

**Opinion Piece #0 – Town Council
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**RED LIGHT CAMERAS, PUBLIC SAFETY & CHAPEL HILL TOWN
COUNCIL POLICY**

If one followed the early 2004 discussion related to the appropriateness of red-light cameras at busy traffic intersections in Chapel Hill, you may be curious what the Town Council is doing to sustain meaningful public policy regarding community safety. It was a very public opportunity to assess how individual council members might shape their decisions when it comes to public safety.

In the context of the town's "Safe-Light" traffic program, the initiative was deferred for overriding considerations as the majority of the Council voted to support such a move.

- *Sally Greene* – "Commercial enterprise and law enforcement do not mix, (and) mixing the two can lead to a 'monstrous hybrid'."
- *Bill Strom* – "Mechanizing law enforcement was poor public policy and not right for Chapel Hill."
- *Mark Kleinschmidt* - argued that "being true to the value of good citizenship means finding better alternatives" to the "Safe-Light" traffic program.

The "Safe-Light" program was conceived as a tool to improve safety on the roads by placing cameras at our increasingly busy intersections to identify unsafe drivers running red lights. I don't want to rehash the pros and cons of the council's decision to eliminate Chapel Hill's "Safe-Light" program. However, we should not lose sight of a primary role of local government in the development of sustainable public policy and programming — attending to a sense of community safety.

When adjusted for incidents of automobile break-in and theft, in only the first nine-month reporting period 2002-03 and 2003-04 data show:

- Burglary is up 28% (326 to 418 total cases)
- Rape is up 267% (3 to 11 cases)
- Robbery (armed and unarmed) is up 27% (59 to 75 cases)

Considering our low unemployment rate, comparatively high median family income and moderate 2.3% annual population growth, negative crime trends far outpace favorable indicators. The data excludes crime occurring on the UNC campus, making the climate in our part of "heaven" increasingly fragile.

The current trend in local crime comes with a cost, and if left unabated, will erode public confidence in town government's ability to set clear and effective public policy. The situation affects the elderly who seek services outside of their home, families wishing to enjoy public areas, and students out and about feeling secure.

Following the contentious debate on the "Safe-Light" program, Town Council sought to reassure the public at its January 28 meeting when the Mayor stated that he and "all of his colleagues agree that they are obligated to protect public safety." At that same meeting, the Council stated loudly that it was serious about public safety, and the safety of intersections in Chapel Hill. There were assurances of follow-up and action. After more than six months, I would ask what pursuant actions have been taken to improve safety at intersections, and does the data show improvement as the Council promised (SEE ATTACHED EXTRACTS FROM COUNCIL MEMBERS KLEINSCHMIDT, HILL, GREENE AND STROM AT JANUARY 28, 2004 MEETING):

1. Re-engineering (Kleinschmidt);
2. State law changes (Greene);
3. Additional police enforcement (Strom).

What is the status of these three suggestions? What follow-up have these Council members insisted on?

In addition, current crime trends in our town are headed in the wrong direction. If the Town Council is going to continue down the path of rolling back safety programs and related ordinances, the public needs to hear how it intends to address the rising pattern of traffic violations, crime and vagrancy. The plan should be clearly communicated and its development should occur before any additional changes to existing safety ordinances.

References

2002 Data Book, Town of Chapel Hill, 4th Edition, Chapel Hill Planning Department, June 2002

Third Quarter 2003-2004 Police statistics from Chapel Hill Police Dept.

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intersections whether there were or not. She asked how the study was accounting for this "halo effect." Dr. Hummer replied that Chapel Hill was too small to determine for certain that an improvement in one area carries over to other areas of Town. His study was addressing the "regression to the mean effect," he said, adding that other researchers probably would address the "halo effect" in theirs.

Mayor pro tem Wiggins commented that a halo effect seemed like a good thing. Dr. Hummer replied that it was only a problem from a narrow research point of view because it interferes with the purity of the experiment.

Diana Steele compared the halo effect to the placebo effect, noting that these effects are good even though they do make research less tidy. She then recommended adding pedestrians and cyclists to the study of cars at intersections. Ms. Steele expressed support for continuing the red light program and any other approach that will teach people to drive more carefully and safely. She also noted red light running problems at the intersection of South Columbia Street and Mason Farm Road.

COUNCIL MEMBER KLEINSCHMIDT MOVED R-8, SECONDED BY COUNCIL MEMBER HILL, DIRECTING THE MANAGER TO TERMINATE THE AGREEMENT WITH ACS, INC.

Council Member Kleinschmidt noted the fundamental disagreement in the community over what good policy is. Personally, he had difficulty with the idea of mechanizing and privatizing a police function, he said. Council Member Kleinschmidt stated that the SafeLight Program forces Chapel Hill to compromise too much and to alter its values. He noted that there were many options for improving safety at intersections, and said that the Town had not tried reengineering before turning to cameras.

A. Council Member Kleinschmidt argued against mechanizing the enforcement of laws, adding that being true to the value of good citizenship means finding better alternatives. He urged the Town to look at engineering solutions at intersections where accidents, not violations, occur. It had been shown that violations do not correlate with intersections where accidents happen, he said. Council Member Kleinschmidt encouraged Council members to adopt the resolution and then to immediately ask the staff to bring to the Council a list of the most dangerous intersections so that the Town could begin the process of making them safer.

Council Member Verkerk ascertained from the staff that Council Member Kleinschmidt's motion was to terminate the ACS contract, not repeal the ordinance allow the cameras. Town Attorney Ralph Karpinos stated that the Council did have an ordinance under which it can have a program. That ordinance would be available under any contract the Council wishes to enter into, unless the Council decided to change the Town Code and remove that ordinance, he said.

Council Member Hill explained that he had publicly spoken against the cameras prior to becoming a Council member. His objections then, as now, were based on his opposition to privatizing law enforcement, he said. Council Member Hill commented that safe driving would be bad for ACS's business because the more tickets they write the more money they make. He pointed out that the timing on the cameras had been set twice as fast as ACS's own guidelines require, and at least three times faster than that suggested by independent engineers. These conflicts of interest obscure every possible benefit, Council Member Hill said. He remarked that rear-end accidents at camera locations had increased fivefold, while the Town had made less than \$1,000. Given the amount of time the staff had spent on this endeavor, he said, it had cost the Town money to make those intersections less safe.

Mayor pro tem Wiggins asked Traffic Engineer Kumar Neppalli about the criteria that was used to select the two intersections. Mr. Neppalli explained that 25 sites had been selected based on citizen complaints, police citations, and the number and severity of accidents. The Town then asked ACS to

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Council Member Verkerk said that many of the opponents of red light cameras were "dot-coms" that mainly consist of information taken from newspaper articles. She mentioned that the National Motorists Association was adamantly against the red light camera program. But they were also against seatbelts, helmets, car seats, airbags and mandatory insurance, she said. Council Member Verkerk asserted that it was clear what citizens in this research community wanted. "Surely, a few more months of this program cannot hurt us," she said.

Council Member Greene said that her brother-in-law had been killed ten years ago by a red light runner at a T-bone intersection in Charlotte. This was very personal to her, she said, and she mentioned that Anne Sweet had called her to discuss the issue. Council Member Greene said that she and Ms. Sweet disagree about the cameras but had a lot to agree about regarding public safety, family, and community. She was glad that Ms. Sweet had primarily recommended engineering and education, and the provision of consistent consequences, Council Member Greene said.

Council Member Greene noted that it was the Council's responsibility to filter emotional issues through facts and evidence. She had concluded, she noted, that the cameras had not given the solution that the Town had asked for. Council Member Greene argued that red light cameras should not have been installed in Chapel Hill in the first place. Commercial enterprise and law enforcement do not mix, she said, warning that mixing the two can lead to a "monstrous hybrid," as described by Jane Jacobs in her book, Systems of Survival.

Council Member Greene pointed out that The Federal Highway Administration recommends starting with engineering solutions before going to cameras. And the FHA cites ITRE and The Texas Transportation Institute for doing particularly good research, she said. Council Member Greene stated that both of those research centers stress the importance of studying sites where accidents happen. She proposed that the Town's contract with a vendor had lead to tension between economics and safety, and she quoted a 2001 statement by the Town Manager in which he questioned the feasibility of the program.

"Here we start to see the monstrous hybrid," said Council Member Greene. She stressed that the Town's and ACS's goals were not compatible, referring, in particular, to ACS's threshold of 20 violations at a site. If the Town wants to be safer by having fewer accidents, then it has the wrong set of intersections, she said. Council Member Greene listed intersections where everyone worries about pedestrian safety: Franklin/Columbia Streets, Airport Road/Hillsborough Street, Franklin Street/Estes Drive, Weaver Dairy Road/East Chapel Hill High School, Airport/Weaver Dairy Roads, Columbia/Rosemary Streets, Franklin/Henderson Streets, South Road/Country Club Road, and Hamilton Road/NC 54. These did not make the cut, she said.

3. Council Member Greene spoke in favor of doing engineering changes first, not at the same time as camera installation. There was no doubt that the ACS's bottom line conflicted with the legitimate goals and priorities of its customers, she said. Council Member Greene recommended pushing harder for a change in State law that would allow engineering solutions. She said that she was presenting the best answer she could for protecting safety and creating the best public policy.

Council Member Ward asked for a response from the staff to the suggestion that engineering solutions had not been used at intersections prior to the red light program. Mr. Neppalli replied that he respectfully disagreed with those statements. The staff reviews high accident locations every year and then goes to the field and makes improvements, he said. Mr. Horton added, however, that there were always more things that could be done to make physical improvements if the Town had more staff and more funds.

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Council Member Ward commented that the staff had done much of what could be done prior to the installation of cameras. He stated that the number of detected violations over the past few months had demonstrated a significant problem, and he compared that to the 20 or so yearly citations that the Police Department had issued. Council Member Ward noted that citizen response had overwhelmingly supported photo enforcement. He emphasized that the appeal process was under Town control. Council Member Ward said settings at the .3-second level has a positive affect on how people behave, he said. He argued that removing the cameras before the study had been completed would demonstrate a disregard for citizen safety.

Hummer to complete his work, he said.

Council Member Harrison thanked some of the opponents to the red light cameras for introducing new information at the meeting. He stated that he and Council members who opposed the cameras had "agreed to disagree" on this issue, and that the word "agree" is an important part of that phrase.

Council Member Harrison stated that he had no allegiance to any particular vendor or contractor, but that he did have allegiance to his own personal experience, which included seeing many drivers run red lights in Chapel Hill. He stated he believed that red light cameras had led to an increase in public safety where implemented, and hoped the Town would keep them until the end of the year.

Council Member Harrison pointed out that local government does not receive the fines when traffic offenses go through the court system, either. He noted that he had learned from the Town police chief that day, that there were no more than eight Town police officers on patrol at any time, and only one at night assigned to traffic control. Putting more officers out there for traffic enforcement would affect the tax rate, Council Member Harrison pointed out.

Council Member Harrison agreed with the suggestion to adjust the grace period, but said there was only so much Mr. Neppalli (Town Traffic Engineer) could do to improve the signal system, which has a very old operating system. He explained that he and other Council members were supporting efforts to fund a new Town signal system through NCDOT's Transportation Improvement Program. Council Member Harrison stated that he was pleased that Chapel Hill had been chosen for the ITRE study. He hoped it would last long enough for Dr. Hummer to complete his work, he said.

Council Member Strom noted that he had voted against red light cameras because the idea gave him the "heebie-jeebies." A minimum of 20 violations per intersection with a .3-second trigger time leads to a system that is stacked against pedestrian safety, he said, noting that safety was the Council's primary goal. Council Member Strom commented on the "compelling testimony" that violations rather than accidents drive the system. He said that the Town had not made an educated academic analysis of the impact of extending yellow lights. It had figured out how to get \$15 to \$16 million for a transportation system but had not pursued signal system upgrades as aggressively, he said.

C. Council Member Strom stated that he was a firm supporter of additional police enforcement and proposed that the Council face up to the costs of doing that. Council Member Strom noted that there had been a huge drop-off in violations between .3-second and a full second. He said that the research data would not be valid and could not reach the conclusions the Town is seeking because the program was skewed. Council Member Strom agreed with Council Member Kleinschmidt's concerns about privatizing law enforcement. He stated that mechanizing law enforcement was poor public policy and not right for Chapel Hill. Council Member Strom pointed out that Council members must use their best judgement and cannot rely on PR firms and lobbyists to make their decisions for them.

Mayor Foy said that one of the responsibilities of local government was to insure public safety. He and

ADDITIONAL DETAIL	Actual 01-02	Actual 02-03	Budget 03-04	YTD 02-03	YTD 03-04	Change From Prior Year
PATROL SERVICES						
# calls for service	26,278	24,778	25,750	18,963	19,915	+5%
CRIME						
Reported Major Crimes						
Personal crimes						
Homicide	0	1	0	1	0	-100%
Rape	10	4	10	3	11	+267%***
Robbery	91	81	80	59	75	+27%****
Aggravated assault	119	113	110	88	76	-14%
Property crimes						
Burglary/break-in	527	432	500	326	418	+28%
(residential)	(346)	(311)	(325)	(229)	(266)	(+16%)
(non-residential)	(181)	(112)	(175)	(97)	(152)	(+57%)
Larceny	1,873	1,892	1,700	1,412	1,203	-15%
(vehicle break-in)	(784)	(819)	(600)	(626)	(401)	(-36%)
Motor vehicle theft	102	107	100	91	55	-40%
Total Major Crimes	2,722	2,630	2,500	1,980	1,838	-7%

***There was a large percentage increase in reported rapes, however it is one of the most under-reported crimes. The increase of eight more rapes likely reflects an increase in reports to the police, not an increase in occurrences. Only one of the rapes was committed by someone who was a stranger to the victim.

**** Firearms were used in 45% of the robberies as compared to 31% last year. 19% of the robberies occurred at residences while last year 7% occurred at residences.

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