



Scottsdale City Court



Loop 101 Photo Enforcement Program Final Report

Highlights of the Photo Enforcement Program include:

- ◆ 6 fixed-site cameras
- ◆ 237,411 new cases filed at the Scottsdale City Court
- ◆ 28 consecutive months of operation at the City Court
- ◆ 8,500 average filings per month of operation
- ◆ 4 temporary workers and existing Court staff absorbed the workload
- ◆ 10+ multidisciplinary partners



American journalist Ann Landers once said, "Opportunities are disguised as hard work so most people don't recognize them." There was no disguising the hard work when the City of Scottsdale implemented a photo enforcement program, also initially known as the Loop 101 Demonstration Program. February 2009 was the three year anniversary of the implementation of the Loop 101 Photo Enforcement Program and this milestone gives the City Court the opportunity to reflect and report on the program results.

By way of background, in October 2005, the Scottsdale City Council approved a nine-month test program - the Loop 101 Demonstration Program. The City obtained approval from the State of Arizona to operate the program. Under the program, six speed-enforcement cameras were placed on a 7.8 mile stretch of the local Loop 101 Freeway, with three cameras on each side, each approximately two miles apart.

With program implementation under the direction of the Scottsdale Police Department, a warning phase took place for a 30-day period in which individuals with a civil violation captured by the equipment were mailed a warning letter; no civil citations were issued and consequences were not imposed. Concurrent to the warning period, public service announcements were utilized to alert drivers about the impending program. The program officially began for the City Court on February 22, 2006, when the first citation was

issued by the vendor (Redflex Traffic Systems). At the direction of the Scottsdale Police Department, citations were generated for speeds of 11 miles or higher over the posted speed limit of 65 miles per hour.

The Loop 101 Demonstration Program operated from February 22, 2006 to October 23, 2006. Then following City Council direction, the Loop 101 Reactivation Program began on February 22, 2007 and operated to June 30, 2007. Effective July 1, 2007 and operating through June 30, 2008, the City operated the City/State – Department of Public Safety (DPS) Loop 101 Program as part of an intergovernmental agreement (IGA) between the City and the State. Also effective July 1, 2007, a new vendor, American Traffic Solutions (ATS) began its contract with the City.

Information contained in this report may provide observations and insights for other courts and agencies to consider when implementing a photo enforcement program.

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Accomplishments

◆ **Technology Based Operation**

Since all photo citations are transmitted electronically to the court, there are no hard copy files. Court processes are all automated (calendar, defaulting, reporting and dismissals). The automation processes previously established in the court allowed the court to process over a quarter of a million citations with only 4 additional temporary staff.

◆ **Standardized Citation Content**

The Court created a uniform photo enforcement citation with standard content and format developed in collaboration with the Loop 101 Program partners (law enforcement, prosecution, photo enforcement vendor) as required by the Arizona Rules of Procedure in Civil Traffic cases.

◆ **Collaboration: Court and Its Partners**

The project provided a case study of partnership and collaboration with other agencies. The graphic below is a visual display of the partners involved in this endeavor.

◆ **Assistance from the State Administrative Office of the Court (AOC)**

As the photo enforcement project was in the planning stages, the Court worked with the Arizona Supreme Court, Administrative Office of the Courts (AOC) staff to obtain answers to a variety of legal and operational questions surrounding photo enforcement.

◆ **Development and Use of Frequently Asked Questions (FAQs) for the Public**

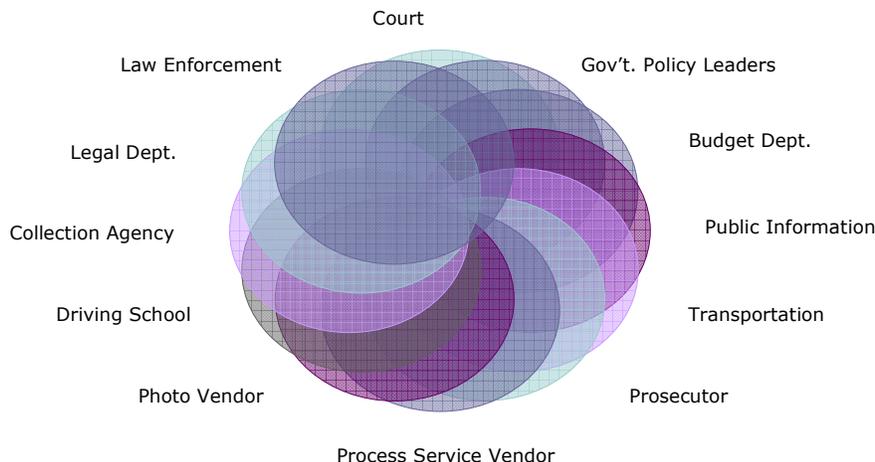
The Loop 101 Program partners developed a series of Frequently Asked Questions (FAQs) that were used as an informational tool to assist the public with common questions. The FAQs were published on the Scottsdale City Police Department website.

◆ **Creation of Specialized Calendar**

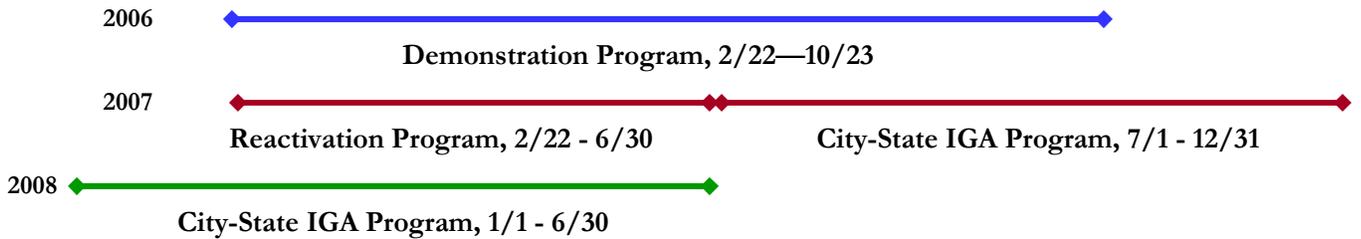
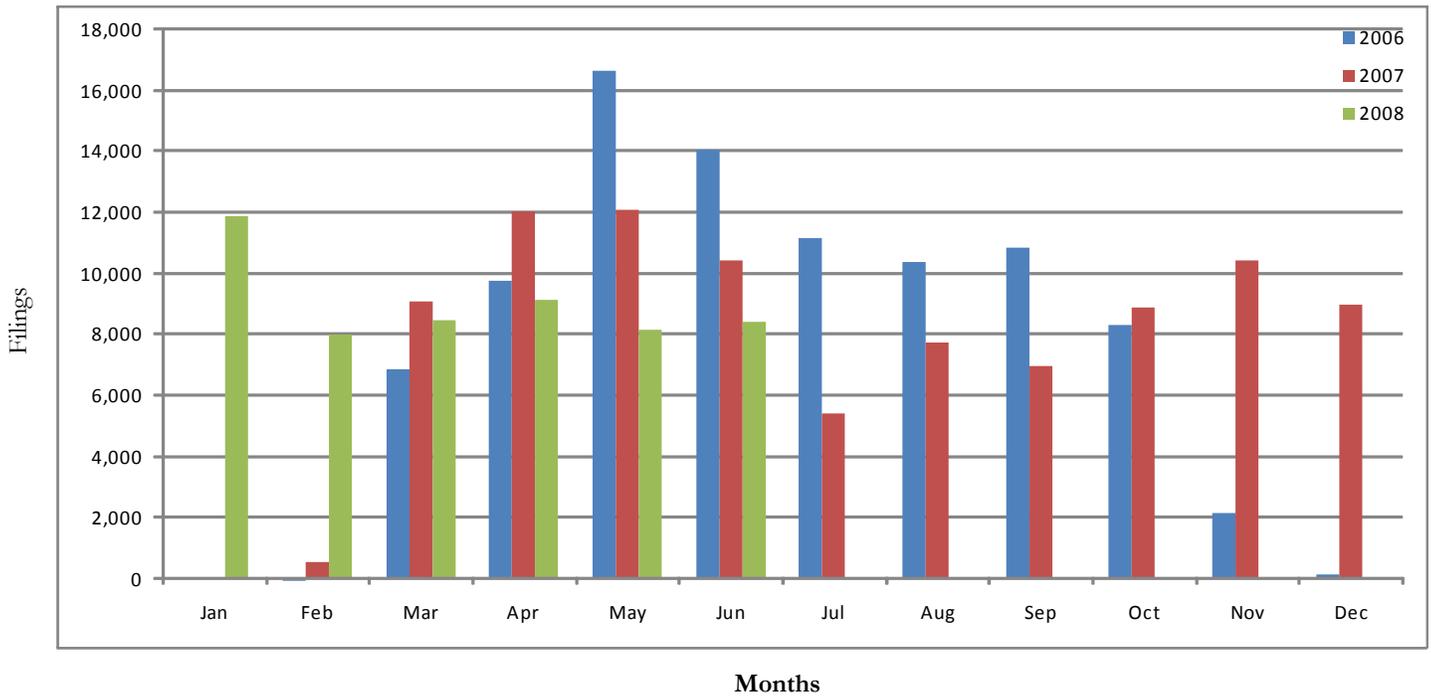
Because photo enforcement has both aspects of a “specialized court” (targeting a specific case type) and a “treatment court” (targeting a behavior change), the Court reconfigured its court calendars and dockets to create calendars for contested photo enforcement hearings. The City Court Civil Traffic Hearing Officers played a significant role in this specialized calendar creation.

◆ **Sharing Experiences and Contributing Knowledge**

The Court has become a contact point and source of information for other courts around the State that are interested in seeking information about photo enforcement and project implementation. The Court estimates it has been contacted by over half the courts in the state of Arizona. Additionally, the City Court contributed knowledge and data for the development of the statewide DPS program.



Loop 101 Filings by Month and Year



Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2006	0	6	6,875	9,781	16,651	14,081	11,195	10,412	10,842	8,340	2,161	176
2007	0	567	9,080	12,029	12,126	10,466	5,455	7,763	6,991	8,882	10,426	9,007
2008	11,898	8,015	8,496	9,136	8,164	8,390						

Source (Graph and Table): Photo Enforcement Summary Report Statistics from Scottsdale City Court, prepared 02/20/2009

The Loop 101 Demonstration Program transitioned from a 30-day warning period to citation issuance on February 22, 2006 for an eight month period of time culminating on October 23, 2006. Initial estimates during the warning period appeared to indicate that an overwhelming number of filings could be expected; some 39,000 to 51,000 per month! However, once the program went live, compliance with posted speed limits increased dramatically; filings peaked at 16,600 in May 2006 and then subsided in July through August 2006 to what was perceived as more normal activity of 10,500 to 11,000 filings per month.

The return of the program in February 2007 once again saw peak activity for the first three months with a decrease to more normal rates by June 2007. The time between programs (October 23, 2006 to February 22, 2007) was used for analysis, review, reports and recommendations for program reactivation. A change of vendors in July 2007 accounted for the drop-off in filings in July/August 2007 as the company’s activity diminished and the new vendor was installing their equipment. The program was terminated in June 2008 due to contractual terms and carpool lane construction within the 7.8 miles.

Program Activity

Citation Activity 2/22/06 through 6/30/08^{1,2}

		% of Total Filings
Total Filings	237,411	100%
Successful Dispositions ³	129,434	54.5%
- Driving school completed	44,002	
- Defendant plead responsible and fine fully or partially paid	83,869	
- Found responsible at hearing	1,563	
Filings Dismissed	105,335	44.4%
- On Judge's Motion	2,168	
- On State's Motion - Result of Driver ID	27,732	
- On Officer or Vendor Motion	251	
- Rule 4 Dismissal ⁴	75,184	
Defendant's Found Not Responsible at Hearing	151	0.1%
Total Closed ⁵	234,920	

As of January 19, 2009

Total Cases Filed	237,411	
Total Cases Closed	234,920	
% of Cases Closed	98.95%	
Cases Pending ⁶	2,491	1.0%
Cases with Notice of Appeal Filed	152	
Cases Remaining on Appeal	45	
Photo Enforcement Correspondence Received ⁷	19,140	
Photo Enforcement Phone Calls Received ⁷	25,993	

Notes

1 - This data was pulled on 1/19/09 and published on 2/20/09. Percentages don't add up to 100% due to rounding.

2 - Loop 101 Demonstration Program was 2/22/06 to 10/23/06; Reactivation Program was 2/22/07 to 6/30/07; City-State IGA Program was 7/1/07 to 6/30/08.

3 - Cases have successful disposition status if: defendant pled and paid, was found responsible or completed driving school.

4 - Rule 4 Dismissal refers to cases with no State action taken nor jurisdiction obtained, so case is dismissed within 120 days of filing.

5 - Cases have closed status if: fine partially, fully or indicated intent to pay; attended driving school, hearing held with final adjudication; or case dismissed.

6 - Cases have pending status if: awaiting court date, driving school completion or process service.

7 - Partial data due to limited collection early in the program.

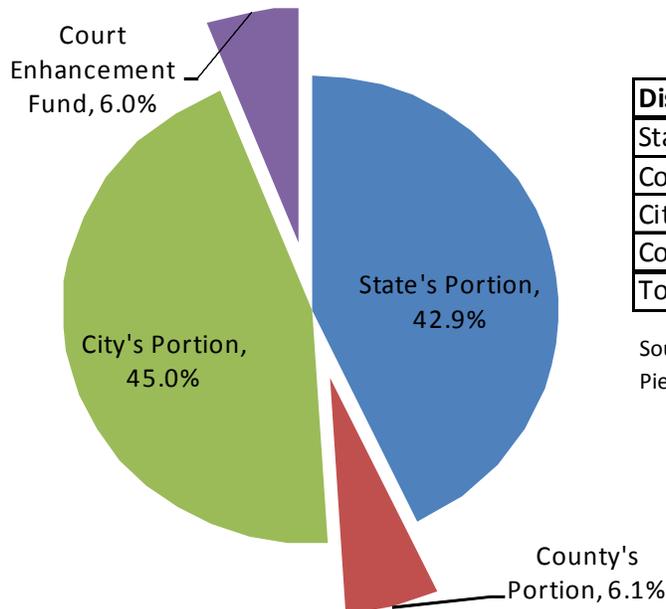
Revenues and Costs by Program

	Demonstration Program	Reactivation Program	City-State IGA Program
	Citations Issued 2/22/06 - 10/23/06	Citations Issued 2/22/07 - 6/30/07	Citations Issued 7/1/07 - 6/30/08
Typical Citation Cost	\$ 157.00	\$ 162.00	\$ 165.00
Citations Filed	90,520	44,269	102,622
Total City Revenue	\$ 4,049,503	\$ 1,482,554	\$ 4,860,631
Direct Program Expense	\$ 2,552,466	\$ 1,142,526	\$ 3,503,244
Excess Revenue after Direct Costs	\$ 1,497,037	\$ 156,731	\$ 765,928
Surcharges Transmitted to State	\$ 2,504,002	\$ 1,042,416	\$ 3,139,858

Notes:

- Source of Demonstration Program data is City Court data published 1/25/08.
- Source of Reactivation Program data is City Court data published 1/28/08.
- Source of City-State IGA Program data is City Court data published 3/4/09.
- Table does not include "trailing" case activities - case activity that is ongoing between the programs segments noted.
- Indirect program costs, such as costs for staff and resources that were not allocated or billed to Loop 101 Program are not included in any program expense calculation.
- The total citations filed at Scottsdale City Court for 28 months of operation were 237,411 (2/22/06 - 6/30/08).
- Photo Vendors - Redflex Traffic Solutions (2/22/06 - 6/30/07) and American Traffic Solutions (ATS) (7/1/07 - 6/30/08).

Typical Speeding Fine of \$165 (in effect in 2007)



Allocation of Typical Photo Enforcement Fine

Distribution	Percent	Dollars(\$)
State's Portion	42.9%	\$ 70.76
County's Portion	6.1%	\$ 10.00
City's Portion	45.0%	\$ 74.24
Court Enhancement Fund	6.0%	\$ 10.00
Total	100.0%	\$ 165.00

Source: Scottsdale City Court Photo Enforcement Fine Pie Chart, dated 10/15/2007

Perspectives and Insights

Administrative

- ◆ Photo enforcement programs may be viewed as revenue-generating operations; this may lead to public misperceptions of the court's role.
- ◆ On-going collaboration is essential among the multi-disciplinary partners such as law enforcement, vendors, transportation, public information/outreach, and the legal department.
- ◆ Case and citation volumes can create efficiencies and economies of scale.
- ◆ Photo enforcement programs are law enforcement based yet the court is an integral player.
- ◆ Adjudication and enforcement of photo enforcement citations occurs at the court with rules and processes that may be in conflict with citizen and public expectations.
- ◆ Vendor contracts (content and structure) dictate how processes, statistics, metrics and finances need to be tracked and reported.
- ◆ Requests for program statistics and measurements will be made by the media, public and private entities.
- ◆ A photo enforcement program is typically heavily driven by technology and data system interfaces.
- ◆ A court should establish a single spokesperson to represent the court on media inquiries.
- ◆ A court should anticipate political and community interest, eliciting both positive and negative feedback.

Operational

- ◆ Sophisticated technology is required to capture, segregate, process and produce data that allows the court to manage work and provide information to program stakeholders.
- ◆ Technology reliance allows the court to handle large number of filings, yet problems can magnify quickly when data is inaccurate, requiring significant staff resources to correct misinformation (case status, litigant payments, motor vehicle department and driving school reporting).
- ◆ Early court involvement in program planning and implementation is essential for court preparation of statistics and measures (operational, financial, trend data).
- ◆ The court is the center of program operational data, while law enforcement is the program and contract overseer. The court needs to be positioned for program input without direct contractual oversight and responsibility.
- ◆ A photo enforcement program relies on rules and processes created for manual and less technologically driven program operations.
- ◆ Many elements of a photo enforcement program need monitoring and tracking – data accuracy, compliance and financial reporting, adherence with mandatory timelines required by statutes and court rules.
- ◆ The creation of business rules occurs in the program planning phase. The court needs to ensure consistency and compatibility with court rules and original program goals as the program matures and new processes need to be documented.



Judicial

- ◆ Judicial officers must be educated on caseflow management processes (e.g., how and when the court obtains jurisdiction and litigant requests).
- ◆ In jurisdictions requiring that photo citations are issued to the driver, driver identification and proof that the litigant receives notice are common issues.
- ◆ Roles of law enforcement, vendor representatives, and the process server are critical in disputed cases.
- ◆ Private companies that sell information about photo enforcement practices cause litigant confusion.

12 Steps a Court Can Take to Prepare for Photo Enforcement

1. Partner the presiding judge and court administrator on program philosophy.
2. Get the court involved in planning and preparation.
3. Run workload projections to evaluate staff workloads, where bottlenecks might occur and additional resources might be needed.
4. Establish performance standards and counting methods for workload and anticipate methods of reporting program operations.
5. Prepare cost analysis process and measures to evaluate program performance.
6. Know your technology processes (i.e., data exchanges and interfaces) that will be needed between the court, the police, the prosecutor and the vendor.
7. Review rules, statutes and legal requirements that would mandate how the program should operate.
8. Map out the process flow and timelines for photo enforcement case processing.
9. Take into account the level of interest of local leaders, the legislature, media/press, etc.
10. Create written procedures, business rules, and policies or procedures that define how the program is to be operated and managed.
11. Anticipate requests for information on program data and statistics so you can be ready to publish data (i.e., public records requests and miscellaneous business reports).
12. Establish a single point of contact for your court to speak about court aspects of the program.

Photo Enforcement vs. Photo Radar - What's the Difference?

“Photo radar” is generally used to define a photo speed enforcement program. This is somewhat misleading as photo radar is but one of a number of speed enforcement devices that can be deployed.

A speed enforced fixed site is a speed detection system that uses two strips that have been installed in the pavement. When a vehicle drives over the strips, the vehicle's speed is calculated. If the vehicle is exceeding the threshold speed, multiple photographs of the vehicle's driver and license plate are taken. No radar is commonly used at these types of sites. The date, time, location and speed are recorded on the digital image. The Loop 101 Program used this type of photo enforcement equipment.

Mobile photo speed units utilize actual radar equipment attached to strategically parked/located vehicles. When a vehicle is exceeding the threshold limit set by the operator, a photo is taken of the vehicle and drivers. A second photograph is take as the vehicle passes the enforcement van to record the license plate of the vehicle.

A speed enforcement program can include one or both types of photo speed enforcement systems. Because both types of equipment are deployed and used in Scottsdale, the City refers to the combined program as a photo enforcement program rather than photo radar.

Noteworthy Statistics

"The Big Six"		
Camera Location	Number of Citations Issued	% of Total
Southbound 101 Raintree Exit	63,394	27%
Eastbound 101 Scottsdale Road Exit	52,206	22%
Southbound 101 Shea Exit	41,268	17%
Northbound 101 Shea Exit	34,374	15%
Westbound 101 Hayden Exit	31,450	13%
Northbound 101 Cactus Exit	14,719	6%

This table shows the locations of the six fixed-site cameras involved in the Photo Enforcement Program and the number of citations issued from each site in descending order. It is not surprising that 66% of the citations issued came from locations that are not impacted by rush hour traffic and have less congestion than the other sites.

Source: Scottsdale City Court Camera Query run on March 2, 2009.

Residency Statistics

- ◆ 26% of drivers cited lived outside of Arizona
- ◆ 11% of drivers cited were Arizona residents living outside Maricopa County
- ◆ 52% of drivers cited were Maricopa County residents who lived outside of Scottsdale
- ◆ **Only 11% of drivers cited were Scottsdale residents**

Note: This data is from citations where the zip code was available.

Conclusions

The Loop 101 Photo Enforcement Program:

- ⇒ Illustrated City Court’s ability to oversee and process high volume case processing through comprehensive use of technology processes.
- ⇒ Provided a real life case study of program collaboration to prepare and implement and then provide ongoing program oversight.
- ⇒ Sparked statewide interest in deploying photo enforcement technology on the freeways.
- ⇒ Expanded technology utilization for program operations.

“The Loop 101 photo enforcement work was a significant project and learning experience, where representatives from a broad group of City and State partners collaborated and created a new program. It was an exciting time for the City Court to both participate as an innovator and manage the court processes.”

- Janet G. Cornell, Court Administrator

Contents and concepts represent the view of the Scottsdale City Court. Questions or comments may be directed to Scottsdale City Court Administration at 480-312-2772.