

Is Arizona Putting The Public At Risk By Eliminating Speed Cameras?

By

**Thomas Stark
Torrance Police Department**

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The Command College Futures Study Project is a FUTURES study of a particular emerging issue of relevance to law enforcement. Its purpose is NOT to predict the future; rather, to project a variety of possible scenarios useful for strategic planning in anticipation of the emerging landscape facing policing organizations.

This journal article was created using the futures forecasting process of Command College and its outcomes. Defining the future differs from analyzing the past, because it has not yet happened. In this article, methodologies have been used to discern useful alternatives to enhance the success of planners and leaders in their response to a range of possible future environments.

Managing the future means influencing it—creating, constraining and adapting to emerging trends and events in a way that optimizes the opportunities and minimizes the threats of relevance to the profession.

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Hardly a week goes by without local government budget issues hitting the headlines. Seems like the same story that we have been hearing for years, but the difference this time around is that the once untouchable public safety departments are fair game.¹ City Councils and Boards of Supervisors, elected on platforms of not cutting public safety, have reduced other services as best they can in the hopes of weathering this storm. With the near future not looking any more promising than the recent past, however, these same officials are now contemplating cutting police budgets as measures of last resort. Because of this, there will be fewer officers to handle the issues faced by law enforcement. This makes Arizona's recent decision to not renew their two-year contract for speed enforcement cameras so interesting.

The Past

In years past, law enforcement has dealt with personnel shortages, usually increasing their workload without adding positions. School Resource Officers, DARE, and Community Policing are a few of the many functions added over the years without also adding to sworn staff to meet the obligations of those programs. In each case, it is usually the basic patrol function that seems to run short, and deployments are either altered or filled with the use of overtime to maintain service levels. In many cases, other divisions, especially those addressing quality of life issues, give up officers and carry vacant positions to help field patrol deployments. For instance, the City of Chicago recently announced the reassignment of 130 officers from Administrative positions back to Patrol assignments.² Another example was seen earlier this year when the Los Angeles Police Department redeployed 350 officers from specialty

assignments back to Patrol in response to the impact of budget cuts to the department and an increase in violent crime.³

When looking for officers to redeploy to ensure basic patrol functions are staffed, law enforcement agencies must look at the cost effectiveness of each position, and whether there is a viable solution to minimize the impact of its absence to the community. When using these two issues as a guide to identify positions to redeploy, one option may be to consider the elimination of motorcycle units because of their cost of operations, and because enforcement technologies exist that can provide the same effect on traffic safety.

Most police departments understand that the community views traffic enforcement as a critical area of responsibility for law enforcement. As many law enforcement officers will tell you, a community meeting may be called for another reason, but at some point it will focus on a traffic enforcement issue.⁴ A stop sign at the corner or speeding vehicles on their street are important quality of life issues for citizens. With budget cuts and personnel shortages, though, traffic enforcement is one area that has been decreased so agencies can focus more on deterring violent crimes. The use of technology is one technique that law enforcement agencies can employ to minimize the impact of losing motorcycle deployments while still addressing this quality of life issue for the community. For many communities, including those in the State of Arizona, the technology being used is photo enforcement.

The Present

Speed cameras, also called photo radar, are deployed to monitor the speed of the passing traffic and are programmed to photograph vehicles traveling above the speed limit. Speed cameras differ from other methods of traffic enforcement as they do not require the violator to be

stopped at the time of the violation. There are two methods for speed cameras to be deployed: mobile speed cameras that move from location to location addressing problem areas, and fixed cameras at a specific location that remain there. For more than 30 years, various countries outside the United States have used speed cameras as a part of their enforcement efforts.

There are two common ways for citations to be issued: to the driver/violator, or to the registered owner of the vehicle. In the perfect world, the driver/violator is held accountable for their actions. Identifying the driver, however, is not always easy due to glare on the windshield or license plate, or sometimes because the driver takes steps to conceal their identity. A few states, including Colorado, Arizona and Illinois, issue automated speed violations to the driver when they can be identified. Others, such as Washington, Maryland and the District of Columbia, treat automated speed enforcement citations just like parking tickets in that the registered owner is liable. Just as with parking tickets, these citations do not result in points or are not recorded on a driver's record. In fact, sixteen states already use the procedure of holding the registered owner liable for red light citations.⁵

Studies by the Insurance Institute for Highway Safety reveal that automated speed enforcement can substantially reduce speeding on a wide range of roadway types. Studies in Arizona, Maryland, and the District of Columbia found that the percentage of drivers exceeding speed limits by more than 10 mph declined significantly. Likewise, research conducted outside the United States also reveal that speed cameras have a significant impact on traffic speeds.⁶ For example, a study in the Scottsdale, Arizona area photographed vehicles traveling more than ten miles per hour over the speed limit. Before the cameras were installed, nearly 15% of the traffic was traveling ten miles an hour over the speed limit. After the cameras were deployed, the number of vehicles traveling ten miles an hour over the speed limit was only 2%.⁷

Studies also indicate speed enforcement cameras have an impact on reducing collisions. A study published in February 2009 by the Insurance Institute for Highway Safety revealed that collision statistics in an area of British Columbia resulted in a 7% decline in collisions and a 20% reduction in fatalities in the first year speed cameras were deployed.⁸ Another study by The Transportation Research Board done in 1998 revealed a reduction in collision statistics in Australia, Germany, Norway and the United Kingdom after speed cameras were installed.⁹

The Arizona speed camera program, started in 2008 by then Governor Janet Napolitano as a way to improve highway safety by slowing traffic, was controversial from the start. In fact, it is a target for a November 2010 ballot initiative to prohibit photo enforcement in Arizona.¹⁰ The program had been debated from the beginning, with dissenters believing that the goal of the program was merely to increase the State's revenue. Even with 36 fixed cameras and 40 mobile vans, though, estimated revenues fell well short of projections due to more than two-thirds of the violators being unidentified or those that were identified ignoring notices sent via mail.¹¹ The State's current Governor, Jan Brewer, has already notified their vendor that the program would not be renewed for State agencies when the contract expires in July 2010. While ending the state's automated enforcement program does not affect local programs, the proposed ballot measure (which is still moving forward) would prohibit all State and local governments from using cameras for both speed and red-light violations.¹² This is in spite of widespread community support for the use of speed cameras in other locales.

While automated speed enforcement appears controversial, three surveys revealed the majority of drivers support the use of automated speed cameras. One survey in the District of Columbia noted that 51% of drivers support the use of automated speed cameras while 36% did not. Their findings noted support was higher among middle-aged and older drivers. Similar

results were also seen in Montgomery County, Maryland, where 62% of drivers were in support of automated speed enforcement. However, the most interesting results were seen in Scottsdale, Arizona, where 63% of drivers surveyed supported the program before it even started. This number rose to 77% after the program was implemented.¹³

While speed cameras are used in various parts of Colorado, Illinois, Maryland, Oregon, Tennessee, Utah and Washington as well as the District of Columbia, Arizona's statewide deployment was the largest use of this technology.¹⁴ It is because of this widespread use, especially at a time when public safety positions are being cut, that this question is posed: isn't this the time to increase the use of technology to assist law enforcement instead of eliminating it?

The Future

With the current budget crisis leading to law enforcement personnel cuts, it is just a matter of time before law enforcement will be refocusing their deployments to address crime suppression. To achieve this, deployment for secondary issues such as traffic enforcement could be reduced.¹⁵ Applying evaluative metrics to assess the benefits of traffic enforcement technologies helps show their effectiveness.

When evaluating the cost-effectiveness of motorcycle deployment, one must compare the effectiveness of the squad on traffic safety versus the cost of operating the program. The effectiveness is not merely enforcement of traffic laws. It also includes the impact a motor officer has on traffic safety through visibility and educational traffic stops (i.e. warnings) that has and impact on the total number of accidents in the community. Certainly, using motorcycle enforcement can net dramatic results if administered astutely. For instance, one mid-sized agency in Southern California found that changing their manner of deployment had a direct impact on

the number of injury traffic accidents. Several motors, often the entire shift, would work together to focus on one problem location at the same time. These “Directed Enforcements” led to more motorists being contacted at problem locations. Motorists were soon blogging in the local paper regarding the increase of traffic enforcement in a particular area. To date, this deployment has led to a 61% increase in citations and a 6% decrease of injury traffic collision during the first four months of 2010 compared to the same time period in 2009.¹⁶ At the same time, the cost for personnel, equipment, workers compensation payments for injuries and related expenses mean that motorcycle enforcement is an expensive proposition, one that is rendered moot in the face of viable alternatives.

The start up costs for a speed enforcement program make it seem even more interesting that more states are not using them: free. That is right, free. With the changes in technology happening quickly, it doesn’t make sense for a law enforcement agency to purchase any equipment. In most cases, such as Arizona, it is a “turn key” system where the contract company provides all the equipment and takes a percentage of a successful prosecution. There are three strategic considerations for agencies considering this manner of traffic enforcement.

First, personnel are needed to operate and review automated camera enforcement equipment and this responsibility must fall to civilian employees. While contract employees through the vendor may be available, local control of personnel is often an issue. The salary and benefits for one sworn position often equals the cost for two civilians. For example, in one Los Angeles County agency, the composite rate for a police officer is more than double of a Police Services Officer, a position that already handles Parking Enforcement.¹⁷ Converting sworn positions to civilian can provide the personnel as well as a savings for the department budget.

Second, while stationary camera enforcement impacts a single problem area, it often has the negative byproduct of only teaching drivers to avoid that particular area.¹⁸ Mobile automated speed camera enforcement equipment deployed by civilians is a more effective means of using this technology. Working similar to the current motor squad, the equipment can be moved to address multiple problem areas. As with motor officers, drivers would not be aware of the deployment until they were upon it and would have to be more aware of their driving habits to avoid citations.

Lastly, for automated speed camera enforcement to be successful, the program must be accepted by the community. As is common with traffic citations, violators are concerned with the double whammy of court fines as well as insurance premiums. Critics of the Arizona program also believed that the cameras were a violation of their due process and an invasion of privacy. One violator in Arizona went to the extreme of wearing a monkey mask when driving to attempt to conceal his identity and avoid a citation. Unfortunately, law enforcement responded by going to the costly extreme of conducting surveillance on the vehicle in question until they observed the driver don the monkey mask.¹⁹

An easier solution to this issue, and something much more palatable to the public, would be to have citations be a civil violation (similar to a parking citation) with liability attached to the vehicle itself, not the driver. While the driver would not have to be concerned with insurance premiums from receiving an automated camera enforcement citation in the mail, the registered owner would be responsible to ensure all fines are paid. As with parking citations, the fines would increase if not paid within approximately 21 days and the vehicle could not be reregistered until all fines are paid. This will require legislative changes in states where the law does not allow for speed camera violations to be issued to the driver. However, issuing citations

to the vehicle could make the program more palatable to the public and lead to more successful results.

The truth of the matter is that speed cameras do have the public support, and courts do not consider their use an invasion of privacy. As noted, national surveys demonstrate strong support for camera use. Further, a 2006 national survey by the Insurance Research Council revealed the 60% of US residents support cameras for enforcing speed laws.²⁰ With current (and probably future) economic duress in California and elsewhere, we would be remiss not to listen to public sentiment and strongly consider ways to do better with less.

Conclusion

The future of traffic enforcement lies with non-sworn, civilian employees having the primary responsibility to conduct traffic enforcement with the use of mobile red light or speed enforcement cameras. Mobile units will allow for deployments with results similar to motorcycle units, and can move from problem location to problem location. While sworn officers will still be able to make enforcement stops and issue traffic citations, their primary responsibilities will focus on providing a safe and secure community.

The key to this program's success is through public acceptance. As seen in Arizona, attempting to issue citations to the driver of the vehicle can be problematic, and lead to low rate of successful prosecution. A better approach is to ensure the public supports proposed programs to enforce traffic laws in this manner, and that current legislation allows for the registered owner to be held liable. With no end in sight to current budget shortfalls, it is essential for law enforcement to take advantage of technology that will allow them to continue to provide quality

service to the public with less sworn officers. Automated camera enforcement is an option we cannot afford to overlook.

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Biography

Thomas Stark is a Lieutenant with the Torrance Police Department. Lieutenant Stark has over 23 years of law enforcement experience with experience in Patrol, Traffic, Administration and SWAT. Lieutenant Stark has also been the Division Commander for Traffic and is currently the Division Commander for Personnel.

Lieutenant Stark earned his Bachelor of Science degree in Public Administration from California State University Dominguez Hills (CSUDH) in 1991 and his Masters degree in Public Administration (MPA) in 2004 also from CSUDH. He has taught POST certified classes in Drug and Influence Recognition and Drivers' Training. He is a graduate of POST Supervisory Leadership Institute and POST Command College Class.

Lieutenant Stark can be reached at tostark@TorranceCA.gov.