

Testimony of

Abigail Roth, Connecticut Livable Streets Campaign

Transportation Committee

February 14, 2011

In support of

****Proposed S.B. No. 706 AN ACT CONCERNING MUNICIPAL INTERSECTION SAFETY SYSTEMS.***

****Proposed S.B. No. 822 AN ACT AUTHORIZING THE USE OF PHOTOGRAPHIC TRAFFIC ENFORCEMENT TECHNOLOGY.***

****Proposed H.B. No. 6178 AN ACT AUTHORIZING THE USE OF TRAFFIC CAMERAS BY MUNICIPALITIES.***

****Proposed H.B. No. 6179 AN ACT AUTHORIZING MUNICIPALITIES TO OPERATE INTERSECTION SAFETY CAMERA SYSTEMS.***

Senator Maynard, Representative Guerrero and members of the Transportation Committee:

My name is Abigail Roth and I am submitting this testimony both as a member of the CT Livable Streets Campaign and as a concerned Connecticut resident and homeowner. I am writing to express my strong support for enabling municipalities to install intersection safety cameras (ISCs), as provided for in the above-listed bills. Thank you very much for taking the time to review and consider my statement.

I am urging the Transportation Committee to support these bills because intersection safety cameras, plain and simple, will reduce injuries and save lives. ISCs are not a radical step. They are a common, proven, public safety measure. Over 400 cities and towns across the United States have taken the sensible step of using intersection safety cameras to deter people from breaking the law and endangering lives. Red light running is a public health crisis. Every day when I walk to work in New Haven, I see people flagrantly violating the law by speeding through red lights. They know the chance that a police officer will see them is slim, and so they selfishly, and illegally, rush through the light putting other vehicles, pedestrians, and cyclists at risk. In

2006, 3,500 motor vehicle collisions in Connecticut were associated with traffic control violations, primarily red light running, of which 60% resulted in injuries. This is unacceptable. But if Connecticut municipalities, like so many other places, are able to strategically use intersection safety cameras, these accidents can be prevented.

A recent study by the Insurance Institute for Highway Safety makes clear that ISCs save lives. The published report shows that fatal crash rates in the 14 largest U.S. cities using intersection safety cameras dropped by 24 percent, and 159 lives were saved from 2004-2008 compared to 1992-1996 when the cameras were not in use in those cities. As the *Washington Post* editorial board wrote on February 5, 2011 after the release of this study: "The evidence is incontrovertible that red-light cameras save lives and could save many more if they were in wider use."

The Connecticut Police Chiefs Association supports allowing municipalities to use ISCs to detect vehicles that run red lights. They recognize the police cannot adequately deter this dangerous behavior with their limited resources - and in many urban settings it is risky for police to chase after red light runners. Yale-New Haven Hospital similarly supports allowing municipalities to use ISCs. They see the injury and death that results from red light running, and the costs it imposes emotionally and financially on individuals and society. The support of law enforcement and the medical community to me is a powerful demonstration of how sensible and important it is to pass intersection safety camera enabling legislation.

I appreciate that some people have privacy concerns about ISCs. However if people take the time to understand how intersection safety cameras work, there simply is no rational basis for these concerns. First of all, photographs only are taken when a vehicle runs through a red light - usually violating the law. Moreover, the courts consistently have held that vehicles on a public road do not have a high expectation of privacy, in part because they are visible on the public roads and are subject to pervasive and continuing governmental regulation and controls. Vehicles on a public road breaking the law and putting others at risk clearly cannot have an expectation of privacy. Moreover, even if a vehicle runs through a red light, there is no photograph of the occupants of the vehicle; the only close-up photograph is of the license plate. Quite simply, automated traffic enforcement does not involve search or seizure and so does not implicate the Fourth Amendment.

Significantly, no intersection safety camera program has been held to violate any provision of the U.S. Constitution in a published decision. Rather, in published opinions, the courts have unanimously found such programs do not violate the Due Process Clause or the 4th, 5th, or 6th Amendments. It is important to remember that red light running caught on an intersection safety camera would not be a criminal violation giving rise to the constitutional protections that exist in criminal cases. Rather, they are akin to getting a parking ticket - they don't even result in points on a license. And legislation easily could be drafted that provides sufficient due process, with an opportunity to contest a violation, including raising affirmative defenses and seeking an appeal.

Moreover, this bill would not require any municipality to install ISCs. Rather, it would empower municipalities who chose to use them to better protect the public using a noninvasive, constitutional, and proven method.

Again, thank you very much for considering my testimony. I sincerely hope this Committee, and the entire Legislature, votes to give municipalities the ability to install intersection safety cameras. This very narrowly tailored step is a common sense measure that will deter the frequent and dangerous red light running that is significant threat to public health and safety in Connecticut.

Sincerely,

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