

California driving up traffic fines

By Caroline Chen, Center for Investigative Reporting

Motorist Derick Neal doesn't remember the April night when he rolled through a right turn at a red light in San Leandro.

The video from the red-light camera clearly shows the violation, he admits. Nevertheless, the 40-year-old software engineer is outraged about the price of the ticket: \$490, plus an additional \$59 for traffic school.

"It's one thing if I was barreling through, but you can see my brake lights all the way through," he said after viewing the video. "I expected it to be \$100, \$150 at most for the infraction."

Like Neal, many of the more than 6 million California drivers who get tickets each year experience sticker shock. State records show that traffic citation fines have skyrocketed over the last decade, with some common infractions now costing close to \$500.

Running a red light, currently \$490, cost \$340 in 2003 and \$103 in 1993, according to the Judicial Council of California, which sets the base fines for traffic offenses. A ticket for rolling through a stop sign costs \$238; a decade ago, it was \$130. Speeding up to 15 mph over the limit also comes with a \$238 price tag – more than eight times what it cost in 1993. And traffic school can add \$60.

Oddly, the base fine for most violations has remained the same for the last 20 years. The growth in fines is due to add-ons known as

Derick Neal's ticket
Base fine \$100
State penalty assessment \$100
County penalty assessment \$70
DNA

penalty assessments, which are set by the Legislature. These fees are tacked on to citations, with the money earmarked for projects ranging from court construction to DNA research for solving crimes.

Viewed separately, each assessment might not seem particularly onerous, but the penalties add up. About a decade ago, there was one penalty assessment. Now, there are 10 – and total fines average four or five times the amount of the base fine.

The soaring fines don't seem to have encouraged Californians to become better drivers. Each year, between 26 and 30 percent of drivers get a traffic citation, records show. But the high price of a ticket has led many traffic offenders to plead not guilty and contest their tickets in court, hoping to have them dismissed or reduced.

In 2003, about 196,000 traffic citations were disputed in California courts, according to Judicial Council statistics. That was 4.5 percent of the total issued. By 2011, that number had nearly doubled to 383,000, 7.1 percent of all the citations issued.

Advocates say the increased fines are especially hard on the working class.

“If you're a single parent barely making it, one of those (red-light) tickets could really set you back,” said Shane Gusman, legislative representative for the California Teamsters union. “I think folks are doing the math and hoping that it will get dismissed if the officer doesn't show up. I know our drivers are doing

identificat
ion fund
\$50
Court
constructio
n
\$50
State
surcharge
\$20
Emergency
medical
services
\$20
Emergency
medical air
transportat
ion
\$4
Court
operations
\$40
Conviction
assessment
\$35
Night court
\$1
**Total
ticket
\$490**
Traffic
school
\$59
**Total cost
\$549**

that calculation.”

Some traffic court judges offer community service, rather than fines, to those who plead guilty. Gusman says this isn't much help for many people. At the community service rate of \$10 an hour, it would take 49 hours to pay off a red-light violation ticket.

The courts don't track whether they are losing revenue because more motorists are fighting their tickets. But some courts around the state are struggling to handle the influx of people contesting tickets.

Trial dates are backed up in San Diego County, where the number of motorists contesting tickets has doubled in a decade, said court spokeswoman Karen Dalton. The current wait is six months.

Those accused of traffic violations in Los Angeles County have been facing waits of nine months or more for a hearing, said court spokeswoman Mary Hearn. But it's about to get worse. Recently, courts underwent their third round of layoffs in four years.

“With the changes our court was forced to make in the past few months, I expect those numbers will again increase dramatically,” Hearn said.

Derick Neal pleaded not guilty on his red-light violation and went to court in Oakland this month. He was found guilty and must pay the full fine.

Some courts offer discounts to motorists who plead guilty rather than fight their tickets. At the San Francisco Hall of Justice on a recent day, a court officer offered deals to about 80 people who had shown up to dispute their tickets. Motorists could pay \$285 to settle any ticket of \$400 or more, the officer said, and tickets of less than \$400 could be settled for \$178. If motorists went to trial and lost, they

would pay the full fine, the officer warned.

But there was no such clemency across the bay in Oakland at the Wiley W. Manuel Courthouse, where Commissioner Taylor Culver reigns over his courtroom with sarcastic humor. During a red-light camera trial on a recent afternoon, when one defendant asked for a reduction in his fine, Culver boomed, "Nobody here is special or better than anybody. There's nobody here special but me."

In another case, Culver cut off a defendant's comments by saying, "Just tell me about the money. How are you going to pay?"

Experts say there is little chance that the penalty assessments will stop increasing because it's an attractive source of revenue for state and county governments. A 2006 report by the California Research Bureau, which studies issues for the governor and Legislature, estimated that traffic violations bring in more than \$500 million per year.

"I don't know we'll ever have a rollback unless the state had enough money in the general fund," said Gregory Pagan, chief counsel for the Assembly Public Safety Committee. "It's an easy way to find a revenue stream to fund (a program). They'll never stop."