

Camera Fraud Invades Texas

By Greg Mauz

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" - owned by Redflex of Australia and 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 and fair trial), 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.

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.

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.

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 citizens 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 RLTC’s. Red-light violation crashes rose +30% (81 to 106).

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, New York, Virginia, etc. Violation lines were moved in Mesa, Arizona. ACS of Dallas reportedly bribed officials in Edmonton, Canada. Contract scandals 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”. Numerous other examples of camera promoter fraud are located at: 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].

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. 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 peoples 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).

