

5-9-14

Venue: Red light camera item, council meeting of 5-12-14

Honorable Culver City Councilmembers:

I've just read the staff report prepared for the May 12 meeting.

1. The monthly rent is too high. The City of Ventura, whose camera program is nearly identical to Culver City's in terms of age and the number of cameras, pays only \$2190 per month for its Redflex cameras. Some cities pay even less than that. (To see what cities pay, go to FAQ # 17 at the website <http://www.highwayrobbery.net> .) Were you to close just half the gap between what Ventura pays and the \$3211 you are being asked to accept, you would save \$330,480 in three years, enough money to purchase and equip seven patrol cars. You could save another \$231,192 by closing down the two cameras that are producing less than a violation a day.

2. Cities signing multi-year red light camera contract extensions generally require that the contract include a Termination for Convenience ("escape") Clause, but the staff report prepared for you did not include a draft copy of the contract. Without an escape clause, the City will be locked into the contract with no way out. In March, after the Santa Ana city council voted 7-0 to close their camera program when the contract expires in June 2015, Councilmember Vincent Sarmiento commented, "If there was a way to get out of this contract, I'd push for it now," and Councilmember Sal Tinajero commented, "If it was up to me, I'd get rid of it today." Red light cameras are a complex and controversial subject. Don't you want to read the contract before agreeing to it? (The aforementioned website includes copies of more than 100 red light camera contracts.)

3. The last page of the staff report broached the subject of Redflex' recent troubles, but the discussion wasn't frank - it reminded me of The Project, a famous parable of management miscommunication (copy attached) - nor was the discussion complete. From your personal reading of newspapers and the Internet, you probably already know that the straightforward name for what is alleged to have happened in Chicago - which Culver City staff called "unethical business practices" - is *bribery*, and you probably already know that in Chicago \$2 million is alleged to have changed hands. The Chicago bribery has been public knowledge for more than a year – but there is a new allegation, by former Redflex Executive VP Aaron Rosenberg, who was based here in Manhattan Beach, that bribery occurred in at least thirteen other states, including California. (He hasn't yet named the cities involved.) (From Rosenberg Answer and Counterclaim filed 10/11/13, in Redflex v. Rosenberg, at page 9. Document available online at <http://highwayrobbery.net/redlightcamsLawInfightingRosenberg.html> .)

The staff report mentions "the termination of specific Redflex personnel," but the full story is that it was the company's most high-ranking personnel who resigned or were terminated - including the president of the US operation (whose signature is at the bottom

of the Culver City contract which is expiring now) and her chief counsel, and in Australia, the chairman and the CEO.

The staff report mentions "written assurance from Redflex as to corrective measures." Indeed, as part of its attempt to rebuild its reputation, Redflex sent its customers an apology letter stating "...Redflex has a new executive team," but it should be noted that the signatory to that letter, current Redflex President James Saunders, is the person about whom former EVP Rosenberg wrote:

"However, in July 2013, the Board of Directors and CEO of Redflex Holdings promoted the company's existing Vice President of Account Management to the position of CEO. The Board and CEO did this with full knowledge that over the years this individual actively participated in and incurred lavish entertainment expenses with elected officials, consultants and city officials in his efforts to secure new contracts and maintain company revenue." (Rosenberg Answer and Counterclaim, at page 2.)

City staff's discussion of Redflex' troubles is incomplete, as there is no mention of the Prevailing Wage actions involving Redflex in the Cities of Hayward, Oakland, and San Rafael. Has anyone investigated to see if Redflex paid Prevailing Wages for the construction work it did in Culver City? (It is the Department of Industrial Relations' position that red light camera installation work is not entitled to the exemption for local projects in Charter cities.) (Prevailing wage documents are available at <http://highwayrobbery.net/redlightcamsdocsIndustryPrevWage.html> .)

4. The staff report should have mentioned that in addition to Santa Ana's vote to close their program, in 2013 and 2014 these other California cities voted to close their programs: Belmont, El Cajon, Escondido, Hayward, Highland, Inglewood, Murrieta, Poway, Redwood City, San Diego, San Rafael, South Gate, and South San Francisco. The authorities in those and other towns have said that the cameras made no significant difference. Their statements are attached below, for your review.

Regards,

Jim Lissner

Attached:

1. Statements by authorities in other towns
2. Parable: The Project
3. The staff report

Attachment 1:

### STATEMENTS BY AUTHORITIES IN OTHER TOWNS

Riverside (cameras installed in 2006): "Upon review CalTrans has determined that the accident rates do not warrant the camera systems at any of the five CalTrans locations and has requested their removal." Riverside Director of Public Works/City Engineer Thomas J. Boyd, in report prepared for Public Safety Committee meeting of 6-18-12, page 2-3.

Source: <http://www.highwayrobbery.net/TrcDocsRivers2012JuneStaffRepCloseProg.pdf>

More from Riverside: "It's impossible to attribute causality to one thing. I don't know whether and to what degree the red light cameras have contributed to a reduction in traffic crashes." Chief of Police Sergio Diaz.

Source: 7-14-12 Press Enterprise interview <http://blog.pe.com/2012/07/14/police-chief-on-red-light-cameras-data-not-conclusive/>

More from Riverside: "I have spoken publicly against the program several times in the past, once before the public safety committee and twice before the entire council. Each time, I expressed my dislike of the general concept of the program, the unethical tactics used to collect fees, inconclusive data regarding their effectiveness and the realization of corporate profits at the expense of our citizens. My position on these matters has not changed." Retired 28-year Riverside fire captain, in letter submitted for the Oct. 2, 2012 city council meeting. Source:

<http://www.highwayrobbery.net/TrcDocsRiversideContractOpinionByRetdFireCapt.pdf>

Emeryville (cameras installed in 2004, removed in 2012): "Staff also analyzed the number of accidents for the same seven year period and found that the red light cameras did not significantly impact the number of accidents." "Finance has estimated that elimination of the program would result in a \$200,000 per year savings to the City." Chief of Police Ken James, in reports submitted for 5-15-12 city council meeting.

Source:

<http://web01.emeryville.org/sirepub/pubmtgframe.aspx?meetid=87&doctype=agenda>

City of Los Angeles (cameras installed in 2000, removed in 2011): "It was completely wrong." "It was strictly designed to bring in revenue and didn't do anything for public safety." Councilmember Dennis Zine, who prior to his twelve years (termed out) on the council served 28 years with the LAPD, 18 years of which was on motors. Source: Los Angeles Daily News, 3-27-12, <http://www.dailynews.com/general-news/20120328/red->

[light-scofflaws-will-catch-a-break](#)

San Bernardino (cameras installed in 2005, removed in 2012): "It was the consensus of the Council that the City has lost business because of the red light cameras and they're not making the City any safer." Minutes, 1-24-11 city council meeting.

<http://www.highwayrobbery.net/TrcDocsSanBernContr2011JanMins.pdf>

El Monte (cameras installed in 2003, removed in 2008): "A comparison of traffic collisions at Redflex monitored intersections vs. non-Redflex monitored intersections revealed that there is no statistical difference in the number of traffic collisions because of Redflex monitoring." Chief of Police Ken Weldon, in memo presented at 10-21-08 council meeting.

<http://www.highwayrobbery.net/TrcDocsElMonteContrTerminateWeldonMemo.pdf>

More from El Monte: "We're spending a lot of staff time on this just to gain \$2000 a month." "It doesn't reduce accidents -- that's what our studies and results have come back." City Manager James W. Mussenden. Source: Granicus video of council meeting of 10-21-08, at 1:28:40, available on City's website at <http://www.ci.el-monte.ca.us/IWantto/View/VideosonDemand.aspx>

Upland (cameras installed in 2003, removed in 2009): "The system appears to have little influence on the number of red light related collisions at monitored intersections. At times, rear end collisions have actually increased." Chief Steve Adams, in memo presented at 3-9-09 council meeting.

Source: <http://www.highwayrobbery.net/TrcDocsUplandStaffReport2009Mar9.pdf>

Whittier (cameras installed in 2004, removed in 2010): "Initially, the red-light program did change behaviors because it did lessen the number of red-light violations but over the long term it didn't appear to lessen the number of injury accidents." Assistant City Manager Nancy Mendez.

Source: 12-6-10 Whittier Daily News

<http://www.highwayrobbery.net/TrcDocsWhittierArticleProgTerminated.pdf>

Loma Linda (cameras installed in 2006, removed in 2010): "I believe these red light cameras are ways for city governments to legally extort money from their citizens." "The

month after we lengthened the yellow light by one second, the number of violations that we have seen dropped by 90 percent." Mayor Rhodes Rigsby, M.D.

Source: KABC - TV, 12-3-10,

[http://abclocal.go.com/kabc/story?section=news/local/inland\\_empire&id=7824510](http://abclocal.go.com/kabc/story?section=news/local/inland_empire&id=7824510)

Gardena (cameras installed in 2005, removed in 2011): "Our research in Gardena has revealed there is no significant traffic safety impact as a result of the use of the red light cameras. At almost every intersection where we have cameras, collisions have remained the same, decreased very slightly, or increased depending on the intersection you examine. When combining the statistics of all the intersections, the overall consensus is that there is not a noticeable safety enhancement to the public." Chief of Police Edward Medrano, in memo presented at 2-9-10 council meeting. Source:

<http://www.highwayrobbery.net/TrcDocsGardenaContr2010staffRepFull.pdf>

Bell Gardens (cameras installed in 2009, removed in 2012): "To date, 95% of the funds collected from verifiable violations have been paid to RedFlex Traffic Systems for operating the cameras. The remaining 5% of funds collected have been utilized to partially offset costs of personnel to manage the system. The red light camera program has contributed to a moderate decrease in the overall number of accidents; however, no change in the overall number of injury accidents. Furthermore, the police department has recognized unanticipated personnel costs to manage the program. Based on this analysis, the red light camera program is not significant enough of a community safety benefit to justify the continuation of the program beyond the existing three (3) year agreement term that expires on March 29, 2012." Staff report presented at 9-26-11 council meeting. <http://www.highwayrobbery.net/TrcDocsBellGdnsContr2011staffRep.pdf>

Hayward (cameras installed in 2008, removed in 2013): "In response to Council Member Zermeño's question for reasons why cities chose to drop out of the Red Light Camera program... City Manager David commented that another reason was the lack of strong evidence in the industry that red light cameras were effective in reducing collisions." Minutes, 10-11-11 council meeting.

<http://www.highwayrobbery.net/TrcDocsHaywardStaffRep2011Oct11mins.pdf>

More from Hayward: "There is no concrete data that supports the fact that red light cameras are supposed to reduce collisions." "That's not been our experience here in Hayward. We've had much better results with a redeployment of our motor officers. I think that having that personal contact with our community members makes a lasting impression. It's an opportunity for us to change behavior when it's wrong versus getting a ticket in the mail 2-4 weeks down the road." Hayward Police Chief Diane Urban,

during 3-6-13 city council meeting.

<http://sanfrancisco.cbslocal.com/2013/03/06/hayward-to-get-rid-of-red-light-cameras/>

Hawthorne (cameras installed in 2004): "The hope is that driving behavior is corrected, not just through that intersection but through the rest of the time you're driving here." "You need to study accidents overall. Some of the data that you don't have is accidents for their entirety in our city. You know what, you're right, they're not going down. I wish they were." Hawthorne Police Captain Keith Kauffman, during 3-13-12 city council meeting.

<http://highwayrobbery.net/redlightcamsdocsHawthMain.html#Council2012>


Escondido (cameras installed in 2004, removed in 2013): "Staff's analysis is the data on accident rates is inconclusive." "We didn't find any change between photo enforced intersections and citywide. You're just as likely to be injured at a photo enforced intersection as you are citywide. So we didn't find anything to demonstrate that severity had been reduced." "Photo enforcement has the highest cost of all the countermeasures."

Escondido Assistant Director of Public Works Julie Procopio. Source: Video of council meeting of 8-21-13, at 1:26:50, available on City's official archive site, at

<http://escondido2.12milesout.com/>

Counter Measure	Crash Reduction Factor *	Cost per Intersection /Year
Left Turn Protected Phasing	27%	\$5,000
Retroreflective Backplates	13%	\$2,000
Countdown Pedestrian Heads	20%	\$4,800
Improve Signal Coordination	27%**	\$2,400
Automated Enforcement (RLPE)	12%	\$89,800

\* FHWA study estimates  
\*\* Right Angle Crashes Only



Slide shown by staff at 8-21-13 Escondido council meeting

More from Escondido: "Some of the best footage of really drastic collisions comes from red light cameras." "The cameras are there, the collisions still happen." Councilwoman Olga Diaz. Source: Video of council meeting of 8-21-13, at 1:30:00.

South Gate (cameras installed in 2003, removed in 2013): "The most disappointing thing

from staff's perspective is the lack of change in behavior at the intersections." "If you look at the statistics that were provided by RedFlex, you didn't see a dramatic impact in the behavior over the years. In fact, a limited correlation between the implementation of RedFlex and the change in behavior. That's disappointing in the deployment, not just in this city, but everywhere." City Manager Michael Flad at council meeting of 9-10-13.  
Source: [audio clip](#) [audio of full item](#)

Moreno Valley (cameras installed in 2008, removed in 2009, City of Riverside camera on shared border removed in 2012 at Moreno Valley's request): "We took the heat without having any control over it." "I'm happy to see all those red light cameras go. ...The few people that like them just haven't looked at the reality of what it does. It takes away the discretion of a police officer." Moreno Valley Mayor Richard Stewart. Source: Riverside Press Enterprise article 8-6-12 <http://www.pe.com/local-news/riverside-county/riverside/riverside-headlines-index/20120806-moreno-valley-red-light-camera-to-be-shut-off.ece>

The San Mateo County Superior Court (seven cities in the County have cameras, earliest installed in 2005): "Are we doing right by the public?" "It's questionable whether the trade-offs are appropriate." "There's a balance there, and I don't think we have found it." CEO John Fitton, San Mateo Superior Court, on 11-13-09.

Source:

<http://www.highwayrobbery.net/TrcDocsSanMateoCountyArticles2009Nov13CourtExecAngry.txt>

More from the San Mateo Superior Court: "I would advise cities who are contemplating installing red light cameras to move cautiously. I know these systems generate revenue for cities, but safety-wise there are questions about whether the red light cameras reduce accidents." CEO John Fitton, on 2-16-10.

Source: KGO-TV,

<http://www.abclocal.go.com/kgo/story?section=news/local/peninsula&id=7280823>

From the San Mateo County Grand Jury: "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." "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." Source: 2010 Grand Jury Report

<http://www.highwayrobbery.net/TrcDocsSanMateoGrandJuryFinalRep.pdf>

## THE PROJECT

**I**n the beginning there was the Project. With the Project, there was a Plan and a Specification. But the Plan was without form and the Specification was void. Thus there was darkness upon the faces of the Engineers.

The Engineers, therefore, spoke unto their Project Leaders, "this is a crock of crap and we cannot abide the stink that abounds".

And the Project Leaders spoke unto their Unit Managers. "this is a crock of excrement and we cannot abide the odor which abounds".

And the Unit Managers spoke unto their Sub-section Managers, "This is a vessel of excrement and the odor is very offensive".

And the Sub-section Managers spoke unto their Section Managers, "this vessel is full of that which makes things grow and the characteristics thereof are exceedingly strong".

And the Section Managers spoke unto the General Manager, "The contents of this vessel are very powerful and will promote strong growth of the Company".

And the General Manager looked at the Project and saw that it was good.



Attachment 3:

(begins on next page)