

**Testimony before the Judiciary Committee on  
Raised House Bill 5210: An Act Concerning Enforcement of Speeding and Traffic  
Control Signal Violations**

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Good Afternoon Senator McDonald, Representative Lawlor and members of the Judiciary Committee:

My name is Roger Vann and I am the Executive Director of the American Civil Liberties Union of Connecticut.

I am before you today to express **our opposition to Raised House Bill 5210: An Act Concerning Enforcement of Speeding and Traffic Control Signal Violations**. The ACLU of Connecticut opposes HB 5210 because it raises troubling due process and privacy concerns and is unlikely to ensure better safety at dangerous intersections.

**Due Process/ Presumption of Innocence**

Presently, when someone receives a traffic violation, the officer who provides the ticket makes the motorist immediately aware of the violation. With red light cameras, however, it may be days before a person is given notification of a citation. The longer time duration makes it more difficult to recall details and adversely affects the driver's ability to challenge the ticket. How many of us would have difficulty remembering information about driving through intersections just yesterday.

In addition, the system is 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, of course, this assumption is not true, but the owner of the car will nonetheless be forced to pay. At a minimum, the burden of proof falls on him or her to prove he or she was not driving at the time, an overturning of the bedrock principle regarding the presumption of innocence.

**Privacy**

The ACLU's privacy concern is simple. While the invasion of privacy occasioned by this system may seem minor, any implementation of a system that leads to widespread installation of cameras throughout the state cannot be ignored or minimized. As surveillance cameras of any kind become more ubiquitous, a further desensitization of privacy rights is inevitable.

Plus, we must note the troubling private-public connection with red light camera systems. These cameras and devices are generally installed and maintained by private entities. The financial incentive to alter sensor equipment to ensure that more "violators" are fined—and thereby increasing the amount of money the private entity receives, as a

percentage of the total fines gathered—is high enough to create additional corruption concerns. In fact, San Diego disconnected cameras at intersections after it was demonstrated that the company in charge of maintaining the cameras placed some cameras too close to the intersection and shortened signal timing.

### **Safety**

There are also serious questions about whether red light cameras live up to claims of improved safety. Last year, the Federal Highway Administration released a safety evaluation of red light cameras in seven American cities which concluded that the reduction in side-impact collisions at monitored intersections is wholly or largely offset by an increase in rear-end accidents. The study found that while the overall number of side-impact crashes was **reduced** by 379, rear-end crashes (resulting mainly from motorists quickly applying the brakes at monitored intersections) **increased** by 375. One city observed for the study actually saw an increase in both types of crashes after installing traffic cameras. The same study found a similar trend for injuries resulting from these crashes, with side-impact crash injuries falling 15.7 percent and rear-end crash injuries escalating by 24 percent.

The American Automobile Association (or “triple A”), perhaps the most respected advocate for traffic safety in the country, has widely criticized the use of “red light cameras.” They called Washington D.C.’s camera program “a shakedown” and said that “it is clear that money and not law enforcement” or safety is the main motivation behind the program. And this seems to be true based on a 2005 study by the Washington Post that found despite 500,000 violations and \$32 million in revenue under the 6-year program, crashes at locations with cameras more than doubled, injuries and fatalities climbed 81 percent, and side impact crashes rose 30 percent.

The AAA (triple A) has offered a low cost solution to the problem – lengthen the time for yellow lights. One study concluded that simply increasing yellow light times could reduce side impact accidents by up to 90 percent.

Although red light cameras are currently in use in more than 100 American cities, dozens of communities have ended their programs, several states (including New Jersey, Wisconsin and Utah) have banned the use of traffic cameras for traffic enforcement purposes, voters have challenged these initiatives through referenda and dozens of lawsuits have been filed on behalf of alleged violators.

In the interest of privacy, due process and safety, the ACLU urges this committee to oppose Raised House Bill 5210.