

Camera Fraud Invades Texas **By Greg Mauz, December 2008**

A good product sells itself. A bad product requires deception and unethical tactics to sell.

During the 1999 Texas legislative session, a legislator shamefully withdrew his photo enforcement bill after his colleagues suggested each mailed citation be emblazoned with big red print saying, "Big Brother is watching you."

Behind the scenes, Dallas metroplex ticket camera companies Affiliated Computer Services (ACS) and Electronic Data Systems (EDS) were busy influencing new friends (\$\$\$\$) to help establish highly profitable red-light camera programs.

The 2001 legislative session was no more friendly toward Big Brother than in 1999. It was becoming clear that RLTCs would not be welcomed through the front door.

Later that year, on behalf of the city of Richardson (Dallas) Representative Tony Goolsby asked then Attorney General John Cornyn if a home-rule city could adopt an ordinance to change a red-light violation from criminal to a civil penalty and allow camera enforcement? "Absent specific legislative authority" Cornyn said no to the civil penalty. However, despite his job to protect the Constitution, the AG said it was permissible for RLTCs to "identify criminal RLVs." [Opinion No. JC-0460, February 8, 2002]. Criminal RLV tickets would have created a tornado of controversy.

By 2003, the ticket camera companies gained influence (\$\$\$) in the 31 member Senate. The much larger 181 member House still remained 4-1 against cameras. A trick play was crafted. Late in the 2003 session, exhausted legislators struggled with multiple bills and approaching deadline. "Representative" Linda Harper Brown (Dallas area, again) attached an unexplained rider to a trucking bill. The bill rider would allow cities to change traffic violations from a criminal to civil penalty. No mention of red light ticket cameras was spoken of, or stated in the bill.

The legislature unknowingly passed a bill that opened the door to camera enforcement, a practice they opposed by a 4-1 margin. Many still feel betrayed. Wasting no time, Garland began exploiting their citizens with ticket cameras on September 17, 2003.

In 2005, House legislators voted overwhelmingly to ban ticket cameras. Camera company influence (\$\$\$\$\$) again stymied Senate consent.

In 2006, with revenue minded cities clamoring to install RLTCs, Attorney General Greg Abbott ignored proven rights violations and gave his official approval of these crash causing devices. I sent him a letter questioning his unjust decision. No honest reply.

Houston's new Police Chief Harold Hurtt couldn't install RLTCs fast enough. ATS (American Traffic "Solutions" – of Scottsdale, Arizona [Phoenix area]) runs Houston's camera program. Previously, as police chief, Hurtt used ACS to install RLTCs in Phoenix, Arizona and Oxnard, California. A recent study declared Oxnard as having the worse traffic safety of all comparable cities. I refuted the 2001 Oxnard "study", by the ticket profiting Insurance Institute for Highway Safety, which falsely claimed that RLTCs reduced crashes and injuries.

In 2007, Representative Carl Isett (Lubbock) submitted a bill to ban ticket cameras. Compromised (camera \$\$\$\$) reps from Houston, Dallas and San Antonio - knowing it would pass a full house vote - killed it in the Urban Affairs Committee.

Representative Vicki Truitt (Southlake) sponsored a bill to ban cities from using speed enforcement cameras - a worse extortion racket than RLTCs. The bill passed. Yet, only days later, DOT Chairman Ric Williamson declared his intention to install speed camera demonstration sites. Truitt, along with about 20 other legislators, sent him a letter asking him to refrain. He postponed the plan until 2009.

A ticket camera restriction bill (S.B. No. 1119 by Senator Carona, Dallas) passed and became law on September 1, 2007. Highlights from the changes to chapter 707, Photographic Traffic Signal Enforcement system, include: requiring engineering studies, a citizen advisory board, crash data and capping tickets at \$75.00 with half of the city's revenue to be sent to Texas trauma centers. This law will greatly reduce city profits, but maintain little effect on camera companies.

The law has merit, but RLTC companies have circumvented similar laws around the globe. Furthermore, the law is NOT retroactive and allows all camera programs prior to September 2007 to operate without restrictions.

Allowing ticket cameras in any way, shape or form is wrong! They still violate your rights (due process, facing accusers, burden of proof and fair trail), encourage engineering malpractice, usurp your money and worst of all, CAUSE more crashes, injuries and fatalities. Camera promoters know these facts, but continue to deceive the public - while extorting their cash - with fantasies of safer intersections.

Results from ticket camera programs all over Texas are developing into a dire picture. A plan hatched in deception can only foster more dishonesty.

Abilene. Appears to be breaking 707 Rules (.003c) which say check for engineering solutions before cameras. Officials claim they are "considering all options" yet they ignore honest research, failed to consult a no charge safety expert and rushed to acquire a camera company sales presentation.

Reflex's video demonstration showed Abilene incurred a mere 121 violations, at

14 traffic signal sites, in 4.6 days. These results are excellent - way better than average. Mayor Archibald's statement of an "epidemic" is ludicrous. Furthermore, Redflex showed crashes from other cities. None were recorded in Abilene. Like in Killeen, no mention was made of targeting right turns on red.

Corpus Christi. KIII TV News (4-9-08) reported that 260 people wrongfully received RLTC citations even after legally stopping for right turns on red. The tickets were dismissed. Oftentimes, camera company "mistakes" go unreported for months or years costing thousands of motorists millions of dollars [Washington, D.C. ; OR, TN].

Dallas. Fox News 4 investigation found that 21 of 60 RLTC sites contained unethical/illegal shortages of yellow time. Seven sites failed to provide the absolute minimum prescribed by Tx DOT (Law), which is an already inadequate 3.5 seconds. Short yellows greatly increase money (RLVs) but unfortunately decrease safety. Entrapment for profit.

Later, in 2008, lengthening of the illegally short yellow lights made the suspect cameras unprofitable which caused their removal. A Dallas official lied to MSNBC saying that the cameras worked too well. The truth is: ticket cameras economic viability requires unethical/illegal engineering malpractices. That-in and of itself-makes camera enforcement a fraud. Also see: Humble.

Garland. Texas' first camera enforced city. The camera companies claim it's a model followed by over a dozen other Lone Star cities. Let's examine this model. First, Harper-Brown's deception. Second, the RLV accident "problem" was greatly exaggerated (SOP since 1993). RLV accidents/fatalities comprise ONLY 2% of ALL U.S. crashes/fatalities (925 of 43,000 fatals). They claimed "85% injuries" and "vast majority red-light running" (page 26, propaganda from Camera Companies Joint Meeting in Florida on October 12, 2007). Thirdly, RLTCs were placed at intersections with below average crash rates, but high traffic volume and short yellows. Three of the original four approaches chosen for ticket cameras incurred less than one RLV crash per year.

Recently, KTVT-TV reported that Garland moved the violation lines further into the intersections to snag more RLVs (\$\$\$\$). This violates law established by TxDOT, requiring the visible stop bar as basis for a violation. City Attorney Brad Neighbor defended the unethical practice. No wonder. Neighbor is on camera company payroll. He was seen and documented, even gave a camera sales pitch, at the Florida meeting. Camera company documents reveal that they own engineers, attorneys, politicians, police chiefs, DOT leaders, public relation firms, and some media.

Integrity challenged Garland expects you to believe their own fabricated study, which claims RLTCs reduced crashes by -25% (injuries -27%). My analysis found numerous problems that render their tiny 4 intersection study inconclusive at best,

deceptive at worse.

Note: Garland's yellows are so short it required 16 months of ticketing to reduce violations by -30%. One second of added yellow drops RLVs by 40 - 75%, with the consistent benefit of reducing crashes by 30 - 50% (TTI, Detroit, San Francisco, Mesa, etc.). These benefits occur immediately. About 30% of those entrapped by these fraudulent devices are protesting their existence by refusing to pay their fines. Ditto for Lubbock and other cities. Garland still manages to extort over \$10 million annually.

Harlingen. In November, 2007, an 82 year old man, with cancer, turned right on red (legally) during a trip to the local hospital. To his surprise, he received a ticket in the mail. The photo clearly shows his car angling right with the turn-signal on. He wrote a letter to the police, fully expecting to rightly be declared "not guilty". Instead they required this dying man to attend a hearing, where they forced him to pay the fine. These kinds of rights violations and injustice are occurring everywhere cameras operate.

The Monitor (12-7-07) "Dangerous Results" reported that accidents increased from 43 before RLTCs to 57 in the same 6 month after period, for a +33% increase. A claim (by Police Chief Danny Castillo) of reduced injuries was not substantiated by documented numbers.

Houston. Police Chief Harold Hurtt established not only Houston's RLTC program but also started Phoenix and Oxnard, California programs. Oxnard is now documented as the worse (comparable) city for increased traffic crashes.

After RLTCs, about half of the intersections showed decreases in accidents while others showed large increases. Certainly not a safety success story.

KPRC-TV checked numerous Houston camera sites for proper/legal yellow timing. ALL failed to provide safe yellows. One site with an approach speed limit of 50 MPH, contains a dangerously/illegally short, 3.6 seconds yellow interval. The proper/legal yellow should be at least 5.0 seconds. Another short yellow RLTC site near the bus terminal is entrapping school bus drivers who are under threat of losing their jobs. For the record: yellow times do not account for large trucks or buses, even when properly set. Other signal-related problems abound.

Civil Rights Attorney Randall Kallinen helped a client beat three right turn on red camera citations. The judge agreed that photos are merely hearsay evidence, not convicting proof. IIHS's own research revealed that at least 29% of ticketed vehicle owners did not commit the alleged red light violation. Most Texas cities force these innocent citizens to pay the fine anyway.

The Houston Chronicle revealed its lack of journalistic integrity by censoring 15

independent studies (provided and received), disregarding camera company documented fraud and criticizing the honest traffic safety expert who provided the objective research showing cameras shortcomings. Complaints to the Editor (Jeff Cohen) were also ignored.

Humble. A police department document (1-30-08) reveals that yellow times are illegally short at 4 of the 5 camera enforced intersections. The approach speeds of 45-50 MPH require, by law, minimum yellows of 4.3-5.0 seconds. The yellows provided are dangerously short 3.6 seconds.

Three months of ticketing snared 9,216 “red light runners” for a potential windfall of \$700,000. If proper, legal yellow times were set violations would realistically number about 3,000 or \$225,000 in fines. Consequently, over 6,000 people were illegally entrapped and forced to pay. Camera promoters encourage and reward dishonesty.

Killeen. City leaders somehow avoided the new 707 DOT rules, despite not installing the ticket cameras until June 2008. Killeen Daily Herald Assistant Managing Editor attended the January meetings and Redflex video sales presentation. The Herald, like the Houston Chronicle, parroted camera sales propaganda (like a paid promoter), provided no counterpoint and misled the citizens/soldiers of Killeen with biased articles and editorials totally lacking objectivity.

Redflex’s deceptive video claimed 7-8000 violations bi-weekly at 5 intersections. Actual numbers revealed only 4000 RLV’s of which a “significant number” resulted from, the never before mentioned, legal right turns on red-the latest scam. The video also showed 26 or so dramatic crashes in 24 hours attributed to Killeen intersections (KDH reported). Like Abilene, these crashes were most likely photographed in some huge city, like Los Angeles, not Killeen, Texas, population: 98,000.

Again, the honest safety researcher was censored.

Lubbock. In a phone conversation (9-14-07) engineer Jerry Hart admitted he instigated the RLTC program, had connections to Mesa and Garland, and lobbied the Texas legislature in favor of cameras. Lobbyists get paid by someone.

KCBD-TV discovered the city shortened yellow times at 8 intersections scheduled for RLTC installation. Like Garland (and most cities) cameras were placed at less dangerous intersections with high traffic volumes and inadequately short yellows. Entrapment for profit. These common RLTC company practices make the intersections very dangerous, causing significantly more crashes, injuries and fatalities. Sure enough that’s what happened. Lubbock’s six month study documented a 52% increase in ALL crashes after RLTCs. Equivalent before periods show 2005 at 188 total crashes and 2006

at 192. In 2007, the after RLTC period incurred 286 total collisions. Red-light violation crashes showed similar increases from 28 in 2005 to 31 in 2006 up to 44 in 2007. Rear-ends also rose more than 50%. Allegedly injuries did not increase? Injury crash is a more reliable and accurate term. But, 94 more crashes, involving 188 vehicles, should cause at least 25 more injuries (NHTSA).

Still, the cameras are a total failure. Ironically ATS is not only exploiting citizens but appears to be short-changing the government as well - a loss of \$20,000 monthly. The citizen's committee voted 4-2 to remove the cameras. On February 14, the mayor/city council voted 4-3 to dismantle the ticket camera program.

Plano. KXAS-TV (11-6-2006) reported that the overall number of accidents increased at 4 RLTC intersections.

Sugarland. The city/police website contains multiple deceptions about red-light [ticket] cameras "effectiveness". (SOP everywhere). Red light "safety" cameras "significantly reduce deaths and injuries" camera promoters have been claiming since the 1990's. Nothing could be further from the truth. Examples: Charlotte, NC cut RLVs by 70%. Obfuscation. Reduced violations (by cameras) do NOT equal reduced crashes (FHWA, Mauz). Cameras cause - on average - +70% increases in rear-end collisions. Washington, D.C. cut RLV crash fatalities by half or more. Lie. Analysis by the Washington Post revealed that injury/fatal crashes increased +81% from 144 to 262, after RLTCs. Red-light violation crashes rose +30% (81 to 106).

Texas DOT. Representative Carl Isett Chaired the Sunset Advisory Commission in June 2008. The goal is to restore integrity to what many considered an "out of control" rogue agency. A new DOT Chairperson was selected - Dierdre Delisi.

One of the Sunset Commission goals is for the DOT to provide a better website with access to independent research. In regards to red-light (ticket) cameras, the web pages appear to have been written by camera companies-the very people most profiting from their installation. The statistics (Overview) are deceptive and inflated to create a "need" for cameras. "More than 7,000 fatal crashes...within intersections" should read: There occur about 2,950 signal-related fatal crashes per year nationwide. For the record: RLV fatalities comprise ONLY 2% of all U.S. fatalities (925 of 43,000).

Under FAQ, the author totally misrepresents and down-plays the vital importance of yellow timing's role in creating safer signalized intersections. To promote RLTCs?

On the Links page, the ONLY links provided are to those who profit from camera enforcement, like the Insurance Institute for Highway Safety and the National Campaign to Stop Red Light Running (a phony advocacy group owned, operated and funded by camera companies- Redflex, ACS, Gatso, etc.). IIHS profits from cam ticket surcharges in CA and AZ, plus other ways.

A DOT statewide camera report is due out in December '08. They obviously cannot be trusted to tell the objective truth. Cities, like Houston and Dallas are suspect as well. Therefore, I have requested to see the data before it goes public to check for objectivity and accuracy. Plus, I asked the DOT to link mine and other independent research.

These Texas deceptions are nothing new, just standard operating procedure to extort more of your hard-earned money. These dishonest camera promoters have been caught in all manner of fraudulent business practices around the globe.

Unethically/illegally short yellows have surfaced in Arizona, California, Oregon, Maryland, New York, Virginia, etc. Violation lines were moved in Mesa, Arizona. ACS of Dallas reportedly bribed officials in Edmonton, Canada and is under FBI investigation in Memphis. Lawsuits abound. A photo enforcement official in England admitted - on hidden camera - that camera enforcement was a "scam" and "caused more crashes", but created "buckets of money". Other examples of camera promoter fraud include: violating state laws, contract scandals, not checking tickets, mailing tickets on a guess, using illegal equipment and falsifying documents [www.thenewspaper.com].

To pave the way for ticket cameras, proponents lowered yellow times (Institute for Transportation Engineer's Journals, 1989 - 1994) then promptly blamed drivers for the increase in red light violations. Next, they greatly exaggerated the RLV crash problem, bought a multitude of officials and covered-up a comprehensive, 11 year Australian study (1995) which showed all crashes (includes RLV) increased over +70% at 41 sites after camera installation. Before RLTCs, there occurred a -20% drop in crashes. Human welfare would not stand in the way of corporate profits. For the whole story read: "Camera Enforcement - How the Fraud Developed" which includes 36 charted camera promoter deceptions used to "sell" these fraudulent devices [www.motorists.org/mauz.php].

One of the biggest deceptions claims that camera enforcement only targets dangerous, deliberate "red light runners." Data obtained from many camera sites reveals that 70% plus of violations occur less than one second into the red signal. These RLV's are neither dangerous nor deliberate, but showcase a national epidemic of engineering malpractice (short yellow times) to entrap people for profit. [See: Humble]. Honest police would not ticket these invisible violations. The latest scam involves ticketing more non-dangerous motorists who come to a debatable stop before legally turning right on red.

Currently, more than 20 studies - even some camera financed ones (VA, FHwA, Oxnard, England) - show increases in crashes, injuries and fatalities. "Camera Enforcement - A Picture of Fraud" proves through studies, plus six other analyses, that

ticket cameras cause more fatalities. This definitive research covers new ground.

Camera companies begrudgingly admit their devices CAUSE rear-end collisions (+70% on average). Purposely causing crashes is against the law. ITE admitted to engineering malpractice by grading themselves a D in 2004. Camera proponents own [unpromoted] research shows that added yellow time seriously trounces cameras in safety and reducing violations (Mesa, San Diego, San Francisco). Their own control sites [no cameras] reveal that DOING NOTHING results in better safety and violation rates than employing ticket cameras (Oxnard, FHWA, Fairfax).

Camera enforcement remains a total fraud designed to deceive people into surrendering their guaranteed rights, money and safety to provide billions of dollars in corporate/government profits.

It's time for citizens to fight to protect their rights, money and lives. Contact all elected officials. I have sent a detailed complaint to the Attorney General, State Representatives, the Governor and others. Camera companies should be prosecuted for false advertising, fraud, defective product and causing crashes, injuries and fatalities. Over 500 more people (and counting) have died in signal-related fatal crashes since the proliferation of these enforcement for profit devices (NHTSA, 2001 - 2006). Isn't it time people's lives become more important than corporate/government profits? ALL ticket camera programs must be dismantled permanently.

Greg Mauz is an honest traffic safety researcher and volunteer activist for the National Motorists Assn. He has done extensive research on ticket cameras (motorists.org/mauz.php or 325-896-2595).