

# **Police, Equity and Municipal Finance: A Comparison of St. Louis County, MO and New Jersey Traffic Enforcement**

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## *Synopsis*

Over the last three years, St. Louis County municipalities have chronically violated the constitutional rights of indigent citizens by issuing unreasonable amounts of traffic tickets – tickets accompanied by slews of hefty fines and court costs. When indigent citizens are unable to pay the aforementioned, they are thrown in jail for extended periods of time. Civil rights groups allege that these practices, which are performed solely as a means of funding municipal endeavors, have created the functional equivalent of debtor prisons. The *Rutgers Center on Law in Metropolitan Equity*, or *CLiME*, conducted an extensive study of northern and central New Jersey municipalities to determine the extent in which the tactics deployed in St. Louis are used in the Garden State.

## *Introduction*

The August 2014 shooting of unarmed black teen Michael Brown has brought the questionable policing and sentencing tactics of St. Louis County municipalities to the forefront of national debate. In September the *ArchCity Defenders*, a group of legal professionals who provide pro bono representation to indigent citizens from the greater-St. Louis area in both criminal and civil matters, published its *Municipal Courts White Paper*.<sup>[2]</sup> The *White Paper* summarized the results of the *Defenders*' St. Louis County-wide 60-court observation, which was conducted to determine the extent of constitutional rights violations of citizens by municipalities that used traffic regulation and policing as a budget-balancing tool.<sup>[3]</sup> Ultimately, the *Defenders* determined that municipalities had issued an exorbitant number of tickets and summons to indigent drivers, and it further determined that municipalities would jail these drivers upon their inability to pay the aforementioned infractions.<sup>[4]</sup> On February 8, 2015, the *Defenders* filed a federal class action suit against the city of Ferguson on behalf of 15 plaintiffs whom have allegedly been subjected to debtor prisons as a result of their inability to pay traffic tickets, minor summonses, and the fees necessary to vacate arrest warrants.<sup>[5]</sup> The suit alleges that the city failed to adequately determine if these citizens' indigent statuses hindered their ability to pay – violating constitutional law which expressly mandates that a defendant's poverty serve as a consideration at sentencing.<sup>[6]</sup>

Consistent with the *Defenders*' suit, the Department of Justice's Civil Rights Division issued its *Report* summarizing the *Investigation of the Ferguson Police Department* on March 4, 2015.<sup>[7]</sup> The hundred-plus page document contained two overarching premises. The first of which was the Department of Justice's undeniable finding that Ferguson's law enforcement

efforts were primarily focused on revenue generation.[8] Second, was the Department's finding that the Ferguson Police were in chronic violation of pattern-and-practice abuses.[9] The Department of Justice defines "pattern or practice" violations as discriminatory actions that comprise an individual's regular practice, opposed to isolated instances.[10] Moreover, the Department of Justice only determines that a pattern or practice abuse exists when a "defendant has a policy of discriminating, even if the policy is not always followed." [11]

In response to the *Defenders' White Paper* and suit, as well as the Department of Justice's finding of pattern-and-practice abuses, the *Rutgers Center on Law in Metropolitan Equity* conducted its own study to determine: "To what extent do local governments in (northern and central) New Jersey employ constitutionally-violative police and prosecutorial practices as a means of funding municipal endeavors?" In particular, the *CLiME*, by way of comparative analysis, reviewed New Jersey traffic policies to determine if inequities similar to those perceived by the *Defenders* existed in the Garden State. Unlike St. Louis County, where municipalities such as Ferguson, funded more than 20% of their overall budgets by attaching hefty fines to motor vehicle violations and low-level municipal offenses, New Jersey townships opted not to fund large chunks of their budgets through traditional policing and sentencing tactics.[12] Instead, Garden State cities employed backdoor techniques and cutting edge technology to suppress citizens in a manner that appeared less discriminatory at first glance. However, New Jersey's 'non-prejudiced' practices often subsidized larger percentages of municipal budgets than did those deployed by St. Louis County.[13]

### ***The ArchCity Defenders Study of St. Louis County Practices***

Since the economic collapse of 2008, municipal governments have attempted to balance their budgets through a wide array of regulatory and taxation programs. However, when these programs fall short, townships often turn to the criminal justice system as a means of rectifying budget differentials. Critics of St. Louis county point to the county's 81 police departments and court systems' disproportionate rates of stopping, charging, unreasonably fining, and sentencing poor – often black – community members.[14] Critics continue that these cash grab tactics violate procedural due process by causing indigent citizens' constitutionally-afforded rights to take a back seat to towns' last-ditch budget-balancing efforts.[15] Alternatively, supporters of the programs argue that the constitutional rights of these citizens are safeguarded by municipal judges, who are mandated by federal law to take a citizen's indigent status into account when determining how to sentence that individual at the initial adjudicatory proceeding, and while sentencing impoverished individuals whom have failed to pay previously-issued fines and summonses.[16]

The policing and sentencing tactics deployed by St. Louis County municipalities have become such a concern that lawmakers have made a bipartisan push to eradicate such practices by drafting legislation aimed at capping the amount of revenue that can be generated through the issuance of traffic tickets and minor summonses.[17] On February 12, 2015, a measure lobbied for by a coalition of Tea Party libertarians and black activists attempting to combat racial inequities promulgated by the criminal justice system was passed by the Missouri

Senate.[18] The bill, if approved, would lower the amount of revenue municipalities in large metropolitan counties can derive from traffic fines from 30% of their overall budgets to 10%.[19] Additionally, the measure would restrict rural townships from generating an excess of 20% of their overall budgets from traffic fines and accompanying fees.[20]

According to the *ArchCity Defenders' Municipal Courts White Paper*, the aforementioned tactics impose heavy financial burdens on the most underprivileged members of the community, in turn, sapping their already limited financial resources, imperiling their ability to drive – an essential means of transportation in an area with limited mass transit options – and resulting for many in jail time.[21] Furthermore, these tactics destroy the public's confidence in the criminal justice system – often creating fissures that divide municipalities along socio-economic and racial boundaries. These rifts are particularly dangerous because many citizens' only interaction with local government comes about through what many perceive as discriminatory police practices.[22] The sum of these hardships negatively affects residents' opinions of their municipalities as a whole.[23] In the long run, citizens' negative perception of government, particularly of the police, combined with their poverty damages municipalities and the region of which they are a part.

The *Defenders* county-wide observation sought to determine the extent of constitutional rights violations of citizens by municipalities that used traffic regulation and policing as a budget-balancing tool.[24] In particular, the *Defenders* focused upon the rate and frequency in which citizens were stopped by police, the fines accompanying traffic violations, attorney and court fees, the cost of removing driver's license points, and the negative economic affects accompanying municipal court appearances and penalties, such as, the cost of hiring a babysitter, missing a day's work, and a potential loss of housing.[25] The *Defenders* observed over 60 different courts as part of its *court watching program* and took sworn statements from clients, judges and court personnel, as well as other individuals they encountered.[26] The group ultimately determined that roughly half of the courts and municipalities viewed partook in no constitutionally-violative conduct.[27] However, nearly thirty courts committed at least one illegal practice.[28] Three courts in particular – Bel-Ridge, Florissant and Ferguson, all geographically close to each other – were found to have chronically violated poor citizens' fundamental rights.[29]

After identifying the municipalities with the most oppressive police tactics and court systems, the *Defenders* shifted its focus towards analyzing the tactics these cities deployed to use the poor community's cash for funding municipal endeavors.[30] The group's results were shocking, as they determined that poor black citizens were pulled-over and ticketed or arrested at nearly three times the rate of white, often middle-class, citizens.[31] Once issued a motor vehicle infraction, these individuals typically attempted to amend the violation – a process requiring these indigent citizens to hire an attorney, attend court, and pay fines accompanying their hearings. If an individual was unable to perform the aforementioned, or alternatively, was unable to attend court or pay the traffic fine promptly, an arrest warrant was typically issued.[32]

Once this warrant had been issued, the 'wanted citizen' was required to pay not only the ticket and accompanying court fees, but also fees accompanying his intake and arrest – an arrest preventing the indigent from attending work or familial obligations while awaiting his hearing

from a jail cell.[33] The *Defenders* found that this ‘fiscally responsible’ form of policing and prosecution caused citizens to develop both a great distrust of their local government and the belief that their municipality’s criminal justice system lacked integrity and impartiality.[34]

### ***The CLiME Study of New Jersey Practices***

Inspired by the work of the *ArchCity Defenders*, the *Rutgers Center on Law in Metropolitan Equity* attempted to determine: “To what extent do local governments in (northern and central) New Jersey employ constitutionally-violative police and prosecutorial practices as a means of funding municipal endeavors?” We began by viewing statistics from roughly forty northern and central New Jersey municipalities. In particular, the *CLiME* viewed municipal arrest records, the rates individuals were pulled over, court statistics, municipal budgets, and analyzed anecdotal evidence offered by citizens from inner-city communities.

As we set forth below in greater detail, *CLiME* determined that northern and central New Jersey municipalities funded a much smaller percentage of their municipal budgets, as compared to St. Louis County municipalities, through arrests, traditional motor vehicle violations and court fees. In fact, the three aforementioned procedures typically totaled between three and five percent of revenue generated by each municipality. Rather than deploying the oppressive legal tactics seen in St. Louis County, New Jersey municipalities opted to ‘balance their budgets’ through a less discriminatory process – the implementation photo-enforced traffic cameras.

In 2009 New Jersey implemented a five-year pilot program to gauge the effectiveness of traffic control signal monitoring.[35] In total, New Jersey deploys eleven different types of traffic cameras, which ticket citizens for a wide array of infractions. These cameras most frequently ticket drivers for running red lights and making illegal right turns.[36] When a New Jersey driver commits a documented infraction, he or she receives a municipal summons from the town where the infraction was committed in the mail roughly two months later. Though the costs of these infractions vary on a case-by-case basis, most fines range from \$50-\$140, and all uncontested red light-running tickets are settled for \$85 and imposition of zero drivers’ license points.[37]

Since the implementation of New Jersey’s photo-enforced traffic regulation program, municipalities have been able to reduce the amount of police officers patrolling the streets for the purpose of issuing traffic summons. Townships have benefited from this tactic two-fold: first, municipalities are able to dedicate their on-duty officers to responding to crimes more serious than basic traffic infractions. Second, the townships generate substantially more revenue because a single traffic camera is often able to issue more summons than could an entire police force.[38] As a result, New Jersey municipal police officers have had substantially less contact with small-time offender over the last five years than in decades past. As the amount of citizen-police contact decreases, so does the amount of opportunities police officers have to discriminatorily pull over and fine citizens. Therefore, photo-enforced traffic regulation has enabled townships to substantially increase the amount of traffic revenue generated, all while curbing discriminatory police practices – alleviating much of the citizen-police tension plaguing St. Louis County.

## *Traffic Regulation and the Point System*

In the three-year span between 2011 and 2014, the amount of municipal revenue the City of Ferguson generated through the issuance of fines and fees rose nearly 45%.<sup>[39]</sup> A vast majority of these monies, as indicated from the city's annual budget, were generated through the issuance of traffic tickets and the court costs accompanying those tickets.<sup>[40]</sup> Unlike St. Louis County's practices of issuing summons, then putting citizens through the municipal court ringer, New Jersey townships have opted to generate revenue primarily by issuing red light-running tickets. Both St. Louis County and New Jersey's motor vehicle systems operate on a "point system."<sup>[41]</sup> In both jurisdictions a majority of moving violations result in fines and traffic points.<sup>[42]</sup> Under both point systems, a driver who accrues a certain number of points will have his license suspended or revoked.<sup>[43]</sup> Additionally, points on a driver's license lead to higher insurance premiums, which in turn, make it difficult for drivers to both afford insurance and to find insurance providers for high risk drivers. Therefore, it is vital that individuals amend moving violations to points-free non-moving violations.<sup>[44]</sup>

Here's how the process typically works in St. Louis County municipalities: drivers are pulled over and issued a speeding ticket which costs roughly \$100. The ticket is accompanied by driver's license points. In order for an individual to remove points from his driving record, he must hire an attorney – typically costing \$50-\$100 – then appear in court.<sup>[45]</sup> The attorney will haggle with the municipal prosecutor and have the speeding ticket amended to a non-moving, point-free, violation. The defendant will then pay roughly \$200 in fines and court costs.<sup>[46]</sup>

Additionally, many St. Louis County municipal courts do not allow non-defendants to set foot within the courthouse.<sup>[47]</sup> This prohibition is particularly problematic for individuals with children. Because most municipal courts in St. Louis County meet at night, defendants' children are not in school. As a result, defendants with children must hire a babysitter for the night their court appearance is scheduled.<sup>[48]</sup> Moreover, access to St. Louis County courts is problematic because some courts, like Bel-Ridge, meet in four-hour sessions which are held as infrequently as three times a month.<sup>[49]</sup> Ultimately, the entire municipal court process will cost a single parent roughly \$400 and requires a defendant to appear in court on at least one occasion.

For citizens with money, time, and transportation, this process is, at worst, inconvenient.<sup>[50]</sup> However, for indigent ticket recipients, this process can be crippling – often costing more than the defendant earns in a week.<sup>[51]</sup> If an indigent individual does not complete the process because he cannot afford to, a warrant for his arrest will be issued.<sup>[52]</sup> This warrant is also accompanied by fines and court costs; however, it is also accompanied by jail time and a blemish on the individual's criminal record. The jail time is accompanied by numerous court hearings, which carry additional fees and fines and often force the individual to miss work for an extended period of time – ultimately leading to that individual's termination.<sup>[53]</sup> In sum, a \$100 speeding ticket may cost an indigent citizen upwards of \$5,000 by the time they've been put through the municipal court process.

Unlike St. Louis County municipalities, New Jersey townships have opted to expedite this process in a manner that does not require citizens to have in-person contact with any member of the criminal justice system. Instead of putting citizens through the municipal court process,

New Jersey has opted to issue a seemingly never-ending amount of red light-running tickets via photo-enforced traffic lights. N.J.S.A. 39:4-105 mandates that drivers whom fail to stop for a traffic light receive two driver's points – points which are accompanied by a small fine that varies from jurisdiction to jurisdiction.[54]

Any driver that is caught running a red light on camera in New Jersey is afforded the opportunity to challenge the offense in court; or to plead guilty to the violation online.[55] Any ticket recipient that chooses the online route has their two-point violation automatically amended to a point-free non-moving violation accompanied by an \$85 fine. The \$85 fine can be paid online in less than three minutes, cutting out the costs associated with hiring an attorney and babysitter, court fees, and the appearance itself. Ultimately, the assimilation of photo-enforced traffic regulation into the commonplace points system has spared New Jersey municipalities the hassle of increasing the rate traditional traffic tickets are issued, the cost of traditional traffic tickets, and the court fees affiliated with fighting traditional traffic tickets. However, local governments in St. Louis County do not enjoy the luxury of placing a red light camera on every corner. As a result, St. Louis County municipalities are forced to fund municipal endeavors the old fashioned way: issuing an excessive amount of traditional traffic tickets and then hassling citizens by attaching unreasonable fines to these tickets and their accompanying court costs.

### ***Camera Placement and the Demographic Targeted***

In an apparent effort to generate revenue, St. Louis County municipalities appear to discriminatorily target their community's own indigent citizens – citizens who are often arrested and forced to pay hundreds or thousands of dollars in fines.[56] Furthermore, the *Missouri Attorney General's Office 2013 Racial Profiling Report* found that in the year prior to the shooting of Michael Brown, 5,384 traffic stops of citizens occurred.[57] Somewhat unsurprisingly, 4,632, or 86%, of the individuals stopped were black.[58] After factoring the racial dynamic of the city's overall population into the equation, the Missouri Attorney General's Office concluded that the disparity rate of black drivers stopped was nearly 137%.[59] Moreover, black drivers were searched at twice the rate of white drivers, despite white drivers being 12% more likely to be found in possession of contraband when searched during a traffic stop.[60] Additionally, black drivers were 5% more likely to be issued a citation than were their light-skinned counterparts.[61]

In New Jersey, where the practice of issuing traditional traffic tickets has taken a back seat, the *CLiME* found no such systematic practice. Alternatively, it appeared that New Jersey municipalities attempted to restrict their cash grab tactics to photo-enforced traffic violations. Furthermore, the actual camera sitting decisions by northern and central New Jersey municipalities restricts implementation of these devices only to busy intersections on major highways – highways frequented by commuters – not by citizens of the municipality, thereby reducing the risk that lower-income drivers will be singled out.[62] Moreover, the poorest municipalities and cities in New Jersey, such as Camden, Trenton, East Orange and Irvington have refrained from installing traffic light cameras altogether.[63] This rejection of photo-enforced traffic violations by impoverished communities suggests that elected officials in these neighborhoods understand that many citizens whom are caught committing traffic infractions will not be able to afford the accompanying fines.

## A. Comparing Similarly-situated Communities

The greatest danger of St. Louis County municipalities' police practices are not their economic impact on community members, but instead the rift these practices have placed between community members and the government, a rift that has led residents to develop a great distrust of, and hatred towards, the police. Northern and central New Jersey municipalities have dodged the citizen-police tension seen in St. Louis County by implementing photo-enforced traffic regulation – a non-discriminatory attempt to balance municipal budgets through the administration of 'affordable' traffic summons.[64] This is best illustrated by comparing the similarly-situated townships of Florissant, Missouri and Piscataway, New Jersey.

Florissant, a township four miles northwest of Ferguson, has a population of roughly 53,000.[65] 27% of Florissant's citizens are black,[66] and 9% of the citizens live below the national poverty line[67]. Similarly, Piscataway has a population of roughly 56,000.[68] 21% of Piscataway's citizens are black,[69] and about 5% of citizens live below the national poverty line.[70] Both Florissant and Piscataway have experienced "white flight," with each township's white population steadily decreasing in each of the last three decades.[71] Moreover, both townships have suffered severely since the economic collapse of 2008.

Florissant, like many municipalities in St. Louis County, has generated extensive amounts of municipal revenue through what the *ArchCity Defenders* call discriminatory police practices that target indigent, often black, drivers.[72] In 2013, Florissant collected a total of \$3,000,000 in municipal revenue,[73] \$695,000 of which was generated by the administration of warrants alone.[74] Alternatively, Piscataway has opted to balance its municipal budget by issuing a seemingly never-ending amount of red light-running tickets through the installation of ten traffic cameras at busy intersections beginning in November 2011.[75] Throughout the first two years or so of Piscataway's photo-enforced initiative, the program generated \$4,800,000 in red light-running tickets alone.[76] Of the aforementioned nearly \$5,000,000, Piscataway has already collected \$1,530,000.[77] Additionally, Piscataway cameras have generated \$637,000 for the State of New Jersey,[78] and \$393,000 for Middlesex County.[79]

At first glance, it appears that the municipal budget-funding endeavors of Piscataway and Florissant are highly analogous. Both have been undoubtedly successful at generating large sums of cash. Additionally, both have thrust exorbitant amounts of traffic tickets and fines upon citizens of their respective communities, as well as citizens of neighboring communities. However, an unmistakable characteristic distinguishes the programs. Piscataway, unlike its counterpart, has alleviated citizens of both personal interaction with the police and the non-obvious stigmatizing affects accompanying such interactions. The psychological effects of being singled-out, stopped, and then hassled by the police are often more damaging to impoverished individuals than are the summonses themselves, as this type of chastisement often destroys the public's confidence in the criminal justice system and forces citizens to perceive that their brief interactions with local government are due solely to discriminatory police practices.

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[2] ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 1 (2014).

[3] *Id.* at 1-2.

[4] *See id.* at 2-3.

[5] Joseph Shaprio, *Civil Rights Attorneys Sue Ferguson Over ‘Debtors Prisons’*, (Feb. 2015) available at: <http://www.npr.org/blogs/codeswitch/2015/02/08/384332798/civil-rights-attorneys-sue-ferguson-over-debtors-prisons>. Complaint available at: <http://www.nytimes.com/interactive/2015/02/08/us/ferguson-complaint.html>.

[6] *See id.*

[7] United States Department of Justice Civil Rights Division, *Investigation of the Ferguson Police Department*, (Mar. 4, 2015) available at: <http://www.cnn.com/2015/03/03/politics/justice-report-ferguson-discrimination/>

[8] *See Investigation of the Ferguson Police Department* at 9.

[9] *Id.* at 15-16.

[10] The United States Department of Justice, *A Pattern or Practice of Discrimination*, [http://www.justice.gov/crt/about/hce/housing\\_pattern.php](http://www.justice.gov/crt/about/hce/housing_pattern.php).

[11] *See id.*

[12] *See* ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER at 2, 6 (2014).

[13] John Day, *More Crash, More Cash at Red Light Camera Intersections: Almost \$5 Million in Piscataway*, a synopsis of New Jersey Open Public Records Act (OPRA) (Apr. 8, 2014) <http://piscatawaygop.org/red-light-camera-update.html>.

[14] ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 1-2 (2014).

[15] *Id.* at 2.

[16] *Tate v. Short*, 401 U.S. 397-98, 91 S.Ct. 670-71, 28 L.Ed.2d 130 (1971); *see also*, *Williams v. Illinois*, 399 U.S. 235, 90 S.Ct. 2018, 26 L.Ed.2d 586 (1970).

[17] Monica Davey and Shaila Dewan, *Law Enforcement Concerns Create Unlikely Alliances in Missouri and Beyond*, Feb. 13, 2015. Available at: [http://www.nytimes.com/2015/02/15/us/law-enforcement-issues-in-missouri-and-other-states-spur-unlikely-alliances.html?\\_r=0](http://www.nytimes.com/2015/02/15/us/law-enforcement-issues-in-missouri-and-other-states-spur-unlikely-alliances.html?_r=0).

[18] *Id.*



[19] *Id.*

[20] *Id.*

[21] See ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER at 9-10 (2014).

[22] *See id.*

[23] *See id.* at 10.

[24] *See id.* at 2.

[25] *See id.* at 3-4.

[26] *Id.* at 2.

[27] *Id.* at 2.

[28] *Id.*

[29] *See id.* at 2-3.

[30] *See id.*

[31] *Id.* at 14-15.

[32] *See id.* at 5-6.

[33] *See id.* at 11.

[34] *Id.* at 12.

[35] REPORT ON RED-LIGHT TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS 2 (New Jersey Department of Transportation 3<sup>rd</sup> annual 2013).

[36] <http://www.photoenforced.com> (follow “New Jersey Red Light Cameras”) hyperlink; <http://www.ecriteria.net/eCriteriaSearchCriteriaAction.asp> (detailing the location and amount of cameras designated for each type of New Jersey traffic infraction) (last visited Oct. 26, 2014).

[37] <http://www.photoenforced.com/fines-dmv-points.html#.VEnC4fldW7k> (follow “New Jersey Traffic Offenses and Points Schedule”) (last visited Oct. 24, 2014).

[38] Individual traffic cameras have the ability to generate millions of dollars annually. In 2013 alone, Brick Township generated \$830,000 in traffic camera fines — far more ‘traffic violation revenue’ than collected in any year prior to the implementation of photo-enforced traffic

signals. See Mike Frassinelli, *Controversial Red Light Cameras Going Dark in Brick on Feb 18*, hyperlink; [http://www.nj.com/news/index.ssf/2014/02/controversial\\_red-light\\_cameras\\_going\\_dark\\_in\\_brick\\_on\\_feb\\_18.html](http://www.nj.com/news/index.ssf/2014/02/controversial_red-light_cameras_going_dark_in_brick_on_feb_18.html).

[39] Max Ehrenfreund, *How segregation led to speed traps, traffic tickets and distrust outside St. Louis*, (Nov. 26, 2014) <http://www.washingtonpost.com/blogs/wonkblog/wp/2014/11/26/how-segregation-led-to-speed-traps-traffic-tickets-and-distrust-outside-st-louis/>.

[40] *See id.*

[41] ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 6 (2014).

[42] *See id.*; see also NEW JERSEY STATUTE ANNOTATED POINTS SCHEDULE, available [http://www.state.nj.us/mvc/Violations/penalties\\_pointSchedule.htm](http://www.state.nj.us/mvc/Violations/penalties_pointSchedule.htm).

[43] ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 6 (2014).

[44] *Id.*

[45] *Id.*

[46] *Id.*

[47] *Id.* at 11.

[48] *See id.*

[49] *Id.* at 29.

[50] *See id.* at 6.

[51] *See id.*

[52] *Id.* at 7.

[53] *See id.*

[54] NEW JERSEY STATUTE ANNOTATED POINTS SCHEDULE, available [http://www.state.nj.us/mvc/Violations/penalties\\_pointSchedule.htm](http://www.state.nj.us/mvc/Violations/penalties_pointSchedule.htm).

[55] Kenneth Vercaemen, *New Jersey Photo Red-Light Ticket*, <http://www.njlaws.com/REdLightTickets.html> (last visited Oct. 23, 2014).

[56] ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 7, 14 (2014).

[57] *2013 Racial Profiling Report: Agency Ferguson Police Department*, Missouri Attorney General's Office at 1. Available at: <http://ago.mo.gov/VehicleStops/2013/reports/161.pdf>

[58] *Id.*

[59] *See id.*

[60] *See id.* at 1-2.

[61] *See id.* at 1.

[62] Nearly all of northern and central New Jersey's 168 photo-enforced traffic signals are placed on major highways or busy streets connecting neighboring municipalities. A list of New Jersey's traffic cameras at: <http://www.ecriteria.net/eCriteriaSearchCriteriaAction.asp>

[63] *See id.*

[64] New Jersey's traffic cameras eliminate racially-motivated stops conducted by individual police officers. Additionally, all red light-running tickets in New Jersey can be settled out of court for \$85.

[65] U.S. CENSUS BUREAU, THE 2010 STATISTICAL ABSTRACT (last viewed Oct. 26, 2014).

[66] *See id.*

[67] *See id.*

[68] U.S. CENSUS BUREAU, THE PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS: 2010 FOR PISCATAWAY TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY (last viewed Oct. 26, 2014).

[69] *See id.*

[70] *See id.*

[71] *See id.*; *see also* U.S. CENSUS BUREAU, THE 2010 STATISTICAL ABSTRACT (last viewed Oct. 26, 2014); U.S. CENSUS BUREAU, THE 2000 STATISTICAL ABSTRACT (last viewed Oct. 26, 2014); U.S. CENSUS BUREAU, THE 1990 STATISTICAL ABSTRACT (last viewed Oct. 26, 2014); U.S. CENSUS BUREAU, THE 1980 STATISTICAL ABSTRACT (last viewed Oct. 26, 2014).

[72] *See* ARCHCITY DEFENDERS, MUNICIPAL COURTS WHITE PAPER 2, 9 (2014).

[73] *Id.* at 34-35.

[74] *Id.*

[75] John Day, *More Crash, More Cash at Red Light Camera Intersections: Almost \$5 Million in Piscataway*, a synopsis of New Jersey Open Public Records Act (OPRA) (Apr. 8, 2014) <http://piscatawaygop.org/red-light-camera-update.html>.

[76] *See id.*

[77] *See id.*

[78] *See id.*

[79] *See id.*

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