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## **Testimony in Opposition to House Bill No. 5929, An Act Concerning Municipal Automated Traffic Enforcement Safety Devices**

Good afternoon Senator Maynard, Representative Guererra and distinguished members of the Transportation Committee. My name is David McGuire. I am the Staff Attorney of the American Civil Liberties Union of Connecticut (ACLU-CT) and I'm here to testify in opposition of House Bill 5929, An Act Concerning Municipal Automated Traffic Enforcement Safety Devices.

Our objections to red light cameras and the threat they pose to civil liberties have not changed in the years since we have testified against this scheme that puts revenue ahead of safety and civil liberties. In fact, there have been developments around red light cameras that highlight the problems with this technology.

Many communities have become far less enthusiastic about red light cameras since the ACLU-CT testified against similar red light camera bills in 2013. In response to public outrage, legislatures in Colorado, Ohio, Iowa, Tennessee and Texas are considering bills that would ban the installation of red light cameras. According to the Insurance Institute for Highway Safety the number of municipalities using red light cameras has fallen 13 percent since the end of 2012.

Presently, when someone receives a traffic violation, the officer who provides the ticket makes the motorist immediately aware of the violation. With red light traffic cameras, it may be well over a month before a person is given notification of a citation. The longer time duration makes it more difficult to recall details of the alleged infraction, adversely affecting the driver's ability to meaningfully challenge the ticket.

These traffic camera programs are based on the imperfect assumption that the driver of the car and the person to whom the car is registered are one and the same, as tickets are issued based on car registration information. In many instances this assumption is not true but the owner of the car will nonetheless be forced to pay. Thus, the burden of proof falls on the car owner to prove that he or she was not driving at the time – turning the presumption of "innocent until proven guilty" on its head.

Fines from red light camera tickets are incredibly profitable for the companies that manufacture the cameras. Contracts with these companies come at a high price to tax payers and the city. In 2013, 96,518 tickets were paid in Newark, NJ from red light camera fines, which generated about \$8.4 million dollars. Each ticket costs a motorist \$85 and Redflex receives \$34 from each ticket. Between the years of 2010-2014, Reflex profited about \$13.3 million dollars from the city of Newark alone. The former CEO of Redflex Traffic Systems was indicted in August on federal corruption charges. She is alleged to have

provided gifts and bribes to government officials in order to secure new contracts in 13 different states including New Jersey. In one specific incident, she was alleged to have bribed a retired Chicago official for his assistance with Reflex's contracts in the city.

Drivers see red light cameras as unfair because red light cameras are unfair. The placement in larger municipalities puts an unequal burden on the poor and minority populations that live and drive there. The cameras threaten due process that the Constitution guarantees in cases of civil as well as criminal violations. The owners of cars are ticketed based on license plates, regardless of who was driving. Long intervals between the alleged violation and notification for the owners diminish their ability to defend themselves. If you were moving out of the way of an ambulance or fire truck at an intersection, could you remember it and prove it 60 days later? Many cases have been documented of drivers being ticketed unjustly while in funeral processions and avoiding emergency vehicles. Poorly calibrated cameras and improperly transcribed license plates have led to other unwarranted tickets.

These failings, the camera vendors argue, are not as important as the safety benefits. But those benefits are highly questionable, at best. The claims of improved safety are based on studies funded by the companies or the insurance industry, studies that have been repeatedly contradicted by independent research and by the experiences of individual communities such as Los Angeles, Denver and San Diego, which found no safety benefit to red light cameras. Even if you grant the same credibility to industry funded studies as to independent research, the best you can say is that the claim of improved safety is highly controversial. Many studies have shown increases in rear-end crashes and in injuries after red light cameras are installed. Late last year a study commissioned by the Chicago Tribune found that the program is responsible for increasing some types of injury crashes. The researchers determined that accidents increased at intersections after the cameras were installed.

Fortunately, there are better, easier and far more equitable ways to make intersections safer. Engineers from AAA worked with government officials in Michigan to cut accidents and injuries in half at several dangerous intersections. They did it by enlarging the lenses of traffic signals, repainting turning lane stripes, re-timing yellow lights and adding an all-red clearance interval. If safety is the goal, why would we not try that proven remedy first?

I urge you to observe the lessons already learned about red light cameras and to spare Connecticut the consequences of a scheme that enriches private interests, provides no public benefit and infringes on individual rights. Please reject this bill.