

Scofflaw Program 3rd Quarter 2011 Report

In Response to City Council Statement of Legislative Intent 125-2-A-3 December 15, 2011

In adopting the 2011 budget, the Council passed Ordinance 123447, which created the parking scofflaw program. Accompanying the legislation was a Statement of Legislative Intent (125-2-A-3), which called for a report on the actual implementation of the program on a quarterly basis for one year following implementation. The SLI's request identified eight measures to be included in the quarterly report. This report will present information about the experience with the first quarter of implementing the Parking Scofflaw Program, covering the period from July through September 2011.

The report is presented in three sections:

- An executive summary, providing program background and first quarter highlights,
- The eight program measures requested in the Statement of Legislative Intent, and
- A discussion of other issues and next steps for the scofflaw program.

Executive Summary

In November 2010, the City Council passed Ordinance 123447, which increases the City's leverage against scofflaw vehicles in several significant ways, effective July 1, 2011. First, scofflaw vehicles may now be immobilized whether they are parked illegally or legally. Second, all parking tickets in collections must be paid to get the vehicle released. To balance these tougher rules, the City is employing "SmartBoot" devices to immobilize vehicles instead of impounding them. If, after immobilization, all scofflaw-eligible parking infractions and associated fees are not paid in full or placed on a payment plan within 48 hours, excluding weekends, then the vehicle may be towed and impounded.

Conclusions about the program based on the first three months' experience cannot be definitive, but there are some observations to note from its implementation, as follows:

- Data indicates there are fewer scofflaws now than when scofflaw notifications were sent out in May 2011. There has been a 5.4% reduction in the number of vehicles in scofflaw status. Over 2,600 vehicles on the scofflaw list were removed due to payment without a boot being applied, suggesting that people are changing their behavior due to the threat of being booted.
- Revenue generated from the scofflaw program through the first quarter of implementation tracks with the estimate used in developing the 2011 budget. This revenue source will be closely monitored, as the limited available data does not assure the same for the remainder of 2011 and 2012.
- While revenue is tracking with budget estimates, there is some concern from the operations staff that the rate of discovery of scofflaw vehicles is lower than what was suggested during the program's pilot period. Alternate deployment measures are being considered by SPD in response.
- Nearly 65% of the boots that have been returned following booting are returned by the motorists, with 430 returned to the three tow company sites and 128 returned to the two

neighborhood service center sites. The remaining 35% of returned boots were assisted releases in possession of the Police Department.

- Of those who paid to remove boots during the first three months, 43.5% of those are using a time-payment plan. Of those on time-pay, 42% have defaulted and are eligible to be towed when they are rediscovered.
- During the first three months, no known car campers have been booted. Eleven vehicles owned by suspected car campers were served a written notice (some more than once) and outreach teams were dispatched by HSD to discuss options and connect the car campers with services.

Data in the first two bullets above was influenced by the Collections Reduction Event which, while not a part of the scofflaw program, was an integral part of the City’s efforts to encourage compliance before implementing the booting program. The Collections Reduction Event was a Court program that reduced collections fees and interest on parking and traffic citations. Participation in the program was open from May 1 through July 17, 2011. The program encouraged people to pay citations before the scofflaw program began, thus avoiding the possibility of being booted. Over 1,700 scofflaws took advantage of the collections reduction event.

Scofflaw Program Measures

1. The number of vehicles booted, the number subsequently towed, and the number subsequently sold.

As a result of the Scofflaw Ordinance, vehicles with four or more outstanding parking citations may have an immobilization device or “boot” placed on them. In order to release the boot, the registered owner will be required to pay a release fee and all outstanding parking citations in collections. If the release fee is not paid within 48 hours (excluding weekends) the vehicle may be towed. If the release fee and tow fees are not paid within 15 days, the tow companies may auction the vehicle.

Table 1: Booted Vehicle Resolution – Through 09/30/2011

Boot Resolution	Number of Vehicles	Percent Of Total Booted
Booted	938	100.0%
Booted vehicles subsequently towed	137	14.6%
Booted and towed vehicles subsequently sold or pending sale	87	9.3%

2. **The number of persons who paid with cash to remove the boot;**

The City provides cash payment options for the release of the vehicles. These cash payments can be made at the Municipal Court during regular business hours or at the Jail during evenings or weekends.

Table 2: Cash Payments for Booted Vehicles – Through 09/30/2011

Time	Number of Vehicles	Percent of Total Payments
During Business Hours	44	5.6%
After Hours	5	.6%
Total Cash Payments	49	6.2%

3. The number of persons successfully arranging for time payments to remove the boot, and the number successfully arranging for time payments to remove the vehicle from impound; and
4. The number of parking scofflaws who paid their outstanding fines after having their vehicles booted.

Because the amount due for citations, late fees, interest, and boot fees may cause a financial hardship for some, the City has allowed for a payment plan with the greater of \$200 or 10% of the amount due in order to facilitate a release.

Table 3: Payments for Booted Vehicles – Through 09/30/2011

Payment Method	Number of Vehicles	Percent
Time payments to remove the boot	322	43.5%
Full payments to remove the boot	418	56.5%
Total Payments to remove the boot	740	
Time payments to remove vehicle from impound	19	42.2%
Full payments to remove vehicle from impound	26	57.8%
Total Payments to remove vehicle from impound	45	
Total Time Payments	341	43.4%
Total Full Payments	444	56.6%
Total Payments	785	

5. The geographic distribution of vehicle bootings and tows under the program, and, if possible, the geographic distribution of residences of those whose vehicles were immobilized, both in comparison to the current geographic distribution of scofflaws.

During the first quarter of operations, SPD Parking Enforcement scanned plates throughout the City. The maps below show a similar distribution of scofflaws and boots.

Scofflaw Locations as of 09/30/2011 (Seattle Only)

Location of Booted Vehicle – 3rd Quarter 2011

Location Owners of Booted Vehicle – 3rd Quarter 2011

Location of Towed Vehicles – 3rd Quarter 2011

6. The number of parking scofflaws who paid their outstanding fines after the program was announced or upon being notified of their scofflaw status, without having their vehicles booted.

Data indicates there are fewer scofflaws now than when the program began. There has been a 5.4% reduction in the number of vehicles in scofflaw status. As shown below, over 2,600 vehicles on the scofflaw list were removed due to payment without a boot being applied.

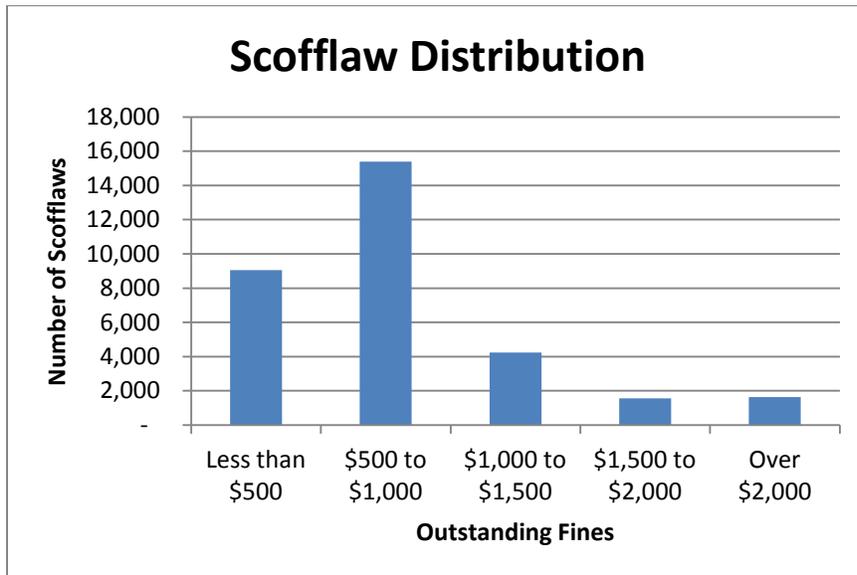
Table 4: Scofflaw Payments through 09/30/2011

Collection Timeframe	Number of Notices Sent	Number of Vehicles Paid	City Revenue
Paid after notification, during collection reductions event (05/01 through 07/17)	22,599	1,712	\$690,000
Paid after notification, after program launched (07/18 through 09/30)	1,067	921	\$250,000
Total paid without booting	23,666	2,633	\$940,000
Paid after being booted (includes impounded vehicles)		785	\$232,000
Total paid		3,392	\$1,172,000

7. How the parking scofflaws who paid their outstanding fines compare in the number of outstanding fines to those not paying their fines;

Graph 1 shows this distribution of scofflaws with outstanding fines as of the start of the program. Graph 2 shows a similar distribution by amount due for booted vehicles.

Graph 1: Scofflaw distribution by outstanding fines as of 05/15/2011



Graph 2: Boot resolution by amount due through 09/30/2011

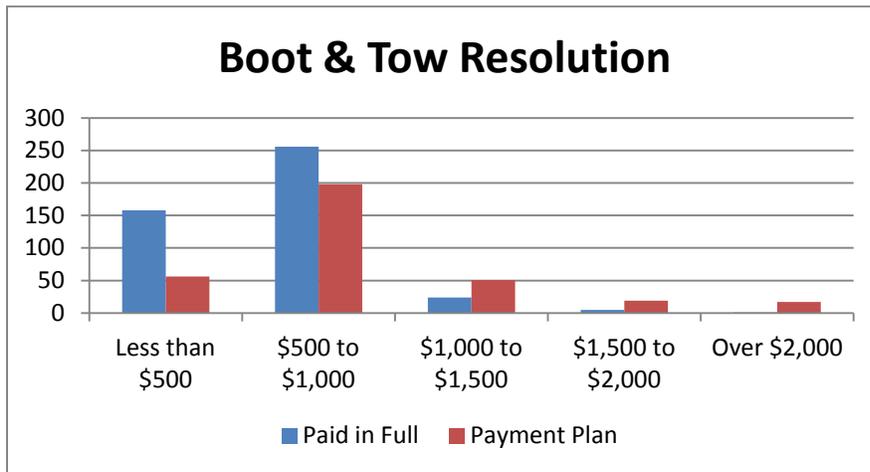


Table 5: Boot resolution by amount due as of 09/30/2011

	Less than \$500	\$500 to \$1,000	\$1,000 to \$1,500	\$1,500 to \$2,000	Over \$2,000
Paid in Full	158 74%	256 56%	24 32%	5 21%	1 6%
Payment Plan	56 26%	198 44%	51 68%	19 79%	17 94%
Total	214	454	75	24	18

8. The estimated overall effect of the program on the number of parking scofflaws and the total outstanding parking fines owed to the City.

With only three months of program operation, a definitive answer regarding the overall effect of the program on parking scofflaws is premature. Data from the first few months of the program does show encouraging signs in a reduction of scofflaws on the list. For example, since Scofflaws were notified of the booting program in May of 2011, there has been a **5.4% reduction in the number of citations in Scofflaw status** through the end of September. The reduction in Scofflaw citations points to an expected decrease in Scofflaws due to the increased sanction of the boot if people fail to pay parking tickets. In addition, after being notified, **over 2,600 vehicles on the Scofflaw list were removed due to payment without a boot being applied**. The large number of Scofflaws paying without being booted lends credence to the theory that people are changing their behavior in regard to paying parking tickets due to the threat of being booted. The Collections Reduction Event combined with program publicity and media coverage may have contributed to the increase in payments.

Further tracking of data is needed over the coming months and years to gather evidence that the booting program is causing lasting changes to Scofflaw behavior. The Scofflaw IDT will be gathering additional data around overall compliance rates for parking infractions, aggregate data on the number of tickets paid off by Scofflaws removing themselves from the list, and frequency of re-entry onto the Scofflaw list. Further analysis and data collection should help definitively answer the impact question, however, early data points to a real change in behavior due to the program.

Other Issues

1. Car Camping

Prior to implementation of the Scofflaw program, there were concerns raised by Council members about the effect of the program on homeless people living in their cars (commonly referred to as “car campers”). The Scofflaw IDT worked with the Human Services Department (HSD) to develop a protocol that would reduce the chances of someone whose car is their residence from getting booted and possibly losing their vehicle to an impound. To date, no known car campers have been booted. For the third quarter of 2011, 15 notices have been given to suspected car campers (on 11 unique vehicles – some received multiple notices) and outreach teams have been dispatched by HSD to discuss options and connect the car campers to services.

In addition to HSD outreach, the Court and Councilmember O’Brien’s Office have been working with Ballard Homes for All Coalition (BHFAC) and the Interfaith Task Force on Homelessness (ITFH) to assist known car campers that have outstanding parking and other legal issues. BHFAC and CM O’Brien’s Office act as advocates for car campers, working with the Court to identify parking, traffic, and criminal matters and assisting them in addressing the legal issues that they face. In some cases, ITFH has been giving financial assistance to car campers that do not have the means to settle their legal matters.

2. Payment Plans

As of September 30, 2011, 341 motorists had established payment plans to remove the boot or recover their vehicle from impound. City revenues from payment plans established through September 30 were \$232,000. Of the 341 time payment plans established, approximately 42% have defaulted as of October 31 with a balance due the City totaling \$204,000. Vehicles are eligible for booting upon payment plan default; if booted again, the motorist is required to pay all outstanding fines and fees. Parking enforcement has re-booted over 70 vehicles that have defaulted on payment plans with many of those re-booted vehicles being released with full payment.

3. Boot Return Locations

Upon self-release of the vehicle, motorists are required to return the boot to a designated tow company or neighborhood service center location. Tow companies are open 24/7 for boot returns. The neighborhood service centers are open weekdays and Saturdays.

Table 6: Return Location Activity through 09/30/2011

Return Locations	Number of Boots	Percent of Total Returns
ABC Towing	172	20.0%
Lincoln - Aurora	155	18.0%
Lincoln - Pasadena	103	12.0%
Total Returned to Tow Companies	430	50.0%
Southeast Neighborhood Service Center	36	4.2%
University Neighborhood Service Center	92	10.7%
Total Returned to Neighborhood Service Centers	128	14.9%
Total Returns by Motorists	558	64.9%
SPD North Precinct	1	0.1%
SPD South Precinct	1	0.1%
Total After Hours Assisted Releases	2	0.2%
SPD Park 90-5 / Parking Enforcement Assisted Releases	300	34.9%
Total Assisted Releases	302	35.1%
Total Returns	860	100.0%

Next Steps

1. Outreach

Phase II of the Scofflaw program's outreach builds on the existing outreach campaign with a strong emphasis on reaching vulnerable and historically underserved populations. Our goal is to educate Seattle drivers on existing parking laws so that they can avoid parking tickets and stay out of Scofflaw status; and if a ticket is received, to emphasize the message, "the longer you wait, the more you pay." Efforts will include bus ads, public service announcements for radio and possibly television, and materials for homeless car campers. Phase II outreach will begin in December 2011 and run through March 2012.

2. Deployment Strategy

Parking enforcement will be refining the boot team deployment strategy, which may include varying hours, days of the week and locations throughout the City.