



Office of the City Auditor

**Audit of Virginia Beach
Photo Red Light Enforcement Program**

Report Date: March 12, 2015

Office of the City Auditor
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"Promoting Accountability and Integrity in City Operations"



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"Promoting Accountability and Integrity in City Operations"

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Office of the City Auditor
Transmittal Letter



Date: March 12, 2015

To: James K. Spore, City Manager

Subject: Audit of Virginia Beach's Photo Red Light
Enforcement Program

I am pleased to present the report of our audit of Virginia Beach's Photo Red Light Enforcement Program. The objectives of our audit were to review the Program to:

- Verify compliance with the City's contract with Redflex Traffic Systems to supply the service
- Verify the Program's compliance with the applicable Code of Virginia
- Review the revenue and collection of delinquent account processes
- Assess the Program's effectiveness in achieving their stated goals and mission

Findings considered to be of insignificant risk have been discussed with management. We completed fieldwork on February 6, 2015.

The Office of the City Auditor reports to City Council through the City's Audit Committee and is organizationally independent of all other City Departments. This report is intended solely for the information and use of the Audit Committee, City Council, the Police Department, and appropriate management. It is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

We would like to thank the Police Department for their courteous and prompt assistance during our audit. The staff was receptive and excellent to work with.

If you have any questions about this report, or any audit-related issue, I can be reached at 385.5872 or via email at lremias@vbgov.com.

Respectfully submitted,

Lyndon S. Remias, CPA, CIA
City Auditor

c: City Council Members
Audit Committee Members
Dave Hansen, Deputy City Manager
James A. Cervera, Chief of Police



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Audit of Photo Red Light Enforcement Program

Purpose

The purpose of our audit was to review the City's Photo Red Light Enforcement Program for contract and legal compliance; to document and assess the program's revenue and delinquent account collection processes and to review and assess the program's results reporting.



Scope & Objectives

The scope of the audit covered the time period of the most current program results assessments – through December 2013. For other audit procedures, current revenue and delinquent account processes, we utilized the fiscal year ending June 30, 2014 and the current fiscal year.

The objectives of our review were:

- To document in detail the procedures and related controls governing revenue from PHOTO *Safe* citation fines including the collection of delinquent accounts.
- To assess whether those controls are designed effectively to reduce risk to an acceptable level and to determine whether the procedures/controls are being complied with.
- To determine compliance with the significant contract provisions of the Redflex Traffic Systems contract and with the governing provisions of the State code.
- To review and assess the two annual reports used to document the PHOTO *Safe* program results and historical trends – *PHOTO Safe Program Crash Analysis* and *PHOTO Safe Virginia Beach Program Assessment*.

Methodology

To accomplish our objectives, we performed the following procedures:

- Obtained and reviewed PHOTO *Safe* background information from the budget and related documents, various InSITE reports, the Police Department's web site, various articles and information from the internet.
- Obtained and reviewed the Redflex contract (encompasses the contract, RFP, response to the RFP, the June 28, 2008 modification letter and the 3 amendments). Documented the significant provisions and verified compliance with those provisions.
- Researched and documented the Code of Virginia §15.2-968.1 governing the Photo Red Light Enforcement Program and verified compliance with the significant provisions.
- Documented and assessed the delinquent account collection process since the City took it over in February of 2012 and verified whether the collection efforts are current.



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- Documented the citation fee revenue process and related controls. Assessed the controls as to their effectiveness in reducing risk and tested compliance with the controls.
- Obtained and reviewed the *City of Virginia Beach's PHOTO Safe Program Crash Analysis* whereby the Traffic Engineering Division of Public Works annually reports crash statistics concerning the program and tracks relevant historical trends. Traced significant data to source information to verify the accuracy of reported program results.
- Obtained and reviewed the Police Department's *PHOTO Safe Virginia Beach Program Assessment* whereby annually the Police Department compiles camera activations, citations issued and other relevant program information annually to track pertinent historical program trends. Reviewed the report and traced significant information presented to source information to verify accuracy and verify reported program results.



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Standards

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained during this audit provides a reasonable basis for our findings and conclusions based on our audit objectives.

The Office of the City Auditor reports to City Council through the Audit Committee and is organizationally independent of all City Departments. This report will be distributed to the City's Audit Committee, City Council, Police Department, Public Works and appropriate management. This report will also be made available to the public.

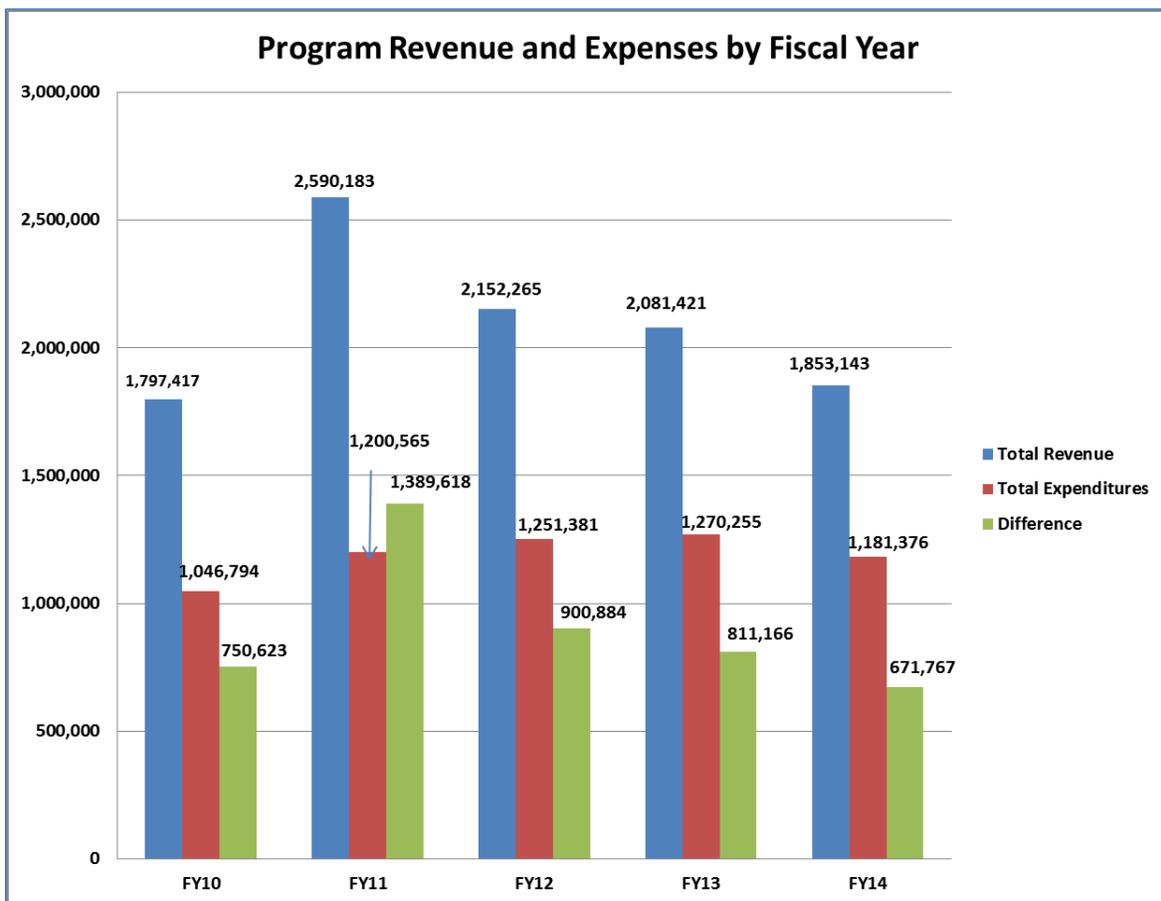


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Background

History

PHOTO *Safe* was the name of Virginia Beach's initial red light camera program, which was implemented in 2004. The program was terminated on July 1, 2005 as the state enabling legislation for the red light camera program was allowed to expire. On July 1, 2007 the Virginia legislature passed State Code §15.2-968.1 which reinstated the use of red light cameras. On September 2, 2008, the City of Virginia Beach passed City ordinance 3048, §21-222 re-establishing the program in accordance with state law. On September 25, 2008 a contract was signed with Redflex Traffic Systems to design, furnish, operate and maintain an automated Red light Traffic Program for the City. The contract term is for five years beginning October 1, 2008 and ending September 30, 2013 with three optional annual extensions. Cameras at the first two intersections were activated March 13, 2009.





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Summary of How PHOTO *Safe* Works

City Council has approved 20 camera enforcement systems at 13 intersections throughout the City. Code of Virginia allows one camera per intersection per 10,000 residents. Factors allowed to be utilized for selecting intersections to be monitored are accident rates; rate of red light violations; difficulty experienced by law enforcement officers in patrol cars or on foot apprehending violators; ability of law-enforcement officers to apprehend violators safely in a reasonable distance from the violation; pedestrian safety concerns. The thirteen monitored intersections are as follows:

- | | | | | |
|-----|---------------------|---------------|-----------------------|---------|
| 1. | Virginia Beach Blvd | (west) | at Independence Blvd | (north) |
| 2. | Indian River Rd | (west) | at Kempsville Rd | (north) |
| 3. | Indian River Rd | (west) | at Military Hwy | (south) |
| 4. | Holland Rd | (east & west) | at Rosemont Rd | |
| 5. | General Booth Blvd | (south) | at Dam Neck Rd | (east) |
| 6. | Virginia Beach Blvd | (east) | at Great Neck Rd | (south) |
| 7. | Princess Anne Rd | (north) | at Lynnhaven Pkwy | |
| 8. | Princess Anne Rd | (south) | at Dam Neck Rd | |
| 9. | Independence Blvd | (north) | at Bonney Rd | (west) |
| 10. | Lynnhaven Pkwy | (south) | at International Pkwy | |
| 11. | London Bridge Rd | (north) | at Dam Neck Rd | |
| 12. | Northampton Blvd | (south) | at Diamond Springs Rd | |
| 13. | Baxter Rd | (east) | at Independence Blvd | |

The PHOTO *Safe* program is designed to reduce the number of violations by automatically capturing evidence of vehicles whose drivers violate the law. The enforcement cameras only activate during the red cycle of the traffic light. Vehicles that enter the intersection after the light has turned red for a ½ second are captured. The camera system is wired to the traffic lights and to sensors that are buried in the lanes of the roadway surface. Vehicles that cross the sensors after the light has turned red activate the system. The violating vehicle is photographed 3 times and a 12-second video of the vehicle captures the vehicle in motion. The first photo is taken at the stop bar as evidence to indicate the light was red prior to the vehicle entering the intersection; the second photo is the vehicle's license plate for identification purposes; the third photo is taken to show evidence of the vehicle proceeding through the intersection while the light is still red. The photograph documentation serves as evidence for the police department to issue a civil citation to the owner of the vehicle.



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Citations

Assigned sworn police officers with access to the Redflex raw data of potential violations made available for review have 10 business days to review and either accept or reject a red light violation (4 days to accept for review by Redflex, 4 days for police authorization and 2 days to mail the citation). If the police officer accepts the violation, Redflex mails a citation within 10 days of the violation date. There is a 30-day response time from the printing of the citation. Payments are collected by the Redflex payment center in Cleveland, Ohio by check, money order, or credit card (www.photonotice.com).

Citations Ranked by 13 Intersections – Total 242,287

Intersection	Total Citations
Virginia Beach Blvd at Independence Blvd	49,816
Indian River Rd at Military Highway	37,102
Virginia Beach Blvd at Great Neck Rd	31,243
Holland Rd at Rosemont Rd	31,182
Independence Blvd at Bonney Rd	22,613
Indian River Rd at Kempsville Rd	20,353
General Booth Blvd at Dam Neck Rd	14,743
Baxter Rd at Independence Blvd	8,250
Princess Anne Rd at Dam Neck Rd	7,744
Princess Anne Rd at Lynnhaven Pkwy	6,680
Lynnhaven Pkwy at International Pkwy	5,975
Northampton Blvd at Diamond Springs Rd	5,316
London Bridge Rd at Dam Neck Rd	1,270

Note: Data represents the total number of citations issued at each intersection from camera activation to December 31, 2013.



Revenue

Redflex has a separate account for the citation payments received on behalf of the City of Virginia Beach. They send the city a monthly revenue report listing the individual citation number. We also receive a monthly reconciled bank statement, showing the amount from the monthly revenue report deposited, beginning, and ending bank balances and adjustments. The reconciled revenue amount is then wired to the City of Virginia Beach Treasurer. If no response is made within the 30-day period to the citation, Redflex sends a second invoice within 15 days with another 30-day response time.



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Delinquent Collections

Assigned sworn police officers, using their access to the Redflex data identify all citations that are 60 – 90 days delinquent (haven't paid the second Redflex invoice). For Set Off Debt Collection (SODC) and Treasurer's lien, the addresses and social security numbers are verified and file sent to the City Treasurer's Office in Building 1 for collection. The City Treasurer's Office then sends out another (their first) invoice with a 30 day response time. If no response is received a second invoice is sent with a \$20 administration fee added on. It should be noted that every October **all** unpaid delinquent invoices are identified from the Treasurer's invoice system, and a file is created and submitted on November 1 to the State Set Of Debt Collection (SODC) for processing. Collections are received during the spring tax refund season. After the second City Treasurer's invoice goes unpaid, the Treasurer's Office Collections Department at Pembroke 1 begins to identify those citations still unpaid via the Treasurer's two invoices and SODC. At this point a final notice with 15 days to respond is sent prior to taking forced collection action on the delinquent account. The forced collection method appropriate (many low dollar accounts) for the minimal \$50 PHOTO *Safe* citation fine is a Treasurer's Lien against payroll. The fines are withheld from an employees paycheck via Virginia Employment Commission (VEC) information. When forced collection procedures are invoked another \$30 administration fee is imposed bringing the total to \$100.

Program Results Reporting

The PHOTO *Safe* program annually produces two reports that communicate the results for that year and tracks trends over prior years. The crash analysis report is presented for the years *before* the program was instituted to help analyze effectiveness and help to ascertain whether the program is meeting its mission and goals. Below is a description of the two reports:

1. **PHOTO *Safe* Program Crash Analysis**

This report is produced by the Traffic Engineering Division of Public Works. The report presents and analyzes an assortment of annual crash data from a number of different perspectives including number of State of Virginia crashes vs City of Virginia Beach crashes; various Citywide crash data; crash data at all signalized intersections in the City and at the 13 PHOTO *Safe* intersections; traffic volume, crash severity and type of crash information. Much of the crash information is derived from a series of spreadsheets with manually entered data from thousands of police crash reports assigned to specific intersections.

2. **PHOTO *Safe* Virginia Beach Programs Assessment**

This report is produced annually by the Police Department. This report also utilizes a series of spreadsheets that download raw data from Redflex. The data is from the 29 cameras monitoring 20 approaches at 13 different intersections. The Redflex data records all camera activations, potential violations and citations issued. The report uses



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that data to report historical trend information concerning violations and citations along with program revenue and expenses.

Contract with Redflex

The City has a contract with Redflex to “design, furnish, install, operate and maintain an Automated Redlight Traffic Enforcement for the City. Work shall include, but not be limited to, digital color image processing, issuance of citations (only approved by our sworn officers) coordination of the appeals process, collection of payments, and customer service.” The City retains the authority in “determining intersections for placement of cameras, establishing violation criteria, identifying the owner of the violating vehicle, approving all citations to be issued, approving accounting and record keeping procedures.” The contract, by definition, includes the contract, the three amendments, the June 28, 2008 modification letter, the RFP, and the Redflex response to the RFP. Thus the contract has many compliance components. The contract is for 60 months, October 1, 2008 through September 30, 2013, with three additional option years. We pay Redflex a monthly fixed fee based on a per camera basis. The monthly fee was approximately \$88,000 a month for year end June 30, 2014. The contract is considered “cost neutral” in that if the gross monthly fines collected do not cover the Redflex fixed fee, that unpaid balance is rolled into the next month. If the contract ends or is terminated and there is still an invoiced balance owed to Redflex then all subsequent receipts collected for 12 months from the termination date shall be used to settle the balance. If there is still an outstanding balance it is forfeited by the contractor.



Results

Note: *The Police Department has done an outstanding job in implementing and administering the PHOTO Safe program in compliance with state law and with its contract with Redflex. They, along with Public Works, Traffic Engineering Division, have set up an exceptional process whereby they track and report detailed historical crash information and violation/citation data to help measure the effectiveness of the program and identify trend information. The following findings and recommendations are more from a program efficiency perspective.*

Legal and Contractual Compliance

To verify legal and contractual compliance we performed the following procedures with the following results:

- The contract with Redflex, by definition, includes the contract, three amendments, the June 28, 2008 modification letter, RFP, and Reflex’s RFP response. We reviewed each of these documents and identified the significant provisions of the contract and then



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verified compliance with those provisions. We found Redflex to be materially in compliance with the contract provisions.

- We reviewed and documented the provisions of the Code of Virginia §15.2-968.1 which is the state enabling legislation governing the PHOTO *Safe* program. (City ordinance 3048, §21-222 reestablishes the program in accordance with state law.) We verified City compliance with the significant provisions of Virginia Code §15.2-968.1 and found the City to be in compliance with the legal requirements.

Revenue and Delinquent Account Collection

We documented the revenue and delinquent account collection processes and related controls in detail. The controls were assessed and tested with the following findings.

Findings and Recommendations

Finding 1: Delinquent Accounts have not been subjected to Treasurer's Lien

From the time we entered the contract with Redflex until February of 2012, Redflex was responsible for the collection of delinquent accounts. However, approximately 20,000 citations became delinquent, it was decided that the City Treasurer's Office should take over this responsibility. The City Treasurer has more powers (SODC and Treasurer's Lien) and incentive to collect since Redflex is paid a fixed fee and any percentage paid on a collected \$50 fee is minimal for their effort. We found that as of January 16, 2015 there were approximately 35,000 delinquent unpaid citations, most of which have been sent to SODC for multiple years but only approximately 1,800 have gone into forced collection procedures, per the policy. In June 2015, thousands of delinquent accounts will reach the five year limit and will be written off that have never been subjected to a City Treasurer's payroll lien that could have been collected via that method. Currently the City Treasurer's lien process is a very time consuming manual process that is understaffed (1 FTE). The long term goal is that once RACS is implemented in January of 2016 they can automate the process, match files quickly with VEC information and execute the payroll liens in a much more timely and efficient manner. As of January 2015 approximately 30,000 delinquent accounts representing \$2,100,000 (at \$70 each) have not be subjected to a Treasurer's lien.

Recommendation

We recommend the Police Department:

- 1.1 Meet with the City Treasurer's Office and discuss possible solutions on catching up the Treasurer's payroll lien processing of these citations prior to them being written off.



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Possible solutions could be reassigning Police and/or Treasurer personnel; hiring of part time help; outsourcing to a collection agency.

Finding 2: Processing Time Before Utilizing Forced Collection is too Lengthy

The revenue process from the initial invoicing of the citation by Redflex until any forced collection procedures (Treasurer's lien) are initiated is quite lengthy mainly because of the way the process is contractually structured now. An unpaid citation is invoiced 5 times (2 by Redflex, 3 by the Treasurer) prior to the initiation of forced collection.

The following steps and time frame occur for an unpaid citation:

1. Camera captures violation.
2. 10 days for police to review and accept and *Redflex* to mail **1st invoice** citation notice. The violator has 30 days to repond.
3. 15 day delay. If no response a **2nd invoice** is sent by Redflex.
4. 30 days to respond to *Redflex* 2nd invoice.
5. 30 days for Police to lookup who has not responded, obtain their social security number (needed for SODC and forced collection) and prepare file for our Treasurer's Office.
6. 30 days to respond the *Treasurers* 'initial invoice (**3rd invoice** to violator).
7. 30 days to respond to *Treasurer's* 2nd invoice (**4th invoice** to violator).
8. 15 days to respond to *Treasurer's* "final notice letter" (**5th invoice** to violator).
9. Lengthy manual forced collection process commences.

There is a 7-month minimum until any forced collection procedures are initiated and that in itself is a manual, time-consuming process. As noted above, the violator is invoiced five (5) separate times, twice by Redflex and three times by the Treasurer prior to any forced collections. This is mainly due to the fact that after nonpayment of the (2) 30 day invoices billed by Redflex our Police Department must look up unpaid violators on Accurant to obtain their social security numbers, required for SODC and forced collection procedures, before the City Treasurer's Office begins their invoicing.

Recommendation

We recommend:

- 2.1 When the new RFP is written that consideration be given to ways to reduce the amount of invoicing/time by considering:
 1. The Treasurer performs the initial invoicing and receiving of citations.
 2. The Treasurer receives all payments.



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3. The Treasurer invoice only one additional time (final notice) to shorten the steps/time needed to collect on the delinquent accounts.

Finding 3: Revenue Collected is not reconciled to Citations Issued

For accounting purposes PHOTO *Safe* revenue (fines received) is booked on a cash basis. One of the best existing controls is that each citation (approved by our Police officers and printed by Redflex) is assigned a citation number in the raw data. At the present time we do not reconcile revenue received with citations issued. Now that we will begin writing off citations for the June 30, 2015 fiscal year it would be prudent to utilize the citation numbers for accountability purposes.

Recommendation

We recommend the Police Department:

- 3.1 Reconcile citations issued with citations paid, citations written off, and citations receivable. This would be performed for annual totals in the before mentioned categories, not for individual citation tracking. This would be valuable information to help manage and measure the fines received, unpaid and written off.

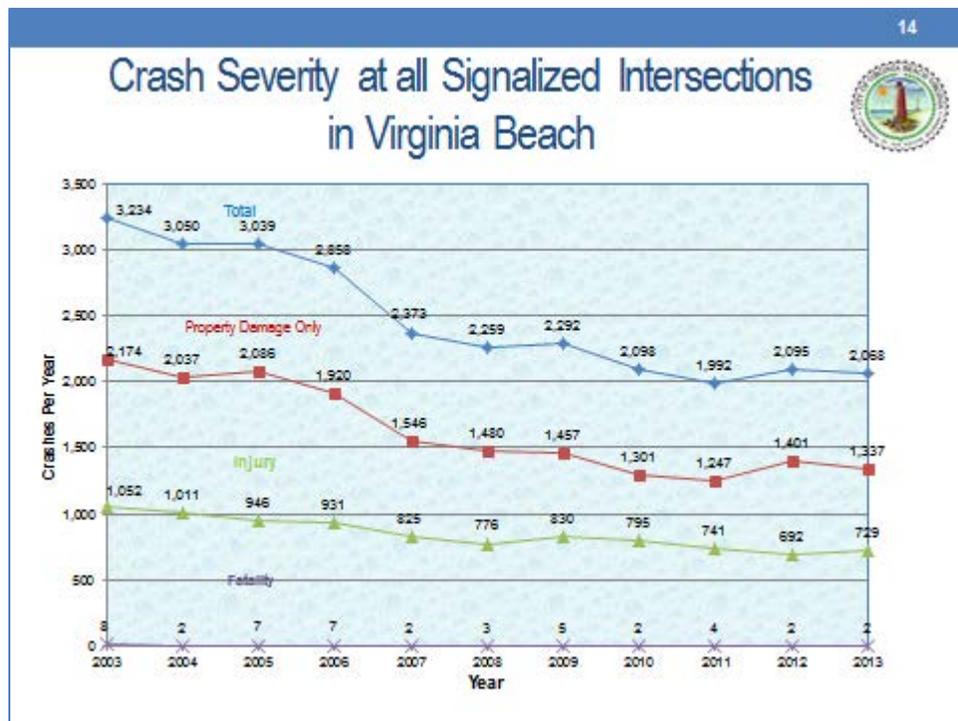
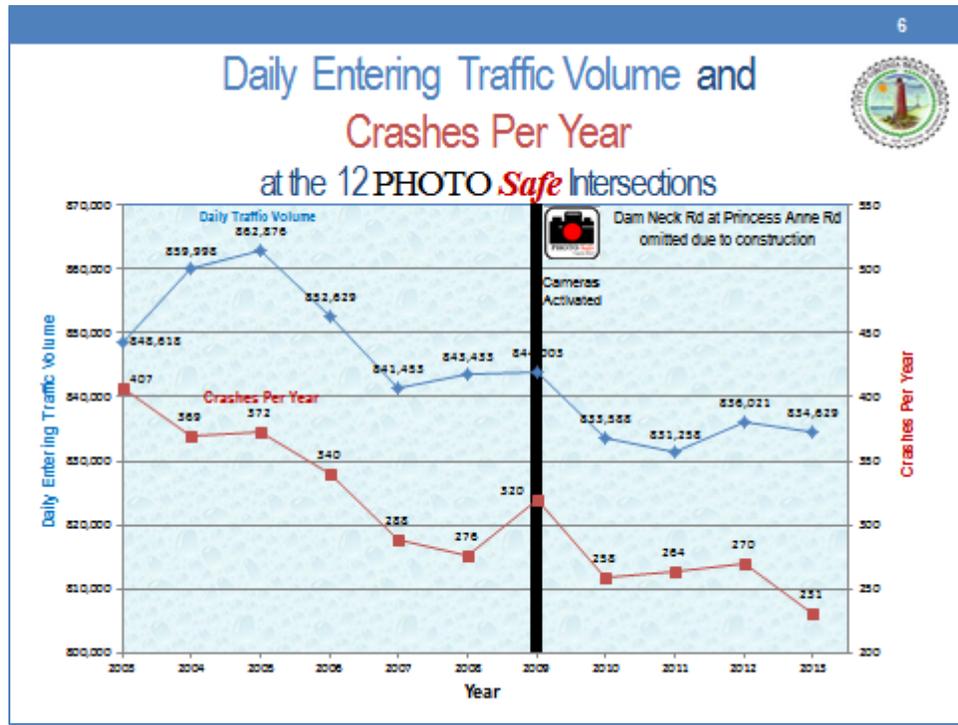
Program Reporting Results:

The City of Virginia Beach Crash PHOTO Safe Analysis and the *PHOTO Safe Virginia Beach Programs Assessment* reports of program results are very detailed and present an assortment of data involving crash and violation/citation information. The full reports will not be presented here but are available through the Police Department.

Presented on the next page are three of the more important charts/tables depicting overall program results.



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Note: The above graph indicates the possibility of a “spillover” effect whereby even intersections not monitored by a red light camera are being positively affected.



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Program Data Comparison by Year - 2010, 2011, 2012, and 2013

Program Activity	2010	%	2011	%	2012	%	2013	%
Total Violations Processed	153,481	----	160,415	----	139,960	----	120,959	----
Total Accepted by Officers	64,760	42%	57,470	36%	51,662	37%	39,504	33%
Total Rejected by Officers	88,721	58%	102,945	64%	88,298	63%	81,455	67%

Major Reasons for Rejection	2010	%	2011	%	2012	%	2013	%
Safe Turn on Red	46,605	30%	65,037	41%	56,359	40%	53,481	44%
Safe Stop on Red *	N/A	----	10,400	6%	6,961	5%	6,392	5%
License Plate Obstruction	8,350	18%	7,882	5%	7,700	5%	4,894	4%
Emergency Vehicles	3,963	2%	3,221	2%	3,551	2.5%	3,101	2.5%
Vehicle Obstruction	3,104	2%	2,547	1.5%	4,254	3%	6,059	5%
Police Discretion *(Safe Stop on Red)	5,072	3%	1,456	.9%	572	----	292	----
Incomplete DMV Information	1,345	1%	639	----	479	----	401	----
City and other Govt. Vehicles	228	----	54	----	79	----	67	----

Note: City and other Government vehicles include surrounding city, state, and federal government owned vehicles.

Note: *The crash/violation/citation information presented does not definitively indicate the reasons for the observable trends of less crashes and citations (increased compliance). Many combinations of variables/causes can be at work such as changing traffic patterns, weather patterns, driving habits (cell phones), driver demographics, types of vehicles, safety equipment changes etc. It should be noted that overall crashes both Statewide and Citywide were decreasing in the years leading up to the installation of the cameras. Nonetheless, crashes have continued to lessen and compliance has continued improving with the installation of the cameras.*

City of Virginia Beach PHOTO Safe Crash Analysis report is prepared annually by the Traffic Engineering Division of the Department of Public Works. They gather crash information for Statewide crash information from the DMV Statewide Crash Data, Citywide crash information from the Virginia Beach Annual Police report and much of the specific intersection crash data from PHOTO Safe and signalized intersections they accumulate on individual spreadsheets from actual Police reports.



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To gain some limited assurance that the information reported was accurate we:

- Traced the Statewide crash data reported from 2003 - 2013 in the report to the DMV Statewide Crash Data without exception.
- Traced the Citywide crash data reported from 2003 - 2013 to the Virginia Beach Police Department 2013 Annual Report (page 45) without exception.
- Traced intersection crash data in the report to the spreadsheets used to accumulate that information without exception.
- Selected and traced the reported 231 PHOTO *Safe* intersection crashes for 2013 to the individual police crash reports in the PHOTO *Safe* manual files of police reports without exception.

PHOTO Safe Virginia Beach Program Assessment report is produced annually by the Police Department. The report utilizes a series of spreadsheets that download raw data from Redflex. The data is from the 29 cameras monitoring 20 approaches at 13 different intersections. The Redflex data records all camera activations, potential violations and citations issued after approval by Virginia Beach Police officers. This report uses that data to report historical trend information concerning activations, violations and citations along with program revenue and expenses.

To gain limited assurance the information reported was accurate we:

- Traced the violation/citation data used in the report to the violation/citation information reported by Redflex without exception except for Finding 4 below.
- Agreed Program reported revenue and expense information to the audited CAFR and/or InSITE without exception.
- Recomputed the yearly System Activation Data comparisons in the report without exception except for Finding 5.

Finding 4: All Detections (Potential Violations) are not sent to the Police Department

In reviewing the *PHOTO Safe Virginia Beach Program Assessment* report data the report notes that from March 9, 2009 to December 13, 2013 in graph form that *“the blue line represents the number of activations (630,321) that were captured by the enforcement camera system.”* To be clear, it should be noted that Redflex screens the camera detections and determines roughly one third (320,180 out of 959,501 camera detections) are “non-prosecutable” and these are never sent for review by our Police officers. This initial review is clearly allowed in the contract wording. The contract (by stated inclusion of the RFP) states the following (*page 11 of the RFP*), *“The Contractor shall view each image and make a **preliminary** decision whether it meets the City’s criteria to issue a citation or not. If the City criteria are not met, the representative shall enter the appropriate City defined explanation code. If the photograph does appear suitable for issuance of a citation, the contractor shall prepare the image for City staff verification.”* The



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contract says this is a “preliminary” decision but in practice it is the final review; these images are never reviewed by our Police officers.

Summary of Detection/Citation Activity March 9, 2009 (Program Start) through December 31, 2013 (Current Report)

	959,501	Total Camera Detections Per Redflex RTS Management Report March 1, 2009 through December 31, 2013
-	309,244	Less: “Non-prosecutable” Detections – Determined unacceptable by Redflex for a variety of reasons (Poor scene image, plate unreadable, misc. camera issues, digital distortion, cannot identify state, flash issues etc.)
-	19,936	Less: Importer Rejects – Images rejected for excessive speed, missing video/images, false trigger – Our Virginia Beach Officers don’t Review
	630,321	Total Violations sent or made available to Virginia Beach Officers for review
-	346,009	Less “Uncontrollable Factors” – Safe turn on red, obstructions, emergency vehicles, policy, weather, registration
	284,312	Total violations that are available for possible prosecution
-	42,024	Rejections – Camera Malfunctions, police rejects, process issue, etc.
-	1	Citation Not Printed
	242,287	Citations Printed/Issued from March 9, 2009 through December 31, 2013 Note: <i>This represents 38% of tickets sent to VB or 25% of all total camera detections.</i>

Recommendations

We recommend the Police Department:

- 4.1 Require Redflex to send them the *RTS Management Report* which presents all detections including the detections reviewed and determined “nonprosecutable” by Redflex and their assigned reasons for the determination. Redflex has only been sending the *“Customer Management Report”* which only reports on the incidents made available to our Police officers for review. This report would enable monitoring those eliminated by Redflex for historical trends/ consistency.
- 4.2 Address in the next RFP process whether we would continue to want to trust the contractor to screen a significant number of detections for us or commit substantially more resources to review all of the images from our side.
- 4.3 Consider sampling some of the detections eliminated by Redflex.



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Finding 5: Minor Errors noted in *PHOTO Safe Virginia Beach Program Assessment Report*

In recomputing the yearly (2010-2013) activation data statistics reported in the *PHOTO Safe Virginia Beach Program Assessment report* we found the following computational errors:

- In 2010 and 2011, the reported percentage of Right turn violations rejected as safe turns on red was reported as 30% in 2010 and 41% in 2011. The correct computation should have been 40% in 2010 and 46% in 2011.
- In 2013 the Right turn activations percentage of total activations was reported as 84.5 % and should have been 83.5 %.
- In 2010 the reported percentage of left/straight activations that were rejected was reported as 34 % and should have been 21%.

Recommendation

5.1 These findings in the 2013 Program Assessment were reviewed with the Police Department who agreed with the findings and have already made the corrections to the 2013 Program Assessment Report.

Conclusion

Overall, based on the results of our audit, we determined that the Police department was in compliance with Code of Virginia §15.2-968.1 and that Redflex was materially in compliance with its contract with the City to provide for the *PHOTO Safe* program. We found the program's annual reporting vehicles (*City of Virginia Beach PHOTO Safe Crash Analysis* and *PHOTO Safe Virginia Beach Program Assessment*) to be designed reasonably to report program results. We found the collection of delinquent accounts process to be working as designed except for the last step, whereby the City Treasurer invokes forced collection procedures to collect those accounts, which did not respond to all other forms of collection, and we have recommended the Police and City Treasurer meet concerning this issue. We have also made other recommendations involving program efficiencies.

Acknowledgements

We would like to thank the Police Department and Public Works, Traffic Engineering Division, for their assistance during our review. They were open to our suggestions and accommodating. They were also prompt with our information requests and willing to address all of our inquiries.



City of Virginia Beach

Attachment A

POLICE DEPARTMENT
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INTER-OFFICE MEMORANDUM

DATE: March 9, 2015
TO: Lyndon Remias, City Auditor
FROM: Chief James A. Cervera *JAC*
SUBJECT: Response To Photo Red Light Audit Recommendations

I have reviewed the "Audit of the Virginia Beach Photo Red Light Enforcement Program" report prepared by your office and discussed the findings and recommendations with program staff. I want to first say that I appreciate the professionalism of you and your staff. The members of the Police Department who worked with Deputy City Auditor Chris Ford were complimentary of his professionalism and sincere interest in the program.

I am very pleased, but not surprised, with the overall results of the audit even though there are a few process-oriented recommendations we can implement to improve the program in the future. We were very careful in implementing this traffic safety program and selecting staff to administer it due to the sensitivity some members of the community had (and some continue to have) towards the program when it was reinstated in 2009. We have also been fortunate to have the ongoing support and assistance from the Public Works Traffic Engineering staff both operationally and in monitoring the crash data. It has been a continuous partnership with that group.

That being said, I will address your recommendations:

Recommendation 1.1

Meet with the City Treasurer's Office and discuss possible solutions on catching up the Treasurer's payroll lien processing of these citations prior to them being written off.

Response: We will meet with the Treasurer's Office to determine the potential of their staff increasing their involvement in seeking reimbursement of these delinquent accounts, realizing that their office has staffing limitations and many priorities.

As you know, the Treasurer's Office voluntarily assumed collections from a private vendor in 2012, resulting in a significant increase in collections. Their staff was very cooperative during the transition and continues to be. We are appreciative of their assistance.

Recommendation 2.1

When the new RFP is written that consideration be given to ways to reduce the amount of invoicing/time by considering:

1. The Treasurer performs the initial invoicing and receiving of citations.
2. The Treasurer receives all payments.
3. The Treasurer invoice only one additional time (final notice) to shorten the steps/time needed to collect on the delinquent accounts.

Response: We agree with this recommendation. We have had preliminary discussions in this regard with the Treasurer's Office and will continue to do so during the RFP preparation.

Recommendation 3.1

Reconcile citations issued with citations paid, citations written off, and citations receivable. This would be valuable information to help manage and measure the fines received, unpaid, and written off.

Response: We interpret this recommendation that the overall total number of citations issued will be compared to the total number paid, total citations written off, and total citations receivable. As of this writing, we will commit to reviewing the process and data sources and, if feasible with current staff, begin that process. We will also commit to including this process as part of the new RFP requirements.

Recommendation 4.1

Require Redflex to send the *RTS Management Report* which presents all detections including the detections reviewed and determined "non-prosecutable" by Redflex and their assigned reasons for the determination.

Response: We agree and will contact Redflex.

Recommendation 4.2

Address in the next RFP process whether we would continue to want to trust the contractor to screen a significant number of detections for us or commit substantially more resources to review all of the images from our side.

Response: We agree to include this in the next RFP process. At the very least, we want to include a requirement that the vendor provide a link that we can use to visually review and verify detections that they have screened and determined to be non-prosecutable for reasons such as poor scene images, unreadable plates, camera malfunctions, digital distortions, etc.

Recommendation 5.1

This finding had to do with a few minor mathematical errors in our reports.

Response: They were corrected during the audit.

Again, I appreciate your review of the Red Light Camera Program. It provides me with another level of confidence in the administration of our program and hopefully will provide members of our community confidence that this traffic safety initiative is administered according to legal and contractual requirements and that we continually monitor its effectiveness.