

AGENDA #11a(1)

To: Town Council Members
From: Council Member Kleinschmidt
Re: Petition to terminate the Town of Chapel Hill contract with ACS, Inc.
Date: January 12, 2004

Since the Town's earliest discussion regarding the implementation of red-light cameras, the program has been beset by criticism. The program abandons traditional methods of law enforcement by converting a once criminal sanction to a civil action. Most disturbingly, the program has transferred police power to a private corporate entity. Citizens no longer have the same rights of confrontation to challenge witnesses against them, and have lost the discretionary use of power once relied on by citizens to avoid mechanical, thoughtless law enforcement. The installation of the SafeLight Program introduced a corporate third-party between resident and government and fundamentally changed the relationship between the municipality and its citizens.

Additionally, many citizens offered evidence during public hearings that the claim of safe red-light camera intersections is largely a myth. Evidence was introduced that rear-end collisions increase at red-light camera intersections. Questions were also raised regarding the sincerity of a business plan that profits from red-light running, yet claims to want to decrease or eliminate red-light running. These questions were buttressed by evidence that ACS and other red-light camera operators have been sued in other jurisdictions for calibrating the timing of photographs to maximize the number of citations.

Also, many citizens were concerned that other methods of adjusting the timing of red and yellow lights would have been more effective at controlling red-light violations, yet were not attempted. Evidence was introduced that adjusting the timing of lights at intersections decreased violations without the costs of camera installation or the costs associated with a changed Town-Citizen relationship.

These arguments along with some dissatisfaction that the 96% of the money collected from red-light violators was being sent to the corporation now enforcing red-light running are now joined by evidence that the program fails to serve as a deterrent to red-light running. Evidence indicates that only 33% of the photographs taken by the cameras result in citations. Consequently, 2 out of 3 drivers whose photographs are taken fail to receive a citation in the mail.

The failure of the program, along with the insult to many traditional Chapel Hill values, requires us to end the program now.

I petition the Town Council to terminate its agreement with ACS Inc., the operators of the SafeLight Program in Chapel Hill, by exercising its powers under Article 7 Section 1 of the Town's contract with ACS.