FINDINGS

Finding #1

The cities choose locations for the two suppliers red light cameras to evaluate. The vendors then recommend the location of cameras based on studies which evaluate the potential number of possible red light violations and not necessarily the number of accidents that can be prevented.

Response

The City disagrees partially with the finding. The City considered RedFlex Traffic Systems and American Traffic Solutions (ATS). However, because ATS did not have access to the Department of Motor Vehicle access codes to fully support citation processing, the City only had RedFlex evaluate locations.

Consideration was given to the number of vehicle collisions at the intersection where the cameras were installed (Whipple Avenue and Veterans Boulevard). In addition consideration was given to the number of violations at the intersection as the violations indicate a propensity for collisions. Potential revenue was never a consideration to the placement of the cameras.

The City's objective in employing the photo enforcement system is to reduce accident rates, and citations are a measure of potential accidents. The effectiveness of the cameras should also be measured by the number of violations captured and the reduction of the violations over time. It is hoped that the cameras are a deterrent and drivers are becoming educated to become more cognizant of traffic control signals.

Finding #2

Police Departments and traffic engineers provide their input as to where cameras should be installed with primary emphasis on safety rather than the number of citations that can be issued. Ultimately, both the city and the vendor must agree on the location for installation.

Response

The City agrees with the finding.

Finding #3

The red light camera systems installed in the county are generating significant revenue for the cities. In 2009, the amount the cities receive per citation ranges from $119.17 (San Mateo) to $142.49 (San Carlos).

Response

The City disagrees with the finding. The City has had significant difficulty obtaining its portion of the fines from San Mateo County, and, as the Grand Jury explains, "the transmittal of the funds from the county to the cities actually occurs some months later. In addition citation fines may be reduced by the traffic court if appealed." In addition, some fines may never be collected if the offending driver fails to pay the fine.

As a result, the City's Red Light Camera Enforcement Program had deficits in its first two years of existence (fiscal years 2008 and 2009). In fiscal year 2010 the program will experience a surplus, however the difficulty in collecting the City's portion of fines from the County continues to exist. As discussed below in response to Finding #4, the current revenue realized by the City is surprisingly low compared to expected projections. Additionally, the revenue for the City will decrease as the number of violations decreases due to drivers complying with the red light signal.

Finding #4

Three cities, Belmont, South San Francisco, and Burlingame have recently instituted red light traffic camera programs. The inception dates are too recent to report reliable empirical data. For the remaining cities, the grand jury estimated the potential monthly revenue based upon data received from the cities.

Average Monthly Citations and Potential City Revenue

(Average number of citations and average revenue earned is based on data provided by the respective police agency to the Grand Jury's survey. The number of citations and the revenue data as reported were for varying lengths of time - some for a few months; some for a year or more. An average monthly number was computed based on data provided as of September 30, 2009 and used here so as to make the information comparable from jurisdiction to jurisdiction. The cities receive a portion of the total fine levied on the motorist. Please see the chart under finding #10 which uses South San Francisco as an example for the allocation of the red light violation fine. Each city surveyed provided the amount it receives for each citation. This amount was multiplied by the average monthly citations to derive average monthly revenue. The potential revenue is based on the number of citations issued in any given month; however the transmittal of the funds from the county to the cities actually occurs some months later. In addition citation fines may be reduced by the traffic court if appealed. The revenue data presented is before payment to the vendor.

Whipple Avenue @Veterans Blvd

89 Average monthly citations; $11,522 Average Month Potential City Revenue

Veterans Blvd @ Whipple Ave.
**418 Average Monthly Citations; *54,114 Average Month Potential City Revenue*
**Average was calculated based on data November 2009 through March 2010*

Total Redwood City
507 Average Monthly Citations; $65,636 Average Month Potential City Revenue

Response
The City disagrees partially with the finding. The City has had significant difficulty obtaining its portion of the fines from San Mateo County, and, as the Grand Jury explains, "the transmittal of the funds from the county to the cities actually occurs some months later. In addition citation fines may be reduced by the traffic court if appealed." In addition, some fines may never be collected if the offending driver fails to pay the fine.

As a result, the City's Red Light Camera Enforcement Program had deficits in its first two years of existence (fiscal years 2008 and 2009). In fiscal year 2010 the program will experience a surplus. Taking into account the City's costs to operate and administer the program, the average net revenue realized by the City over the current lifetime of the photo enforcement program is approximately $1,666 per month.

Finding #5
The data as reported indicated that in all the jurisdictions above, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs. (Recently, the City of San Carlos extended the yellow light time to comply with state standards and found that the number of citations fell dramatically. As a result the revenue from red light citations could no longer cover the associated costs.)

Response
The City disagrees partially with the finding. The revenue is potential revenue. The City has had significant difficulty obtaining its portion of the fines from San Mateo County, and, as the Grand Jury explains, "the transmittal of the funds from the county to the cities actually occurs some months later. In addition citation fines may be reduced by the traffic court if appealed." In addition, some fines may never be collected if the offending driver fails to pay the fine.

Finding #6
Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued. Based on the data provided by the cities, there was no overall trend indicating a noticeable change in accident rates before and after installation of red light cameras.

Response
The City disagrees partially with the finding. While the number of red light violation-related collisions at the approaches have not had a significant change since the installation of the red light cameras, it would appear the City's camera systems are reducing the number of red light violations as the number of violations recorded have dropped since their installation. It is hoped the cameras are a deterrent and drivers are becoming educated to become more cognizant of traffic control signals.

Finding #7
Most cities are protected from losses by a "cost neutral" clause in their contracts. In the event that fine revenue received does not cover the monthly cost of the contract, the city is only required to pay the actual amount that it did receive. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts following a recent court case where a citation issued with this clause in place was dismissed by the court.

Response
The City agrees with the finding. The City's contract does have such a clause and is working to nullify the cost neutrality clause in its contract.

Finding #8
A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.

Response
The City agrees with the finding. The City is unaware of the number of violations for failure to stop before making a right turn in other cities; however a significant portion of citations issued from the City's red light cameras are for that violation. Bear in mind that red light turns against a red light present a danger to drivers, bicyclists, and pedestrians which is the reason why it is illegal in the State of California.

Finding #9
The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses and as a result is often appealed to the traffic court. The state mandated fine in 2010 for failure to stop at a stop signal or failure to halt before turning right on a red light is $446.00. Traffic School is an additional $60.00. By contrast, the fine for failure to halt at a stop sign is $214.00; and the fine for going 15 mph over the speed limit is $214.00.

Response
The City partially disagrees with the finding. First, the State, and not the City, sets the amounts of fines and assessments for traffic violations. As

stated above in the response to Finding #8, right turns against a red light present a danger to drivers, bicyclists, and pedestrians.

Finally, with regard to appeals to traffic court, the City estimates that the number of appeals to the traffic court for violations of failure to stop before making a right turn is less than 10% per month.

Finding #10

Using South San Francisco as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446.00 fine would be distributed among the city, the county and the state as follows:

State of California	*$202.47*	*46%*
So. San Francisco	*$139.75*	*31%*
San Mateo County	*$103.78*	*23%*

Response

The City is unable to agree with the finding. While the fine has increased over the past year, the City's percentage has remained the same. The City is unaware of the portion currently distributed to the State or County.

Finding #11

The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009. The Superior Court of San Mateo County reported the following information:

Red light Citations	*2008: 17,211*	*2009: 30,948*	*%Change: 80%*
All Other Citations	*2008: 113,023*	*2009: 133,871*	*%Change: 18%*
Total Citations	*2008: 130,234*	*2009: 164,819*	*%Change: 27%*

Response

The City is unable to agree or disagree with the finding.

Finding #12

The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity which requires additional staffing and resource commitment.

Response

The City is unable to agree or disagree with the finding. However, according to Grand Jury Finding #10, the County of San Mateo receives 23% ($103.78) of a red light violation fine. Using the number of red light citations the County adjudicated in 2008 and 2009 (noted in Grand Jury Finding #11), the County collected $ 1.7 million dollars in 2008 and $3.2 million dollars in 2009 for red light citations.

Finding #13
Local court personnel who have already been reduced by 20% from layoffs and mandated furloughs are in arrears by approximately six months in processing traffic complaints.

Response
The City is unable to agree or disagree with the finding.

Finding #14
Based on court statistics the chart below provides an indication of the increasing volume of red light camera citations being issued over the two years ending December 31, 2009. South San Francisco was not included because on Feb. 5, 20 I0, the City had announced that it would be refunding/dismissing all tickets issued from the beginning of the program up to Jan.27,2010 - this was later extended to Mar. 10,2010. The impact on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.

Response
The City agrees with the finding. The City also must repeat that the County receives 23% of a red light violation fine which could be used to add court personnel to assist with the processing of red light violation citations.

Finding #15
There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.

Response
The City agrees with the finding. The County Police Chiefs and Sheriff Association has asked the County Red Light Users Group to examine the implementation of consistent protocols for the cities with camera systems. No date has been given for the group's recommendation.

Finding #16
Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents. Appendix "A," contains a selection of pictures of the warning signs used by the cities. Some such as San Carlos are clearly visible placed high and on the signal itself. Others such as those used in Menlo Park are in the far right, some distance from the intersection and often partially hidden by trees and other highway signs. In Daly City there were no warning signs at the intersection of Junipero Serra and Washington.

Response
The City is unable to comment on the placement of signs by other cities. However, 21455.5 (a) (1) of the California Vehicle Code states that the governmental agency may maintain an automated traffic enforcement system if it identifies the system by signs that clearly indicate the system's presence and are visible to traffic approaching from all directions, or posts signs **at all major entrances to the city**, including, at a minimum, freeways, bridges, and state highway routes.

There are signs posted at all major entry points into Redwood City, including, at a minimum, freeways, bridges, and state highway routes (19 total).

Finding #17
Police departments view the use of red light cameras and the associated signage as "behavior modification", basically educating the public that they must be careful to observe moving violations at all intersections.

Response
The City agrees with the finding.

Finding #18
The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

Response
The City agrees with the finding. In addition, some intersections, including the intersection at Whipple Avenue and Veterans Boulevard, are extremely difficult and dangerous for traditional enforcement due to the number of traffic lanes, traffic congestion and the configuration of the intersections.

RECOMMENDATIONS

The 2009-2010 San Mateo County Civil Grand Jury recommends the following to the City Councils of the cities of San Mateo County:

Recommendation #1
Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

Response
The first part of the recommendation has been implemented. Consideration was given to the number of vehicle collisions at the intersection where the cameras were installed (Whipple Avenue and Veterans Boulevard). In addition consideration was given to the number of violations at the intersection as the violations indicate a propensity for collisions. Potential revenue was never a consideration to the placement of the cameras.

The second part of the recommendation will not be implemented as there are no plans to add any additional cameras in the City. If the plans change, consideration will be given to the recommendation.

Recommendation #2
Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

Response
The recommendation has been implemented. The City also considers the number of citations generated at the intersection as it would appear the camera systems are reducing the number of red light violations. The number of violations recorded has dropped since the installation of the systems. It is hoped the cameras are a deterrent and drivers are becoming educated to become more cognizant of traffic control signals.

Recommendation #3
Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

Response
The recommendation to report the accident rates at the intersection has not yet been implemented, but will be implemented at the end of calendar year 2010 if requested by the City Manager and City Council.

The City does not feel that the accident rate alone should determine if the cameras should be removed. The effectiveness of the cameras should also be measured by the number of violations captured and the reduction of the violations over time. It is hoped that the cameras are a deterrent and drivers are becoming educated to become more cognizant of traffic control signals.

Recommendation #4
Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

Response
The recommendation has not been implemented, but will be implemented in the future. The County Police Chiefs and Sheriff Association has asked the County Red Light Users Group to examine the implementation of consistent protocols for the cities with camera systems. No date has been given for the group's recommendation.

Recommendation #5
Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

Response
The City does not have signage at each intersection because it is not currently required by statute.

21455.5 (a) (1) of the California Vehicle Code states that the governmental agency may maintain an automated traffic enforcement system if it identifies the system by signs that clearly indicate the system's presence and are visible to traffic approaching from all directions, or posts signs at all major entrances to the city, including, at a minimum, freeways, bridges, and state highway routes.

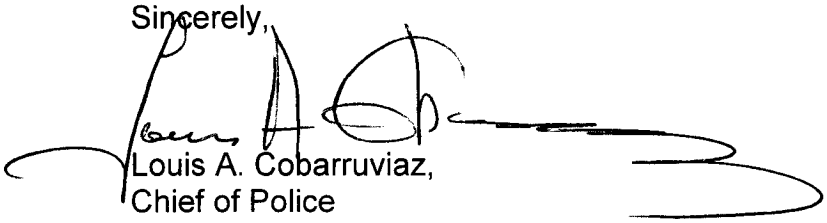
There are signs posted at all major entry points into Redwood City, including, at a minimum, freeways, bridges, and state highway routes (19 total).

Recommendation #6
Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

Response
The recommendation requires further analysis. The police department will discuss with other San Mateo County police departments with camera systems the feasibility of the recommendation. The matter will be prepared for discussion by the police department no later than December 2010.

On behalf of the Redwood City Council, I would like to thank the Grand Jury for their interest and work on this report. If there is additional information that I can supply, please do not hesitate to ask.

Sincerely,



Louis A. Cobarruviaz,
Chief of Police

CITY OF SAN BRUNO
CITY COUNCIL

July 27, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City CA 94063-1655

Dear Judge Cretan:

I am pleased to provide you with the City of San Bruno's response to the San Mateo Civil Grand Jury's report on The Effectiveness of Red Light Traffic Camera Enforcement.

As requested by the Civil Grand Jury, my colleagues and I have reviewed the report, and have the following commentary regarding the findings and conclusions made by the Grand Jury:

Findings 1&2: We agree that the intersections selected for photo enforcement should be determined by the Police Department and the Engineering Department. The selection process should include several factors that effect traffic safety, such as roadway configuration, traffic volume, collision history and violation frequency. Each violation has the potential to result in a collision. An effective method to prevent collisions is to reduce the number of violations. Enforcement is a proven prevention method.

Findings 3,4 & 5: We partially disagree with these findings, in that not all cities are reporting net revenues with red light photo enforcement programs. When the City of San Bruno considered a photo enforcement program, it was likely the fines would not cover the equipment expenses, and was determined not to be a cost effective method of providing traffic safety.

Finding 6: The City of San Bruno does not have a photo enforcement program; however, we disagree with this finding, and collisions were a factor when we reviewed the possibility of having a program in San Bruno. The number of violations must also be considered as each one represents a potential accident.

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Finding 7: We do not agree with this finding. Most cities do not have a "Cost Neutral" clause in their contracts with photo enforcement equipment providers, and most pay a set monthly fee for each intersection approach, regardless of the number of violations.

Finding 8: Based on information provided by City staff, we do agree with the finding that there are more violations associated with right turns.

Finding 9 &10: We partially disagree with these findings. Regardless of the direction, a red light violation has the potential to cause a serious accident, whether that is with a pedestrian in the crosswalk or a vehicle lawfully entering an intersection. Accordingly, the fine should be uniform as reported in finding 10.

Finding 11: We agree with this finding. Red light cameras provide 24-hour enforcement, which could not be staffed by traditional enforcement. It is not a surprise that the number of citations has increased, especially since more cities have employed the use of photo enforcement.

Finding 12: We partially disagree with this finding. The Grand Jury Report notes that the County receives a percentage of the fine, which could and should be used by the courts to offset what is assumed to be a temporary increase in workload. The numbers of citations should gradually drop as motorists become aware of photo enforcement.

Finding 13: We agree with this finding. The number of staff available for traffic enforcement in the City of San Bruno has also been reduced over the past several years due to budget constraints.

Finding 14: We agree with this finding for many of the reasons referenced in finding 11.

Finding 15: We partially disagree with this finding. The report does not provide all of the criteria that cities use for us to evaluate. However, it is the California Vehicle Code that defines the violation and photo enforcement would seem to increase uniformity. The violation is captured by video footage that can be reviewed several times to determine if a violation occurred.

Findings 16 & 17: We do agree that public education plays a valuable role in traffic safety; however, we do not have sufficient information to comment about signage in other cities. We are aware that the California Vehicle Code requires any jurisdiction to post via signage that it utilizes photo enforcement.

Finding 18: We agree with this finding. Red light cameras provide 24-hour enforcement, which could not be staffed by traditional enforcement.

The City of San Bruno does not have red light photo enforcement, and there are no immediate plans to implement a program. The City Council will certainly refer to the recommendations made by the Grand Jury should a red light photo enforcement program be considered for the City of San Bruno. For this reason, we will not be implementing any of the recommendations made in the report. However, the City Council has the following commentary regarding the Grand Jury recommendations:

Recommendation 1: We agree that the number of vehicle collisions should be one of the factors to consider when determining where cameras should be installed. The number of violations should also be a primary factor that is considered as each one represents a potential injury collision. The reason to utilize photo enforcement is to reduce violations that lead to collisions and not for financial gain. The California Vehicle Code requires each City to hold a public hearing prior to beginning a photo enforcement program. .

Recommendation 2: We agree a reduction in collisions is one factor to consider when evaluating the on-going effectiveness of its red light photo enforcement program. A reduction in the number of violations is another factor we use when evaluating success. Fewer violations result in fewer opportunities for collisions.

Recommendation 3: We agree with the practice of a frequent review of accident reports and statistics in the City to make improvements, where applicable, to traffic safety. This review should not be limited to only those intersections where photo enforcement is used.

Recommendation 4: We agree that there should be consistent practices amongst agencies that use photo enforcement. City staff is aware of the San Mateo County Red Light Photo Enforcement Users Group that contributes to this goal. Most agencies offer motorists the opportunity to view the footage and contest the alleged violation before the citation appears in court. This process helps to reduce the number of appeals made to the court. The courts are provided with a percentage of the fine from red light violations, which should be used for efficient dispositions to red light photo enforcement citations.

Recommendation 5: We agree that cities must comply with the photo enforcement requirements set forth in the California Vehicle Code before implementing the system. This includes the posting of signs that notify motorists of the presence of photo enforcement at the intersection where the equipment is used. The Grand Jury recommendation suggests that additional signage include warning motorists to come to a complete stop. We do not post this additional reminder as the official traffic control device, similar to stop signs and speed limit signs, implies this.

Recommendation 6: We agree that it would be an efficient practice to centralize photo enforcement management in San Mateo County.

As requested, the response to the San Mateo County Civil Grand Jury report of "The Effectiveness of Red Light Camera Traffic Enforcement" was approved by the City Council at its regular public City Council Meeting on July 27, 2010.

The members of the San Bruno City Council and City Staff are committed to providing traffic safety in our community. We appreciate the Grand Jury's time and effort into compiling the report on "The Effectiveness of Red Light Traffic Camera Enforcement". We hope you will find our commentary helpful.

Very truly yours,

Jim Ruane
Mayor

Cc: Connie Jackson, City Manager

CITY OF SAN CARLOS

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July 26, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd floor
Redwood City, CA 94063-1655

Dear Judge Cretan,

I am writing to you on behalf of the San Carlos City Council. This will serve as the City of San Carlos' formal response to the letter from the Superior Court communicating comments made by the Civil Grand Jury about Red Light Traffic Camera Enforcement by the Police Agencies in San Mateo County. The City Council has reviewed this letter and has authorized that it be sent at their meeting on July 26, 2010.

In the report from the Civil Grand Jury on Red Light Traffic Camera Enforcement, six recommendations are made. Here are the recommendations and the City of San Carlos response to these recommendations:

1. Consideration of where a red light camera is to be installed should be driven by the number of vehicle collisions occurring at that intersection and not the potential amount of revenue generated from citations. Because of the impact on the courts as well as the citizenry, a final decision should be made by the respective city council in open hearings.

   Response: We agree that the use of Red Light Camera Enforcement should be used as an enforcement tool, not for revenue collection. That has been the approach used in San Carlos. The placement of the Red Light Camera was based on traffic issues and enforcement needs determined by Police Department surveys of traffic conditions in San Carlos.

   We do not agree that vehicle collisions are the sole factor to use in these determinations. While collisions are a factor to be considered, they are not the sole factor driving a decision to install a camera. Equally important factors are the difficulty of officer-based enforcement, high traffic volume and/or high violation count and the presence of other non-motor vehicle traffic such as bicycles and/or pedestrians.

We agree that the decision to use Red Light Camera Enforcement should be authorized by the City Council at a regularly scheduled Council Meeting as was done in San Carlos. We also note that Section 21455.6(a) of the California Vehicle Code already mandates a public hearing prior to installation of a camera system.

Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

Response: We agree that there should be a program of ongoing review of the effectiveness of a Red Light Camera Enforcement program. In San Carlos this has been done through periodic reports and updates by the Police Chief at regularly scheduled public meetings of the San Carlos City Council.

2. Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually. When reports indicate that accident rates have not been reduced, action should be taken to investigate why and removal of the red light cameras should be considered if they are not effective.

   Response: We agree that there should be a program of reporting the results of Red Light Camera Enforcement to Police Department and City Senior Management and to the City Management. This has been done in San Carlos as noted above. We would also note that Red Light Cameras are not solely an accident reduction device but have value as an enforcement, education and accident prevention tool.

3. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation. Such county-wide standards can allow courts to more quickly and efficiently evaluate appeals that come before it.

   Response: We agree that the decision of the Police Chiefs and Sheriff Association (PCSA) to work together on Red Light Camera Enforcement programs was a good one. In 2008, a Red Light Photo Users Group was formed to address issues of mutual concern and address the court's request for consistency between agencies and a draft protocol was developed by the Police Chiefs & Sheriff Association. While not formally adopted, it has been used as a guideline by all agencies. The users group has updated the 2008 protocol so that it can be formally adopted by the PCSA this year.

4. Install prominent signage, at the camera intersection, highly visible to all approaching traffic warning motorists of the camera. This should include signage warning motorists to come to a full stop before turning right on a red light.

   Response: We agree that the use of prominent signage is a key part of a Red Light Camera Enforcement program. Such signing has been used in San Carlos since the start of the program in our City. We would also note that the issue of signage is addressed by section 21455.5(a)(1) of the California Vehicle Code and the placement

of signs is regulated by Caltrans through the Manual on Uniform Traffic Control Devices.

5. Working through the county Police Chiefs and Sheriff Association and/or the City Managers Association, consider centralizing the administrative tasks of evaluating possible violations and issuance of citations. This would not only achieve budgetary savings but would also insure consistent and professional application of the protocols affecting San Mateo Drivers.

   Response: We agree that centralization of Red Light Camera Enforcement citation administration may achieve a cost saving, however no cost-benefit analysis has been done. We feel that the issue of consistent and professional application is already being addressed by the protocol developed by the PCSA group that was mentioned earlier in this letter.

In light of today's economy and the budget challenges that every City in San Mateo County, the Bay Area and the State are facing, it is incumbent on cities to use technology to work more efficiently. Red Light Camera Traffic Enforcement programs allow for the re-deployment of increasingly scarce traditional Police Officer resources, while maintaining effective traffic enforcement at heavily travelled intersections.

I have been happy to comment in detail on the recommendations of the report and share with you what San Carlos has done. I trust you will find our comments helpful and enlightening.

Sincerely Yours,

Randy Royce
Mayor

cc: City Council
City Manager
Police Chief

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September 8, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Effectiveness of Red Light Traffic Camera Enforcement Grand Jury Report

Dear Honorable Cretan,

We are in receipt of your final report entitled, "*The Effectiveness of Red Light Camera Enforcement.*" Pursuant to your June 7, 2010, request for response, the San Mateo Police Department responds as follows to your findings:

The cities choose locations for the two suppliers of red light cameras to evaluate. The vendors then recommend the location.

1) This Respondent disagrees partially with your finding. You are correct in your finding that cities choose locations for vendors to study for red light violations. The vendor will report the number of violations observed and then the city and vendor evaluate those violations **and** the number of accidents at a location in an effort to determine if red light cameras can have an impact on the current number of accidents and all other potential accidents that are caused by red light running. The two can't be separated because we know that red light violators cause accidents.

Police Departments and traffic engineers provide their input as to where cameras should be installed. Ultimately, both the city and the vendor must agree on location.

2) This Respondent agrees with this finding.

The red light camera systems installed in the county are generating significant revenue for the cities.

3) This Respondent disagrees partially with your finding. Your finding states in pertinent part, "Red light camera systems installed in the county are generating significant revenue for cities." We are not sure what "significant revenue" means, but we are aware of cities that are losing money from red light cameras. In the City of San Mateo we have seen a significant drop in revenue generated by red light cameras, which means we are meeting our goal of reducing red light violations at locations where cameras have been installed.

The Grand Jury estimated the potential monthly revenue based upon data received from the cities.

4) This Respondent will respond to San Mateo's revenue only disagrees wholly with these findings. Currently, the San Mateo Police Department averages 449 citations per month. Assuming that all those violations are paid (which is usually not the case), the revenue generated is $46,177 per month not $69,940 per month.

The data as reported indicated that in all the jurisdictions, the revenue earned from citations exceeded direct costs such as the vendor's fee and employee costs.

5) This Respondent will respond to San Mateo only and agrees with the finding that the revenue generated from red light cameras currently exceeds the cost of operating the camera system, but is decreasing every year.

Based on interviews and responses to survey questions, the reporting of accident statistics is not being used as a measure of the effectiveness of red light cameras. The primary emphasis appears to be on the number of citations issued.

6) This Respondent disagrees wholly with this finding. Accident data is being used in part to determine the effectiveness of the system. Additionally, the effectiveness of a red light camera placement and operation has nothing to do with citations issued, but rather the decrease in the number of violations at a location in relation to how many violations were occurring when the red light camera went into effect. In San Mateo, we did notice a decrease in accidents after installation of cameras, but more importantly, we noticed a decrease in violations. Each violation represents a potential accident.

Most cities are protected from losses by a "cost neutral" clause in their contracts. San Carlos and San Mateo among other cities have voluntarily nullified the "cost neutral" clause in their contracts; the city is only required to pay the actual amount that it did receive.

7) This Respondent disagrees wholly with this finding. It is our belief that most cities do not have a cost neutrality provision in their contract and San Mateo did not remove a cost neutrality provision from the contract because of a nonbinding court decision, but rather because it was superfluous and never enacted.

A significant portion of the citations issued from red light cameras are for motorist failure to stop before making a right hand turn. The same fine is applied to both violations.

8) This Respondent's reply pertains to San Mateo only, and we agree with the findings.

The fine for failure to stop before making a right hand turn seems out of proportion to similar offenses.

9) This Respondent disagrees wholly with the findings. Stop light violations constitute one of the most deadly vehicle code violations because of the speeds involved and the expectation of approaching drivers and pedestrians who rely on other drivers to stop at red lights so they can safely navigate an intersection. When motorists fail to stop at red lights, it results in high speed collisions that cause millions of dollars in injuries, deaths, and destruction of property.

Using SSF as an example, if a motorist is cited for either running a red light or not coming to a full stop before turning right, the $446 fine would be distributed among the city, the county and the state as follows:

10) This Respondent believes this finding to be wholly incorrect as San Mateo receives $119.17 per citation.

The number of citations that the Superior Court must adjudicate from red light cameras has increased significantly from 2008 to 2009.

11) This Respondent agrees partially with your findings. Citations may have increased over the year, but you would have to drill down further to determine if the citation increase is due to red light cameras or increased enforcement teams that have been funded by the Office of Traffic Safety. The 2008 citation count may be artificially low because of years of cuts in traffic enforcement throughout the county, so that will have to be taken into consideration.

The San Mateo County Superior Court system has become overwhelmed with citizens challenging the $446 citation. The local court is not receiving any additional funding for this increased level of activity. . .

12) This Respondent responds as follows: What is clearly evident from these numbers and not addressed in the Grand Jury Report is that this 27 percent purported increase in citations has potentially generated almost **3.6 million dollars** in new revenue for the county and there is no mention if this revenue has been used by the county to support the purported increase workload in the court system.

Local court personnel who have already been reduced by 20 percent are in arrears by approximately six months in processing traffic complaints.

13) This Respondent does not have enough information to answer this finding. It appears that if revenue generated from the increase in citations was properly placed back in the court system, the backlog could be addressed. It is also this Respondent's belief in talking with traffic personnel that this backlog in citation processing started long before red light cameras came to fruition.

The impact of refunding/dismissing tickets on the Superior Court from the increase in citations is not a consideration when cities are evaluating whether to install the cameras.

14) This Respondent does not have enough information to dispute these findings. This Respondent, though, makes the following point regarding these findings: These findings do not address how many red light citations were being written before red light cameras went in to effect. San Mateo has diligently worked with the court clerk's office from the inception of our Red Light program to make sure that it ran smoothly.

There is not uniformity among all cities regarding criteria used in the evaluation of possible violations and the decision to issue citations.

15) This Respondent disagrees wholly with this finding. The San Mateo Police Department contracts Red Light Services out to two county agencies and uses the same criteria for evaluating violations.

Not all cities are using warning signs at red light intersections as a tool to slow down drivers and thereby reduce the number of vehicle accidents.

16) This Respondent agrees that we don't use warning signs at each red light intersection, but we certainly comport with state law that requires warning signs at each major entrance to the city. There is no evidence to support a finding that the placement of signs at intersections where red light cameras are located is a better safety tool than signs placed all around the city at major entrances. In fact, the placement of signs around the city instead of at specific intersections may have more of an impact at modifying the behavior of those who run red lights.

Police departments view the use of red light cameras and the associated signage as "behavior modification," basically educating the public that they must be careful to observe moving violations at all intersections.

17) This Respondent agrees with this finding.

The cameras operate 24 hours per day seven days per week compared to a police officer who, if available, would monitor the intersection only sporadically.

18) This Respondent agrees with this finding.

Recommendation:

Because of the impact on the courts as well as the citizenry, a final decision of where a red light camera is to be installed should be made by the respective city council in open hearings.

1) This recommendation should not be implemented. The placement of red light cameras has not in the past and never will be driven by the need to generate revenue. Accident data is an important factor in determining where to place red light cameras, but more important than historical data is a determination based on the number of red light violators at a given intersection. Each one of those violations can be used as predictive evidence of future accidents. Red light violations are responsible for serious injuries and death and the worst part is that the mayhem can be avoided if the law was followed. Red light running is at an epidemic stage. Red light cameras are not a way to punish, but a tool used to bring about behavior modification that will act to save lives. The open hearing process is not a forum where decisions should be made on placement of red light cameras, just as this would not be the forum for the public to decide where DUI checkpoints should be or where specific traffic enforcement should take place.

Each jurisdiction installing a red light camera should measure its ongoing effectiveness by the number of accidents caused from red light violations before and after installation.

2) As noted above, this should be one criteria used. The other more important criteria should be the reduction of violations at a given location. There are many variables in accidents that don't always tell the true story. If you have a reduction in accidents, but you have an increase in violations, has that intersection become safer? The answer to that question is no, and that is why behavior modification and the reduction of violations is imperative to a successful red light camera program.

Establish consistent and regular reporting of accident rates to senior officials including the respective city councils. This should be done at least annually.

3) Again the focus should not be primarily on accident rates. It should be on the amount of violations as each violation represents a potential accident. I think agencies should continually evaluate their red light camera programs to determine if they are meeting the goals that they have set.

Establish and require consistent protocols to be used by all county cities for evaluating possible violations and the issuance of a citation.

4) The county is in the process of developing and accepting a county protocol that allows for more standardization in the process. A police liaison is in place that interacts with the courts and the courts' administrative officials to work through problems.

Install prominent signage at the camera intersection highly visible to all approaching traffic warning motorists of the camera.

5) This will not be implemented. This recommendation is not required by law and may detract from the overall effort to bring about comprehensive behavior modification as opposed to behavior modification at only those intersections monitored by cameras. This recommendation has no factual or scientific basis that we are aware of and would like to see empirical data supporting your position that signs at the location of red light cameras will actually have any impact on accidents. Until that evidence is produced, this recommendation remains a presumption that simply is unsupported by facts and therefore will not be implemented.

Consider centralizing the administrative tasks of evaluating possible violations and issuance of citations.

6) This is already being done to some extent. The San Mateo Police Department processes citations for San Carlos and Millbrae. We would welcome further consolidation of these efforts.

In closing, we are appreciative that the Grand Jury investigated this timely issue, but, again, we are surprised by the inaccuracies and lack of factual support that plague this report. We take exception to the characterization of these programs as driven by revenue and citation numbers. In point of fact, the San Mateo Police Department is part of a countywide Police Red Light Camera Managers Group, and we can assure you that revenue and citations are not of interest to the police departments; our interest is in reducing the number of accidents and traffic safety violations at intersections that are deemed problematic. With the dramatic reduction in police budgets and traffic officers throughout the county, red light cameras provide accountability for drivers at these intersections.

Sincerely,

John Lee

JOHN LEE
MAYOR

cc: City Council
City Manager

CITY OF SAN MATEO
330 WEST TWENTIETH AVENUE
OFFICE OF THE CITY CLERK

Date: September 10, 2010 Minute Order No. 173-10

To: Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

In the matter of: Approval of Response to Grand Jury Report Regarding Effectiveness of Red Light Camera Enforcement

(Agenda Item 13)

At the meeting of the City Council of the City of San Mateo on September 7, 2010 at which were present Council Members: LIM, MATTHEWS, GROTTE, ROSS and LEE, and, upon motion of Council Member GROTTE, seconded by Council Member LIM, duly carried and entered in the minutes, it was ordered to concur in the recommendation of the Police Chief and approve the letter responding to the June 7, 2010, Grand Jury report on the Effectiveness of Red Light Traffic Camera Enforcement and authorize the Mayor to sign and send the letter in response to that report.

NORMA GOMEZ, CITY CLERK

cc: Police Chief

OFFICE OF THE MAYOR

July 28, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Responses to the 2009-10 Grand Jury Report on the Effectiveness of Red Light Traffic Camera Enforcement

Dear Judge Cretan:

In accordance with instructions provided by Court Executive Officer John C. Fitton in his letter dated June 7, 2010, we submit the following responses to the 2009-2010 Grand Jury report filed on June 7, 2010.

FINDINGS:

1. The City of South San Francisco evaluated several intersections prior to placing the cameras at the chosen intersections. The criteria used to make the final selection was the number of accidents at the intersections, the number of red light violations, the number of potential accidents that could be prevented by reducing the number of red light violations and the ability of the South San Francisco Police Department to effectively enforce these violations. The City makes the final decision on which intersections are evaluated for red light cameras and which intersections to operate red light cameras.

2. The City of South San Francisco agrees with this finding, except that the City makes the final decision on which intersections to operate red light cameras.

3. Due to a procedural error, the City of South San Francisco has not realized significant revenue generation to date.

4. The City of South San Francisco agrees with this finding as it relates to the City of South San Francisco.

5. Since the data upon which the finding is based does not include information from the City of South San Francisco, the City does not take any position on this finding.

6. The City of South San Francisco does not agree that the primary emphasis of this program is the number of citations issued. We have been evaluating the number of citations issued along with the number of accidents prior to the inception of the program. This evaluation is ongoing and decisions to either maintain the cameras at these intersections or move them to other intersections will be based on both of these factors. The red light cameras have not been operating in South San Francisco long enough to provide sufficient information on trends on accident rates after camera installation.

7. The City of South San Francisco had a cost neutrality clause in the original contract. This was removed via a contract amendment approved in November 2009.

8. The City of South San Francisco agrees with this finding.

9. The City of South San Francisco agrees with this finding.

10. The City of South San Francisco agrees with this finding.

11. The City of South San Francisco would like to see a better breakdown of the citations issued before commenting on this finding. Is the increase in red light citations completely attributed to red light cameras? How much of the increase is due to increased enforcement by the local jurisdictions?

12. The City of South San Francisco is not in a position to confirm information in this finding which relates to Court operations. However, the City would recommend that the County of San Mateo allocate a portion of the fine amounts be utilized to increase the staff of the courts to deal with the increased number of citations.

13. The City of South San Francisco is not in a position to confirm information in this finding which relates to Court operations. The City of South San Francisco believes that the court has been in arrears in the processing of traffic complaints for some time. We would like to see more data before attributing this to the implementation of red light cameras.

14. The City of South San Francisco would question if we need to evaluate the impact on the courts whenever we institute an enforcement program for any violations of

the State of California codes. Also, the information on the refunds/dismissals of red light camera citations in this finding needs to be corrected. Citations issued under the City's red light camera program from the beginning of the program (August 14, 2009) through February 28, 2010 were dismissed and refunds of fines issued.

15. The City of South San Francisco along with all the cities utilizing the red light camera program meets regularly and discusses the issue of uniformity.

16. The City of South San Francisco has installed warning signs in compliance with State law requirements that are clearly visible to motorist at all approaches to intersections utilizing red light camera technology.

17. The City of South San Francisco agrees with this finding.

18. The City of South San Francisco agrees with this finding.

RECOMMENDATIONS:

1. The City of South San Francisco agrees that a consideration for placing the red light cameras should be the accident rate at intersections and not the potential for revenue generation. We would recommend that the number of red light violations also be considered as a factor as every instance of a vehicle running a red light is a potential traffic accident. The decision as to where the cameras will be placed should be made by the traffic professionals in the respective cities.

2. The City of South San Francisco agrees that the effectiveness of the red light cameras should be measured by comparing before and after accident statistics. We also believe that the number of violations at these intersections should be another factor considered.

3. The City of South San Francisco agrees that a reporting criterion be established to keep the respective senior city officials informed to include City Councils. As stated prior, accident rates should be considered along with the number of red light violations in making a decision on whether to continue operation of red light camera enforcement.

4. The City of South San Francisco agrees that a consistent standard be established and is currently working with other cities in San Mateo County through the County Chiefs Association to accomplish this recommendation. However, each individual jurisdiction is responsible for decisions on enforcing traffic violations occurring in its jurisdiction.

5. The City of South San Francisco currently has warning signs on all approaches to intersections controlled by red light cameras. In addition there are signs that advise motorists that it is permitted to make a right turn on a red light after stopping.

6. The City of South San Francisco agrees that exploring the centralization of the review component may be a viable alternative to the current system. We will need to further study this recommendation prior to making a commitment one way or the other. However, each individual jurisdiction is responsible for decisions on enforcing traffic violations occurring in its jurisdiction.

These responses were reviewed and approved by the governing board of the City of South San Francisco at a public meeting on Wednesday, July 28, 2010.

Sincerely,

Mark N. Addiego
Mayor

Office of the Mayor
Town of Atherton

91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212

August 19, 2010

Honorable Clifford V. Cohen
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: ***Response to Civil Grand Jury Report on the Effectiveness of Red Light Traffic Camera Enforcement***

Dear Judge Cretan:

The Atherton Town Council and I have reviewed the San Mateo County Civil Grand Jury report concerning The Effectiveness of Red Light Camera Traffic Enforcement. The Grand Jury also requested that the Town of Atherton provide a response to the findings and recommendations contained in the report.

Attached you will find the Town of Atherton's official response to the June 7, 2010 letter from the Superior Court. The Town Council has reviewed and approved this letter and the attached responses to the Grand Jury report during our regular meeting held August 18, 2010.

The members of the Atherton Town Council and Town staff are dedicated to providing traffic safety in our community. We appreciate the amount of time the Grand Jury devoted to preparing this report. We trust you will find our commentary helpful even though we have not installed any photo enforcement systems in our Town.

If you have any questions please feel free to contact the Town of Atherton.

Thank you.

Sincerely,
Town of Atherton

Kathy McKeithen

Kathy McKeithen, Mayor

Town of Atherton Comments
Civil Grand Jury Report on The Effectiveness of Red Light Traffic Camera Enforcement
August 18, 2010

The Town of Atherton reviewed the San Mateo County Civil Grand Jury report on The Effectiveness of Red Light Camera Enforcement. The Town of Atherton agrees with the 2008 Grand Jury findings that red light cameras increase safety. We would also like to note that Atherton has not deployed any red light photo enforcement systems.

Responses to the Grand Jury Findings:

- Findings 1 & 2 – Partially Agree
  - Multiple lanes and traffic volume make it difficult for police officers to safely enforce traffic violations. Each vehicle code violation has the potential to result in a collision. An effective method to prevent collisions is to reduce the number of violations. Enforcement is a proven prevention method.

- Findings 3,4 & 5 – Partially Disagree
  - Some cities receive fines that exceed the red light photo equipment costs; however, not all red light camera systems are generating revenue. Some cities report revenue, some report a "break-even" amount, and others report that fines from violations do not cover the costs of renting the equipment.

- Finding 6 – Partially Disagree
  - Collision statistics are only one of the factors that many cities use when evaluating the overall effectiveness of red light photo enforcement. The configuration of a roadway, the volume of traffic, and the frequency of traffic violations must also be included. For example, the traffic volume on El Camino Real and the roadway configuration at the intersection of Atherton Avenue make it difficult to safely enforce traffic violations. While we agree the trends for collision history vary, the objective of enforcement is to eliminate the primary violation that caused or contributed to the collision. Consequently, the number of violations also needs to be considered.

- Finding 7 – Disagree
  - Most cities, if not all, have amended their contracts with their equipment vendors to eliminate any "cost neutral" clauses.

- Findings 8 & 9 – Agree
  - A red light violation in any direction in an intersection has the potential to cause a serious accident, whether that is with a pedestrian in the crosswalk or a vehicle lawfully entering an intersection. As a result, the fine for the violation should be standardized.

- Finding 10 – Agree
  - The fines a city receives from red light cameras varies even though the fine is set by the state at $446.

- Finding 11 – Agree
  - Red light cameras provide 24-hour enforcement, which would not be possible using traditional enforcement staffing. Therefore, it is not surprising that the volume of citations has increased with the installation of photo enforcement systems in several cities.

- Finding 12 – Partially Disagree
  - The Grand Jury report indicates that the County receives a percentage of the fine, which could and should be used to offset what is assumed to be a temporary increase in workload. It is the goal of photo enforcement to reduce potential collisions as a result of fewer violations; therefore, the number of citations should decrease over time as motorists increase their awareness of photo enforcement. Cities using photo enforcement systems offer violators the chance to view video footage prior to contesting the violation in court. This helps to relieve some of the burden placed on the court.

- Findings 13 & 14 – Agree
  - Many cities have reduced the number of personnel assigned to traffic enforcement units due to financial constraints. The Grand Jury reports that eight cities over four years have installed photo enforcement systems. This is a short time period for evaluation. As indicated in Finding 12, the burden should ease over time. The Town of Atherton believes the cities using photo enforcement systems will continue to have a good working relationship with the courts to improve the processing of citations.

- Finding 15 – Partially Disagree
  - The California Vehicle Code defines what is a violation. Photo enforcement technology assists police officers in observing vehicle code violations. Several cities have already collaborated on reviewing and processing violations, which brings some level of consistency amongst law enforcement agencies within San Mateo County. This was one of the Grand Jury's recommendations.

- Findings 16 & 17 – Partially Disagree
  - The cities using photo enforcement systems already comply with the California Vehicle Code requirement that photo enforcement signage must be posted in their respective cities. Additional tools such as signage will help increase awareness and voluntary compliance with traffic laws. We agree that educating the motoring public is a critical part of traffic safety.

- Finding 18 – Agree
  - Red light cameras provide 24-hour enforcement, which could not be staffed by traditional enforcement. As noted in Fining 6, roadway configurations and traffic volume play a critical role. Cities have found that red light photo enforcement is safer at many intersections than using officers on motorcycles and/or in patrol cars due to the heavy volume of traffic and roadway configurations of some intersections.

Responses to the civil Grand Jury Recommendations:

- Recommendation #1 – Implemented
  - The Town of Atherton agrees that the number of vehicle collisions should be one of the factors to consider when deciding where camera systems should be deployed. The number of violations should also be a factor that is considered as each one represents a potential injury collision. The rationale for using photo enforcement systems is to reduce violations that contribute to collisions and not for financial gain. The California Vehicle Code requires each city to hold a public hearing before starting a red light photo enforcement program. The Town of Atherton believes that the cities using photo enforcement systems have completed that process.

- Recommendation #2 – Implemented
  - The Town of Atherton agrees that the reduction of collisions is one factor to consider in the ongoing evaluation of the effectiveness of the photo enforcement systems. It is our understanding that cities within the County incorporate this factor in their evaluation methodology along with other factors such as, the number of traffic violations. Fewer violations result in fewer opportunities for collisions.

- Recommendation # 3 – Implemented
  - The Town of Atherton Transportation Committee includes two members of the Town Council who receive bi-monthly reports on accident statistics in the Town. The Town Council believes that traffic safety is important throughout the community, and understands the goal of the Town's traffic safety program is to reduce the number of violations as well as the number of citations.

- Recommendation #4 – Partially Implemented
  - The cities using photo enforcement systems in the county have formed the San Mateo County Red Light Photo Enforcement Users Group. We would welcome a protocol developed by the San Mateo County Police Chiefs and Sherriff Association that would enhance the consistency that already exists within the county. The courts are provided with a percentage of the fine from red light violations, which should be used for efficient dispositions to red light photo enforcement citations.

- Recommendation #5 – Partially Implemented

- The cities in the country already comply with the California Vehicle Code requirements for photo enforcement. This includes the posting of signs that notify drivers that photo enforcement systems are present. The Grand Jury recommendation suggests that additional signage include warning motorists to come to a complete stop. Some cities do not post this additional reminder because it is implied by the official traffic control device such as, a stop sign or speed limit sign.

- Recommendation #6 – Partially Implemented
  - The Town of Atherton agrees that a centralized photo enforcement management system would improve the processing of violations. The cities of San Mateo and Millbrae have already implemented this process which has proven to be effective.

OFFICE OF THE CHIEF OF POLICE
1199 El Camino Real
Colma, California 94014-3211
650-997-8321

July 14, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Honorable Clifford V. Cretan

At the City Council meeting held on July 14, 2010, the City Council of the Town of Colma approved the below listed response to the Grand Jury report on Red Light Cameras, dated June 7, 2010.

Findings:

The Town of Colma is not in a position to comment on most findings as the information seems to be associated with cities that utilize red light cameras at controlled intersections. However, Finding 12 indicates that the court receives no additional funds to administer the increase in workload created by red light camera violations. Using data from the report, it appears that the County of San Mateo receives approximately $100/per conviction. However, there is no indication that any of that revenue is funneled back to the court to offset costs associated with processing red light camera violations.

Recommendations:

The Town of Colma does not currently utilize red light cameras for traffic enforcement at controlled intersections. If the Town decides to utilize them in the future the Grand Jury report will be consulted and reviewed before cameras are installed and used.

If there are any questions about this response please feel free to contact me at 650-997-8349.

Sincerely,

Bob Lotti
Chief of Police

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7/2/10

HILLSBOROUGH POLICE DEPARTMENT

1600 Floribunda Avenue
Hillsborough
California
94010

Matthew O'Connor
Chief of Police

August 10, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: San Mateo County Grand Jury Report on the Effectiveness of Red Light Traffic Camera Enforcement

Dear Judge Cretan,

Please accept this letter as the official response from the Town of Hillsborough to the San Mateo County Grand Jury report dated June 7, 2010, regarding the examination of the effectiveness of red light traffic camera enforcement.

Due to the fact that the Town of Hillsborough does not utilize red light traffic enforcement cameras, and does not plan on utilizing such devices in the future, the findings and recommendations are necessarily quite limited. The only recommendation the Town might suggest is that it appears that a portion of the revenue generated by red light traffic enforcement violations should be allocated to the courts to help offset the increased clerical and courtroom time that red light traffic camera citation processing now requires.

This letter was approved by the Hillsborough City Council at its regular meeting on August 9, 2010. Please feel free to contact me if there are any questions.

Sincerely,

Captain Nicholas Gottuso
Patrol Division Commander

Tel: 650.375.7470 • Email: police@hillsborough.net • Fax: 650.375.7468

TOWN of PORTOLA VALLEY

July 30, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Responses to 2009-2010 Grand Jury Report

Dear Judge Cretan:

At its July 28, 2010 meeting, the Portola Valley Town Council reviewed the sections of the 2009-2010 Grand Jury Report that pertain to the Town of Portola Valley. Based upon that review, the Town Council respectfully offers the following response:

Effectiveness of Red Light Traffic Camera Enforcement

The findings contained in the 2009-2010 Grand Jury Report are not applicable to the Town because the Town has no traffic signals within its jurisdiction.

Sex Offender Law Enforcement in San Mateo County

The findings contained in the 2009-2010 Grand Jury Report are not applicable to the Town because the Town does not have its own police department. Law enforcement services are provided by the San Mateo County Sheriff's Department through a service agreement.

Please feel free to contact me if you require additional information.

Sincerely,

B. Stephen Toben
Mayor

cc: Town Council
Town Manager
Town Attorney

The Town of
Woodside

June 23, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center. 2nd Floor
Redwood City, CA 94063-1655

RE: 2009-10 GRAND JURY REPORT - *THE EFFECTIVENESS OF RED LIGHT CAMERA ENFORCEMENT*

Dear Judge Cretan:

The Town Council of the Town of Woodside reviewed the referenced Grand Jury Report during its meeting of June 22, 2010. On behalf of the Town Council, I would like to offer the following.

The Town of Woodside maintains only one signalized intersection within its municipal boundaries, and the signals at this location serve to regulate and provide safe access to and from Cañada College. There are no cameras installed at this location and the Town has no reason to consider installing cameras to record red light violators as there is no history of such violations at this intersection. Thus, at the current time, the Grand Jury's Report, including its findings and recommendations do not currently apply to the Town.

P.O. Box 620005
2955 Woodside Road
Woodside, CA 94062

The Town greatly appreciates the efforts of the Grand Jury. On behalf of the Town Council, I would like to extend our thanks for the opportunity to review the work of the 2009-10 Grand Jury. Although the report does not currently apply to the Town of Woodside, we will certainly consider its conclusions and recommendations in the future should the Town ever decide that it wished to install red light cameras within its municipal boundaries

Please do not hesitate to call our Town Manager, Susan George, at (650) 851-6790, should you require any further information.

Sincerely,

Dave Burow
Mayor

650-851-6790
Fax: 650-851-2195
townhall@woodsidetown.org