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Police Department

Arthur L. Jones  
Chief of Police

March 1, 2001

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Mr. Michael Miller  
Intergovernmental Relations  
200 E. Wells St., Room 606  
Milwaukee, WI 53202

RE: LRB-1105/P1 Preliminary Draft on Photographic Enforcement of Red Light Running

Dear Mr. Miller:

I have reviewed the preliminary draft requested by Sen. Brian Burke of a bill that would allow a first class city to operate 'Traffic control photographic systems' to capture evidence of red light violations at intersections. This pilot program would last five years and would require the City of Milwaukee to pass an ordinance creating such a system of photographic, video, or digital imaging before enforcement could commence. I highly favor the use of technology to save lives by reducing traffic collisions caused by drivers who run red lights. This technology has been successfully used in a number of jurisdictions throughout the country. I have no reason to believe it could not achieve the same salutary results in Milwaukee.

However, I have several concerns with the preliminary draft:

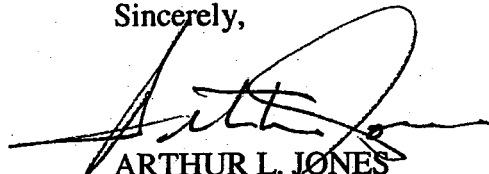
- 1.) The primary flaw is that the draft treats red light violations captured by camera differently from those personally observed by police officers. The preliminary draft states that a first conviction will not be reported to the DOT nor will a first conviction for running a red light captured by camera result in any loss of points. This makes no sense. Running a red light is a highly dangerous practice and should be punished uniformly regardless of how the evidence was obtained, i.e. visually or photographically.
- 2.) All violations of red light running should be treated the same. Hence, there should be no distinction in counting the number of previous violations based upon how the violation was detected. The preliminary draft language only counts photographically-captured violations in determining a higher penalty for subsequent violations of red light running. There is no sound reason for such a distinction.

Page 2  
Red Light Running Draft  
March 1, 2001

- 3.) The preliminary draft does not state a time period within which an officer must mail out a citation to a red light violator captured on camera. Inasmuch as this is a pilot program in a heavily populated urban area, I would like to preserve as much latitude for enforcement as possible. Therefore, I would prefer that that any subsequent drafts NOT include any time line for the issuance of the citation. If the bill is passed, and if the Common Council passes the enabling ordinance, the Milwaukee Police Department will make every effort to efficiently enforce the red light running program.
- 4.) The preliminary draft states that any fines received under this pilot program may be used only for the "maintenance, administration, and operation of traffic control photographic systems." I take no position on this particular point except to note that funding for the equipment and its installation is not available in our current budget.
- 5.) The current technology for photographic traffic systems is advancing continuously. Many of these systems do not require an officer to manually write out a citation. Therefore, I would further recommend that the draft delete any language detailing how a citation is made out or who mails it to the violator. It is possible that a completely automated system is available and more efficient and cost effective than a manual one.

Please be advised that I am in favor of this type of legislation if the items noted above are addressed. If concerns are raised about privacy, it is my understanding that the courts have consistently ruled that there is no reasonable expectation of privacy when driving a motor vehicle on the public streets. What one exposes to public view can no longer be considered private especially when the activity (driving) is licensed by the state. Most importantly, this photographic enforcement program will serve to reduce the number of collisions, injuries, and deaths at some of Milwaukee's most hazardous intersections.

Sincerely,



ARTHUR L. JONES  
CHIEF OF POLICE

ALJ:DJC