

INTRODUCED: September 10, 2018

AN ORDINANCE No. 2018-239

To amend ch. 12, art. IV by adding therein new § 12-122; and to amend Appendix A of the City Code by adding therein a new fee for § 12-122, concerning the fee for an electronic summons system for criminal and traffic courts, for the purpose of establishing a fee for an electronic summons system.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 8 2018 AT 6 P.M.

§ 1. That Chapter 12, Article IV of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section 12-122 as follows:

Sec. 12-122. Criminal and traffic court costs—Fee for electronic summons system.

A fee as set forth in Appendix A to this Code shall be assessed by the City in each criminal or traffic case in the General District Court of the City and the Circuit Court of the City of Richmond in which the defendant is charged with a violation of any statute or ordinance. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the Director of Finance, and held by the Director of Finance subject to disbursement by the City

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: OCT 8 2018 REJECTED: _____ STRICKEN: _____

Council to the Department of Police to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

§ 2. That Appendix A of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** fee for section 12-122 of the Code of the City of Richmond (2015) as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
12-122	Fee for electronic summons system	\$5.00

§ 3. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O & R REQUEST

AUG 20 2018

4-8091...

Chief Administrative Officer

O&R REQUEST

DATE: August 10, 2018

EDITION: 2

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor

JS 8/28/18

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

SCG

THROUGH: John Wack, Director of Finance

JW

THROUGH: Jay Brown, Director of Budget and Strategic Planning

JB

FROM: Alfred Durham, Chief of Police

adurham

RE: ELECTRONIC SUMMONS SYSTEM FEE

RECEIVED
AUG 29 2018
OFFICE OF CITY ATTORNEY

ORD. OR RES. No. _____

PURPOSE:

To amend the City Code to provide for the assessment of an additional \$5.00 in each criminal or traffic case pursuant to Virginia Code § 17.1-279.1. The funds are to be retained in a separate special fund designated as "Police eTicket Account" and used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Also to amend the FY2019 special fund budget to appropriate \$200,000 in estimated revenue for these purposes.

REASON:

Section 17.1-279.1 of the Code of Virginia, as passed during the 2014 Session of the Virginia Acts of Assembly, authorizes the local governing body to adopt an ordinance that will assess up to an additional \$5.00 as part of the costs in each criminal or traffic case in the locality's district or circuit courts. The funds are then held for disbursement to fund software, hardware and associated equipment costs for the implementation and maintenance of an electronic summons

system. An electronic summons system will reduce the time it takes an officer to issue a traffic citation. This will reduce the risk of a road shoulder accidents during the course of the officer's traffic stop, as well as provide the motorist with a faster, more efficient transaction.

RECOMMENDATION:

The City Administration recommends adoption of this ordinance.

BACKGROUND:

The Richmond Police Department (RPD) promotes traffic safety and enforces traffic code violations on a daily basis. During the last two years, RPD issued, on average, 47,111 traffic citations per year and made, on average, 15,562 arrests. When motorists are stopped by police, it adds an element of danger as the motorists and officers are exposed to passing traffic. Nationwide statistics indicate that in 2017, there were a total of 31 officer fatalities caused by motor vehicle crashes, and 10 officer fatalities caused by the officer being struck by a vehicle. An electronic summons system will reduce the danger of road shoulder accidents by reducing the amount of time it will take an officer to issue a traffic citation. Additionally, an electronic summons system will provide the motorist with a faster, more efficient transaction.

An electronic summons system will also significantly improve efficiency and accuracy in the process of issuing citations. Citation data will automatically be scanned and electronically entered at the point of activity. Personnel will no longer have to subsequently re-enter data from hand-written tickets. Once the citation is completed, the transaction data will be sent electronically to the court's case management system, usually within 24 hours or less. This will allow violators to promptly prepay their fines, as well as aid the courts in managing their dockets and tracking their caseloads. Additionally, the electronic summons system will reduce data entry errors, thereby reducing the need for manual ticket information follow-ups between the courts and police.

Funding from the proposed ordinance will also support the purchase of new peripheral equipment such as handheld devices, portable printers, driver's license scanners, and barcode readers. This equipment will contribute to making the citation process run faster and more efficiently. Vehicle operators will still receive a paper copy of the summons printed locally by the officer.

The Initial implementation would cover 25 vehicles. However, the full implementation of an electronic summons system will cover approximately 400 police vehicles.

Several localities already utilize eSummons systems, including:

- Fairfax County
- Loudon County
- Clarke County
- Rockbridge County
- Dinwiddie County

- Manassas Park PD
- Bluefield PD
- Richland PD
- Tazewell PD
- Buena Vista PD
- Glasgow PD
- James City County
- Henrico County
- Frederick County.

Additionally, several more localities are expected to begin utilizing eSummons systems in the near future, including:

- Alexandria City
- Harrisonburg
- James Madison University
- Bridgewater PD
- Timberville PD
- Grottes PD
- Southampton County
- Botetourt County
- Bedford County
- Berryville PD
- Albemarle County
- Charlottesville PD
- University of Virginia
- Wythe County
- Wytheville PD

FISCAL IMPACT / COST TO CITY: None

FISCAL IMPLICATIONS: Estimated revenue of approximately \$200,000 in FY2019 will be utilized for the implementation and maintenance of an electronic summons system.

BUDGET AMENDMENT NECESSARY: Yes

REVENUE TO CITY: Approximately \$200,000 in FY2019 special fund fee revenue (product of projected 40,000 criminal and traffic cases, multiplied by \$5.00) and approximately \$300,000 annually in future years (product of projected 60,000 criminal and traffic cases, multiplied by \$5.00).

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: September 10, 2018

CITY COUNCIL PUBLIC HEARING DATE: September 24, 2018

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Public Safety Standing Committee

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:
Richmond City Courts. Richmond Commonwealth's Attorney's Office

AFFECTED AGENCIES: Police Department, Department of Finance

RELATIONSHIP TO EXISTING ORD. OR RES.: Amends the FY2019 Special Fund Budget

REQUIRED CHANGES TO WORK PROGRAM(S): Courts staff will collect and remit the new fee revenue to Finance

ATTACHMENTS: Virginia Code § 17.1-279.1

STAFF:

David Mitchell, Esq.
Office of General Counsel
Richmond Police Department
804-646-4467