

(STOPSIGN1709)

To Rancho Cucamonga Court:

I approached the intersection of Hellman and Church Streets, driving North on Hellman. As I came to this intersection from the South, with no other traffic on a clear sunny day, I applied my brakes and performed the most important actions for safety: I looked to the right (East on Church) and to the left (West on Church). When I looked to the left, I immediately noted the presence of a San Bernardino Sheriff's Police car. I was not bothered too much because I knew that I had come to a virtual stop when I initially looked to the right. I did know that it was not a complete stop, as would be required by the automated camera intersections, but it sure seemed to me to be good enough.

Apparently, Deputy Hubler did not agree as he explained to me after he stopped me. I asked Deputy Hubler what were his exact requirements, even after admitting that my stop did not constitute a motionless time duration, assuming that the human eye can even determine a motionless non-movement for a short fraction of a second.

Deputy Hubler conceded to me that he does not require a complete, motionless stop, but that it was his opinion that my stop did not meet his intuitive requirements, whatever those were. The big problem with Deputy Hubler's position is that his judgement in this case is very subjective and subject to change. Anyone who has ever shot a gun, hit a golf ball, hit a tennis ball or engaged in any number of other activities dependent upon eye coordination and mental judgment knows that no human being can repetitively perform the same function and do it exactly the same way. I am guessing that if Deputy Hubler were honest about this, and I am sure that he is an honest man, that he would have to admit that even he does not make this call of a car stopping at a stop sign exactly the same way every time of the day, even in only one day. I doubt that any one person in Deputy Hubler's position could honestly say that their judgment in this regard is exactly, precisely the same in every incident, multiple times per day, every day of the week for 365 days per year. When this is coupled with the other several hundred (?) deputies and their judgment in this regard, it seems quite obvious that some of us drives are being penalized unfairly because the judgment is NOT being applied exactly the same way every time. When additional consideration is given to the use of automatic traffic cameras at intersection, it is easy to see that many of us drivers are being subjected to uneven enforcement of traffic laws.

If Deputy Hubler were honest about his method of stopping me, would he not admit that the reason he was positioned where he was is because he was not visible immediately to drivers like myself? Was he actually "laying in wait" intentionally with his visibility obscured so that he could "catch me in the act"? Would the court and/or Deputy Hubler deny that they are not really promoting safety, but concede that their primary activity is to perform the role of revenue agents (bagmen) for the government?