

Crestwood Mayor Fires Back At Red-Light Camera Class Action Lawsuit

Mayor Lou Presta claims lawsuit is "politically motivated." He also questions the plaintiffs' attorney's math.

By [Lorraine Swanson](#) (Patch Staff) - Updated Oct 9, 2017 9:02 pm ET



CRESTWOOD, IL -- Mayor Lou Presta is firing back at a class action lawsuit alleging that the [Village of Crestwood](#) has laid a red-light camera trap for unsuspecting motorists at the Cal Sag-Cicero intersection. Presta claims the class action lawsuit filed last week in [Cook County Circuit Court](#) is politically motivated. The lawsuit is asking that more than \$3 million in red-light camera fines be returned to snared motorists.

[Chicago attorney Tom Zimmerman](#) maintains that thousands of motorists have been hit with fines for allegedly failing to come to a complete stop in the southbound right turn lane of Cicero Avenue on to Cal-Sag Road. The class action lawsuit was filed on behalf of plaintiffs Rosie Jones, Debra Dembry, Janet Wittenmyer and “all others similarly situated.” A traffic island diverts southbound traffic from Cicero into a hard-right turn lane onto Cal Sag. Motorists have complained [the intersection is “confusing” and the traffic light “difficult to see,”](#) according to an ABC 7 Chicago and Sun-Times investigation.

The traffic signals currently in operation at the intersection direct “through traffic” from the north and southbound lanes of Cicero Avenue. Red-light cameras placed on the traffic lights are designed to catch vehicles from Cicero Avenue proceeding into the intersection after the light changes from green to red. The red-light cameras also automatically issue tickets to motorists making a right turn onto Cal-Sag.

“The traffic lights at that intersection control the through traffic on Cicero Avenue and not the designated right hand turn lane,” Zimmerman said. “The [Illinois Vehicle Code](#) simply requires drivers to yield to moving traffic.”

A sign instructing those making a right turn also warns drivers that the intersection is “photo enforced” and to come to a complete stop. Presta said people who are fined for making right turns without stopping frequently knock down and photograph the sign before they go to court.

[Subscribe to the Alsip-Crestwood newsletter >](#)

A letter from the village attorney Christine Walczak, of the law firm [Socin, Arnold and Schoenbeck](#) in response to Zimmerman’s freedom of information request states that since the red-light cameras were installed a year ago, the Village of Crestwood has issued 56,707 red-light camera tickets through Sept. 20, 2017. Walczak also notes that the total amount of revenue collected from red-light camera tickets since the program’s inception is \$3,170,648. The months of August and September are still being tallied. The figures do not indicate how many of the tickets were issued for people making right turns.

Also representing the plaintiffs is [Roth Fioretti, LLC](#), of which former 2nd Ward Chicago Alderman Bob Fioretti is a named partner. Fioretti challenged Mayor Rahm Emanuel in the 2015 Chicago Primary.

“This is a big publicity stunt,” Presta said. “It’s political. [Fioretti] wants to run for mayor again. Why aren’t they suing IDOT? Because the state doesn’t have any money.”

The mayor said the village requested red-light cameras because of the high frequency of accidents at the intersection. While the village requested the cameras, Presta said the cameras required sign-offs by [IDOT](#), [Christopher Burke Engineering](#) and [Meade Electric](#), the camera installer.

“The village can’t do nothing,” Presta added. “Our police chief said since the cameras were installed, accidents have decreased. I guess we’ll have to fight them in court.”

The lawsuit is asking for fines to be returned to the thousands of right-turning motorists who Zimmerman maintains were wrongly ticketed, as well as a public declaration from the Village of Crestwood stating that violations issued from the right turn lanes from Cicero Avenue onto Cal Sag violated the [Manual on Uniform Traffic Control Devices](#) and the [Illinois Vehicle Code](#).

“The lawsuit says 56,000 tickets have been issued at \$100 a piece; that’d be over \$5 million,” Presta said. “They’re asking for \$3 million. Where are they getting these numbers from. I’m no CPA, but someone needs to learn how to add.”

Meanwhile, Zimmerman says he’s received several calls from plaintiffs asking to be added to the complaint. With [Cal Sag Bridge closures](#) scheduled to start Oct. 16, red-light camera tickets may not be an issue for the next several months.