



California POLICE CHIEFS Association Inc.

P.O. Box 255745 Sacramento, California 95865-5745 Telephone (916) 481-8000 FAX (916) 481-8008
E-mail: lmcgill@californiapolicechiefs.org • Website: californiapolicechiefs.org

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April 13, 2010

Nathan Solov
Office of Assembly Member Jerry Hill
State Capitol, Room 4146
Sacramento, CA 95814

Dear Mr. Solov,

Thanks to you and Assembly Member Hill for seeking our input on the proposal for reducing “right-turn-on-red” violations at photo enforced controlled signal intersections. As you know, I am the President of the California Police Chiefs Association, and also the Chief in a city that has a robust photo enforcement program, and manage several others as well. As discussed we have seen a reduction in red light accidents AND right turn violations at photo enforced intersections. Firstly, it should be noted that not all photo enforced intersections capture right turns on red, it’s generally only done at intersections where there are already problems and accidents with that.

I have spoken with several Chiefs and red light camera managers in the area, and we are concerned that any potential legislation aimed at reducing fees on a right turn violation made at traffic signal controlled intersections would send a counterproductive message that “California Stops” and “Rolling-Rights” are safer or more justifiable. On the contrary, “California Stops” and especially “Rolling Rights” put pedestrians, bicyclists, and vehicles in the roadway at a higher risk of danger. Our responsibility as public safety is to advocate for measures that create a safer environment and reduce traffic related injuries. We believe that any legislation that reduces fines because of the photo enforcement is counter to that interest and will undermine the consistent emphasis on red light violations, regardless of whether straight through, turning right on red, or “jumping” or “running” the light.

With that being said I also understand and fully endorse Assembly Member Hill’s interest in addressing standards and guidelines with regards to automated Photo Traffic Enforcement. The California Police Chiefs Association, in conjunction with the California Highway Patrol, and the California Peace Officers’ Association has formed a Traffic Safety Committee that is currently meeting to formulate such standards, guidelines and best practices, based on the National Highway Traffic Safety Association, and the International Association of Chiefs of Police research. I would hope that the Assembly member and his staff would work with our Committee to address his interests and develop sound comprehensive legislation that will ensure effective and efficient traffic safety policies and guidelines.

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I also understand the Assembly Member Hill's interest is to reduce the stress on the court systems. The reduction in fines will likely not achieve any of our goals: traffic compliance and safety, and the ability to cover the costs of utilizing technology to replace the traffic officers being cut in cities statewide.

In the Assembly Member's proposed legislation, who is impacted by the reduction in the return of fees: the Cities- the Counties, the Courts, or the State? The workload has clearly impacted the courts' workload, and the costs associated with the program are clearly with each jurisdiction.

If the Assembly Member is concerned with the price of the tickets being so high, an alternative proposed by some municipalities and practiced in some other states would be to make it a municipal fine with the cities charging what it costs and tacking on some funding for the courts or earmarking a certain percentage of the fees received into a traffic safety plan or costs directly related to municipal traffic enforcement programs. These municipal code violations could be handled similar to parking violations with no "points" on the driver's license record. The positive side to this alternative is that it would significantly reduce court costs and violator fees. The negative side to this is that all of those at the state level currently receiving earmarked monies from these fines (a good 2/3rds of the total fine,) would no longer receive those monies. It is not the violation fine that drives the final payment so high it is all the state and county "earmarks" most of which do not make it to the local court system.

In closing, we feel technology should be embraced and not reduced to an ineffective level. With cities and counties facing epidemic levels of service cuts the need to utilize technology in the future is paramount for the safety of our roadways. Smarter traffic safety compliance methods must be embraced in order to make up for the tremendous reduction in our local traffic units. We need to improve how we implement all traffic photo enforcement technology by instituting policies, procedures and guidelines that direct how these photo enforcement programs will be managed. We should focus on improving the trust of our community based on the effectiveness and standardization of our technology based enforcement.

In summary, we believe it would be unfortunate to de-emphasize the importance of stopping fully at all light controlled intersections, and believe that pedestrian and bicycle safety is dependent upon a clear and consistent enforcement and standards of compliance. "California Stops" and "Rolling-Right-on-Red" are major traffic safety hazards and this proposed legislation will be antithetical to gaining compliance. I believe that any changes in traffic policy and fines need to be based on the fact that we need a change in behavior of red-light running and "rolling," and not an accommodation to an unlawful behavior.

Sincerely,



Susan E. Manheimer
President