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April 22, 2011

Via email acambre@mail.smu.edu
Via CMRRR # 7005 1160 0001 9591 8236
Aren Cambre
Southern Methodist University
PO Box 750262
Dallas, TX 75275-0262

RE: Public Information Request received April 15, 2011

Mr. Cambre:

Please be advised that our firm represents the City of Duncanville, Texas ("City"). This letter is intended to address your Public Information Request received by the City on April 15, 2011 via email regarding "*all data of automated red light camera violations*". A copy of your request is enclosed with this letter.

Your request dated April 15, 2011 references the City's response to an earlier request, in which you requested similar information. In response to that earlier request the City had sent a cost estimate in which you were given two options. You note in your April 15, 2011 request that the information available under option 1 may satisfy your most recent request and asked that you review the information available under option 1. Therefore, we are providing you a sample of the information available under option 1. As noted, this sample reflects a report the City could generate for every year the City had the automatic red camera program, from June 2006 through the date of the request. It is estimated that the full report will take approximately 1 hour to compile, will contain approximately 650 pages of data and can be completed and provided to you within five business days. The cost for option 1, provided in an electronic format, is estimated as follows:

Labor 1 hour @ \$15.00/hour	\$ 15.00
Overhead, 15 (Labor Charge) X .20	\$ 3.00
Total	\$ 18.00

Please respond in writing to the undersigned that this report will satisfy your request and you accept the charges, or that it does not satisfy your request. In the event this does not satisfy your request, we reserve the opportunity to request an opinion from the Attorney General concerning additional information gathered as part of the automated red light camera program.

Also, if the enclosed information is not sufficient, in order to provide you with the correct information you are requesting, pursuant to §552.222 of the Texas Government Code, the City

requests that you provide clarification of your April 15, 2011 Public Information Request. Your request is for "all data of automated red light camera violations." You have also listed sample categories of information in your request, and you have referenced information gathered from NLETS by RedFlex, which is not included in the sample categories. It is not clear what specific information you are seeking in regards to the red light camera violations and so we ask that you clarify your request.

As part of the automated red light camera program RedFlex collects the following information:

Detection Date, Detection Time, Location, Vehicle Speed, Time Camera Triggered, Duration in Intersection, Vehicle Lane, License Plate Number, License Plate State, Zip Code of Registered Owner, Citation Number, Citation Status, Status Date, Citation Issue Date and Fine Amount.

Additionally, RedFlex has a contract with NLETS, through which it gathers the information that is used to identify and contact the registered owners of the vehicles. This information may include the name of the registered owner, the address of the owner, the vehicle description and, if available, the vehicle identification number.

Based on the sample categories you have provided, when you ask for "all data of automated red light camera violations" it is not clear whether you are requesting only the data collected by RedFlex as to the violation itself (i.e. the categories listed above), or if you are also asking for the personally identifying information RedFlex receives from NLETS. Please clarify.

By clarifying and narrowing the time scope of your request, you will reduce the amount of time necessary to respond to your request, in addition to possibly reducing the expense. In order to comply with your request in a timely manner, I ask that you submit your clarification in writing.

Please be advised that under §552.222 of the Texas Government Code, your request for information is considered withdrawn if you do not respond to this request for clarification in writing within sixty-one (61) days.

If you should have any additional comments, questions, or concerns please contact my office at (214)665-3361.

Regards,

NICHOLS, JACKSON, DILLARD,
HAGER & SMITH, LLP

By: Alexis G. Allen
Alexis G. Allen

Enclosures

cc: Dara Crabtree, City Secretary
City of Duncanville

Alexis Allen

From: Cambre, Aren [acambre@mail.smu.edu]
Sent: Friday, April 15, 2011 9:39 AM
To: Dara Crabtree (dcrabtree@ci.duncanville.tx.us)
Cc: Alexis Allen
Subject: Duncanville open records request

Ms. Crabtree,

I am the SMU doctoral student who made an open records request with you in summer 2009 about traffic ticket data. I appreciated your help with this.

Please note that while I am requesting the same data as with a prior, January 27, 2011 request, I have modified this request's wording slightly to address some issues brought up in Duncanville's Feb. 8 request for an open records decision.

With this email, I am requesting an electronic dump of all data of automated red light camera violations, preferably in Excel, CSV, or similar text-based format. This information **does not** need to include photos or videos.

I now have a secure SMU electronic dropbox. You can submit responsive data to it at https://locker.smu.edu/xythoswfs/webui/xy-925500_1-t_I5AQZjdh. Click on the upload button on the right hand side to submit the data. It's also fine to email the data if you prefer.

I have previously requested red light camera data from Dallas, and this is what they gave me for each violation:

- Citation ID
- Violation date
- Violation time
- Violation location
- Speed at time of violation
- Yellow (amber) seconds between the green and red lights
- Seconds of red before camera flashes
- Lane
- License plate state
- License plate number (this is permitted under Texas Transportation Code Chapter 730 since this is for statistical analysis, will not be redisclosed, and will not be used to contact persons)
- License plate ZIP code
- Date ticket mailed
- Fine
- When the ticket was paid
- Disposition (e.g., guilty, appealed, not guilty, etc.)

Please note that this is only an example of data and **should not be interpreted as a prescription for or limitation on the data rendered**. My request is for "all data of automated red light camera violations", which may be different than what Dallas provided, especially given that Dallas uses a different red light camera vendor.

Since red light cameras are a recent technological addition, it is likely that all data is stored in one database, possibly even within one or a few tables in the database. Therefore, it is probably OK to export the contents of the table(s) or provide a backup copy of the entire database. This should answer the time question: please include all dates you have on record.

Please also note the following:

1. My data request may include some data that is normally not disclosable under privacy statutes. I am an academic researcher who will only use protected data for statistical analysis; therefore, this data is generally disclosable to me under Texas Government Code §552.130, which allows normally-restricted, private data to be released under the conditions of §730.007, Transportation Code, to which I will comply. Note that Chapter 730, Transportation Code, is Texas's implementation of to the federal Drivers Privacy Protection Act (18 U.S.C. § 2721).
2. Civil agreements cannot supersede statutes. The presence of a civil agreement between Redflex and the National Law Enforcement Telecommunications System NLETS does not limit statutorily-guaranteed access to public records.
3. I am not requesting Redflex look up data from NLETS on my behalf. Rather, I am asking for a straight dump of data held by Redflex on Duncanville's behalf. While the responsive data may contain some NLETS data, this data was looked up in the past on Duncanville's behalf to execute its red light camera program, not on my behalf to honor this open records requests. Duncanville and Redflex must not redact data, even that which was previously queried from NLETS, that is releasable under applicable state and federal statute.
4. I am not requesting Redflex proprietary data. I acknowledge that §552.110, Government Code, protects the responding party from "substantial competitive harm". However, I am only requesting the facts around each observed violation. That information is not proprietary; it is the same as what a police officer would observe had he hand-written a red light citation. It is permissible for Redflex to omit data that does not pertain to facts observed around each violation.
5. I am not specifically requesting that Redflex email the data to me electronically in a single file. If that's how Redflex would like to resolve this request, that is fine, but I am neither mandating a single file, nor am I mandating email. If none of the data submission options given above works for Duncanville or Redflex, I will be happy to discuss reasonable alternatives.
6. I am not asking for a custom report. I am merely asking for a straight dump of citation data.
7. I am not asking for data on cars that run yellow lights. When I mention "Yellow (amber) seconds between the green and red lights" as a field in the data from Dallas, I mean that, with the data for any given red light citation, Dallas provided the number of seconds of yellow time that the signal displayed before the red light appeared.

I am open to a compromise solution if that can produce sufficient data for statistical analysis. To that end, I am willing to review the "option 1" in a letter sent to me from Alexis Allen on February 14, 2011, which is that Duncanville will provide a list that includes certain fields from "every citation issued under the program". I would appreciate receiving a small sample of the data first. If the small sample is usable, I will send in the check for the full amount. I am also willing to discuss other alternatives.

Please note that if Duncanville or Redflex are unable or unwilling to satisfy this request "as is" or reach a mutually agreeable solution with me, then I expect Duncanville to ask for a Texas Attorney General opinion. I prefer to wait until that opinion is resolved before continuing further.

Aren Cambre
Doctoral student
Southern Methodist University

DUN-CRWH-01	40DUR0000039	Turn Lane	06/15/2006 07:47:10
DUN-CRWH-01	43DUR0000040	Turn Lane	06/15/2006 10:09:17
DUN-CRWH-01	51DUR0000028	Straight Thru	06/15/2006 10:14:14
DUN-CRWH-01	54DUR0000006	Turn Lane	06/15/2006 10:28:28
DUN-CRWH-02	16REJ-RF	Turn Lane	06/15/2006 11:28:42
DUN-CRWH-01	28REJ-RF	Turn Lane	06/15/2006 11:51:16
DUN-CRWH-01	31REJ-RF	Turn Lane	06/15/2006 12:01:15
DUN-CRWH-01	33DUR0000029	Turn Lane	06/15/2006 12:03:16
DUN-CRWH-01	35DUR0000030	Straight Thru	06/15/2006 12:11:50
DUN-CRWH-01	47DUR0000007	Turn Lane	06/15/2006 12:48:53
DUN-CRWH-02	30DUR0000086	Straight Thru	06/15/2006 12:57:31

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<u>INTERSECTION</u>	<u>INCIDENT NO</u>	<u>CITATION NO</u>	<u>DIRECTION OF TRAVEL</u>	<u>DETECTION DATE</u>
DUN-CRWH-01		49DUR0000041	Turn Lane	06/15/2006 12:58:28
DUN-CRWH-01		52DUR0000043	Turn Lane	06/15/2006 13:02:05
DUN-CRWH-01		55REJ-RF	Turn Lane	06/15/2006 13:06:53
DUN-CRWH-02		32REJ-GKROPFF	Turn Lane	06/15/2006 13:10:41
DUN-CRWH-01		60DUR0000044	Turn Lane	06/15/2006 13:26:04
DUN-CRWH-01		64DUR0000045	Straight Thru	06/15/2006 13:26:13
DUN-CRWH-01		37DUR0000046	Turn Lane	06/15/2006 13:27:16
DUN-CRWH-01		39DUR0000047	Turn Lane	06/15/2006 13:30:56
DUN-CRWH-01		50REJ-RF	Turn Lane	06/15/2006 13:35:39
DUN-CRWH-01		57REJ-RF	Turn Lane	06/15/2006 13:57:16
DUN-CRWH-01		61DUR0000048	Turn Lane	06/15/2006 14:12:53
DUN-CRWH-01		63DUR0000049	Straight Thru	06/15/2006 14:20:14
DUN-CRWH-01		65DUR0000036	Turn Lane	06/15/2006 14:36:52
DUN-CRWH-01		17REJ-RF	Straight Thru	06/15/2006 18:14:20
DUN-CRWH-01		18DUR0000050	Turn Lane	06/15/2006 19:18:52
DUN-CRWH-01		19DUR0000055	Turn Lane	06/15/2006 19:59:41
DUN-CRWH-02		42DUR0000056	Straight Thru	06/15/2006 20:28:42
DUN-CRWH-01		20DUR0000057	Turn Lane	06/15/2006 21:00:02
DUN-CRWH-02		66DUR0000053	Turn Lane	06/15/2006 23:26:52
DUN-CRWH-01		15DUR0000085	Straight Thru	06/15/2006 23:58:57
DUN-CRWH-02		27REJ-RF	Straight Thru	06/16/2006 07:27:07
DUN-CRWH-01		25REJ-RF	Turn Lane	06/16/2006 08:50:05
DUN-CRWH-01		22DUR0000058	Turn Lane	06/16/2006 09:08:03
DUN-CRWH-01		23DUR0000084	Turn Lane	06/16/2006 09:15:17
DUN-CRWH-02		29REJ-RF	Turn Lane	06/16/2006 09:16:07
DUN-CRWH-02		34REJ-RF	Straight Thru	06/16/2006 10:03:30
DUN-CRWH-01		41REJ-RF	Turn Lane	06/16/2006 11:08:03
DUN-CRWH-01		44REJ-RF	Turn Lane	06/16/2006 11:12:50
DUN-CRWH-01		48DUR0000054	Turn Lane	06/16/2006 11:26:05