

San Mateo Police Department Guidelines for Screening Red Light Violations

Section 21455.5(c)(1) of the California Vehicle Code states, in part: **Only a governmental agency, in cooperation with a law enforcement agency, may operate an automated enforcement system. As used in this subdivision, "operate includes all of the following activities:**

- (1) Develop uniform guidelines for screening and issuing violations and for the processing and storage of confidential information, and establishing procedures to ensure compliance with those guidelines.**

Suggested Considerations When Screening Violations

1. Does the incident contain all 4 required photographs?
2. Are the traffic signals in the Scene A (pre-violation) and Scene B (post-violation) in the red phase?
3. Does Scene A photo clearly show the vehicle placement before the limit line or crosswalk?
4. Does the Scene B photo clearly show the vehicle entered into the intersection?
5. Is the driver's photograph clear enough to identify the driver, either in person or with a DMV soundex photograph?
6. Is the license plate photo clear?
7. Is the data bar information complete?
8. Does the video corroborate the photographic evidence?
9. Is the DMV information for the driver/vehicle complete? If not, conduct and inquiry in an effort to complete it.

After evaluating the incident, the officer (or red light coordinator) may accept the incident and cause the issuance of a citation or reject it for any of the deficiencies listed in items 1-9 above or any other circumstance that would constitute a legal or factual mitigating defense. The decision to accept or reject an incident is at the discretion of the viewing officer.

When an officer accepts a violation, the citation is issued and the violator given the opportunity to contest the violation. If contested and a subpoena issued, a request is made for a court packet from Redflex containing true and correct copies of the Redflex evidence. The original court package is given to the court as evidence. A copy is given to the violator and a copy retained for testimony. After the court appearance, the package is maintained for six months in the Redlight Photo Enforcement Office pending any appeals. After six months, the court packets are destroyed in a manner that protects the confidentiality of the person included in the record.