



County of Los Angeles CHIEF EXECUTIVE OFFICE

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FESIA A. DAVENPORT
Chief Executive Officer

June 24, 2022

To: Supervisor Holly J. Mitchell, Chair
Supervisor Hilda L. Solis
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger

From: Fesia A. Davenport
Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

HOLLY J. MITCHELL
Second District

SHEILA KUEHL
Third District

JANICE HAHN
Fourth District

KATHRYN BARGER
Fifth District

REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH IMPLEMENTATION OF THE VISION ZERO ACTION PLAN (ITEM NO. 21, AGENDA OF NOVEMBER 16, 2021)

On November 16, 2021, the Board of Supervisors (Board) adopted a motion, as amended, directing (except as otherwise specified below) the Director of Public Health (DPH) to collaborate with the Department of Public Works (DPW), Sheriff's Department, County Counsel, California Highway Patrol, Los Angeles County (County) Development Authority, and the Los Angeles County Superior Court, to report back in writing to the Board within 90 days, as follows:

1. Immediately begin implementation of the following recommendations included in the County's Vision Zero Action Plan partnership with community stakeholders:
 - a. B-2: Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling; and
 - b. B-3: Identify processes and partners to consider revising the Los Angeles County Municipal Code (County Code), to allow the operation of bicycles on sidewalks;
2. Identify any other recommendations included in the Vision Zero Action Plan that should be implemented in partnership with community stakeholders to further decriminalize and enable use of non-vehicular and alternative modes of transportation in unincorporated communities;
3. Instruct to the Director of DPH, in consultation with the Chief Executive Office (CEO) and relevant County departments, to develop cost estimates and identify funding needs and potential opportunities to support the implementation of these Vision Zero recommendations;

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4. Instruct DPH, DPW, and County Counsel, to propose ordinance changes that would allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities of walkers and bikers; and
5. Instruct County Counsel, in partnership with the Executive Director for the Office of Anti-Racism, Diversity and Inclusion (ARDI), the Civilian Oversight Commission (COC), and the Office of Inspector General (OIG), to report back in writing to the Board within 120 days as follows:
 - a. Examine enforcement practices related to people riding bicycles and whether the County Code and related enforcement practices are in line with County Anti-Racist and Vision Zero policies, relying on national and international best practices governing riding bicycles;
 - b. Identify recommended modifications to the County Code and related penalties that are in line with Countywide policies; and
 - c. Where additional resources are needed to aid with the analysis, as directed to the specified partners, including ARDI, to work with the CEO to identify necessary funding.

In an effort to respond fully, efficiently, and collaboratively to the Board's directives, the Executive Director of ARDI, along with OIG, DPW, DPH, the Department of Regional Planning, and community partners, in consultation with County Counsel, created a workgroup to discuss and evaluate the identified directives. The workgroup also reached consensus relative to the adjustment of certain lead responsibilities in preparing the reports as outlined below.

With respect to Directive No. 5, the workgroup collectively determined that it would be appropriate for ARDI, in partnership with the COC and OIG, in consultation with County Counsel, to prepare and submit the written report. DPW and DPH, in consultation with County Counsel, prepared a report addressing the remaining directives that will be submitted to the Board separately.

Background

In November 2021, the *Los Angeles Times* published an [article](#) detailing law enforcement practices by the County's Sheriff's Department when conducting bicycle stops. From 2017 to July 2021, more than 44,000 bicycle stops were reported by the Sheriff's Department. Of these stops, 7 of every 10 stops involved Latinx cyclists, and the majority were bicyclists in working-class communities of color, who were far more likely to be stopped, searched, and cited than white bicyclists. Since 2005, 16 bike stops for minor infractions resulted in police shootings, notably and including the shooting death of Dijon Kizzee, a 29-year-old African American male, who was stopped while riding his bike. As detailed in Attachment I, the workgroup focused on the notable disproportionality in bicycle stops and searches for certain racial/ethnic groups, the pervasive lack of bicycle infrastructure, and how potential

Each Supervisor
June 24, 2022
Page 3

modifications to the County Code could advance the County's Anti-Racism and Vision Zero policy objectives.

Bicycle Enforcement Practices and County Code Recommendations

The workgroup has examined bicycle enforcement practices along with provisions of the County Code related to bicycling, pedestrian safety, and infrastructure to provide a set of recommended sections within County Code Titles 15 and 19 to evaluate and align with the County's Vision Zero policies and Anti-Racism policy agenda (Attachment II). Drawing on effective practices in several jurisdictions across the country, Attachment I provides the workgroup's 8 recommendations and examples of other agencies' efforts to revise their policies in order to decriminalize bicycling, maintain safety, and limit the use of pretextual stops by law enforcement officers for minor traffic violations, including, but not limited to, technical violations, jaywalking, equipment violations, lack of proper lighting, and broken taillights. By implementing the 8 recommendations, which can be found on pages 5 and 6 of Attachment I, and evaluating the relevant section of the County Code, the County can help improve pedestrian and bicyclist safety as well as ensure that enforcement practices align with the County's Anti-Racism Policy Agenda and the Vision Zero Action Plan.

Should you have any questions concerning this matter, please contact me or D'Artagnan Scorza, Ph.D., Executive Director of Racial Equity, at (213) 974-1761 or dscorza@ceo.lacounty.gov.

FAD:JMN:JFO
DS:JEH:es

Attachments

c: Executive Office, Board of Supervisors
County Counsel
Public Health
Public Works
Civilian Oversight Commission
Office of Inspector General

Report on Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

The Anti-Racism, Diversity, and Inclusion (ARDI) Initiative, Office of Inspector General (OIG), Civilian Oversight Commission (COC), and the Departments of Public Works (DPW), Public Health (DPH) and County Counsel, formed a workgroup to examine alternative models and methods for achieving transportation and policy objectives as an alternative to continued reliance on armed law enforcement. These efforts included an evaluation of the County Code related to pedestrian safety, bicycling enforcement practices, and bicycle infrastructure in unincorporated areas of Los Angeles County (County), and the allocation of public resources to public safety strategies that exist outside of law enforcement.

In the County, racial disproportionality in bicycle and pedestrian enforcement practices occur at a much higher rate for African American and Latino/a/x individuals relative to their counterparts.¹ From 2017 to 2021, more than 44,000 bicycle stops were reported in the County's Sheriff's database. Of these stops, 70 percent were of Latino/a/x bicyclists, whereas the Latino/a/x community represents only 51 percent of the population residing in the Sheriff's patrol area. A *Los Angeles Times* investigation, which analyzed bicycle and pedestrian enforcement practices, found that when deputies searched 85 percent of the more than 44,000 bicyclists, they pulled over from 2017 through July 2021, they uncovered illegal items in only 8 percent of searches. Weapons were seized 164 times — less than 0.5 percent of all searches,² and approximately 80 percent of stops led to searches even when 44 percent of those stops were due to minor equipment infractions. Only 51 percent of deputies received permission to conduct searches, and in 72 percent of stops, many of those searches were also considered invasive (full inspection of belongings, going through pockets, etc.). Overall, 21 percent of bicyclists were arrested or issued a citation to appear in court, and since 2005, 16 bicycle stops for minor infractions resulted in police shootings.³

Racial disproportionality in bicycle and pedestrian enforcement practices are not exclusive to the County but are part of a larger trend across the State of California (State). The State's Racial Identity Profiling Advisory (RIPA) Board examined data related to bicycle stops and found that Black and Hispanic/Latino/a/x individuals were disproportionately stopped for two types of bicycle infractions (poor lighting and bicycle equipment violations) compared to White individuals.⁴ Additionally, Black, and Latino/a/x residents were stopped for nonmoving equipment violations at triple the rate of Asian, and almost double the rate of White residents, respectively.⁵

¹ Los Angeles Times Article, "7 of every 10 bike stops by L.A. sheriff's deputies involve Latino Cyclists.": <https://www.latimes.com/california/newsletter/2021-11-08/bike-stops-la-sheriff-deputies-latino-essential-california>

² Ibid.

³ Los Angeles Times Article, L.A. Sheriff's deputies use minor stops to search bicyclists, with Latinos hit hardest <https://www.latimes.com/projects/la-county-sheriff-bike-stops-analysis/>

⁴ 2022 Racial Identity Profiling Advisory (RIPA) Board Report: <https://oag.ca.gov/system/files/media/ripa-board-report-2022.pdf>

⁵ Ibid.

Based upon findings from a study on bicycle and pedestrians enforcement practices in Chicago, Jesus Barajas (2021) noted that racial disparities in law enforcement practices resulted from the lack of adequate bicycle infrastructure in communities of concentrated disadvantage where residents also face safety challenges traveling to and from work, school, and grocery stores.⁶ The Chicago study identifies that certain neighborhood structural conditions, such as the lack of bicycle lanes, decrease safety and increase the likelihood of bicycle citations.

EXAMINATION OF LOCAL AND NATIONAL JURISDICTIONAL POLICIES

The workgroup examined efforts to decriminalize bicycling in jurisdictions across the country. These jurisdictions sought to decriminalize bicycling through efforts including changes to policy and ordinances, and the issuance of special orders. The following examples provide summarized actions initiated or adopted within those jurisdictions.

City of Los Angeles Ordinance and Los Angeles Police Department Policy Changes

On March 1, 2022, the Los Angeles Police Department (LAPD) adopted [Policy 1/240.06](#), which limits the use of pretextual stops⁷ by LAPD deputies.⁸ The impetus for this policy came from a report conducted by the LA City Office of Inspector General (LA-OIG) for the LA City Police Commission, which examined stops conducted by the LAPD in 2019. The LA-OIG analyzed 712,498 stops with particular emphasis on officer-initiated stops. Of those officer-initiated stops, 73 percent were of Black and Latino/a/x residents. Additionally, Black, and Latino/a/x residents were more likely to be stopped for minor equipment or regulatory violations than White residents and were more likely to be searched and less likely to be in possession of illegal items than other residents. LA-OIG concluded that stops of Black and Latino/a/x people were being used as basis for pretextual searches and recommended that LAPD adopt policy to limit their use.

Kansas City Council Ordinance Changes

In Kansas City, Missouri, the City Council voted unanimously to repeal ordinance chapter 70, sections 70-268, which requires wheels and tires to be clean within the city, and 70-706, which allows inspection of a bicycle *at any time* upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law. City Council repealed chapter 70, sections 70-268 because individuals may not be aware of the condition of their vehicle while riding through dirty city streets, alleys, highways, or other public places. City Council repealed chapter 70, sections 70-706 because the ordinance did not define

⁶ Jesus M. Barajas, Biking where Black: Connecting transportation planning and infrastructure to disproportionate policing, Transportation Research Part D: Transport and Environment, Volume 99, 2021,103027, ISSN 1361-9209, <https://doi.org/10.1016/j.trd.2021.103027>.

⁷ Pretextual Stop - "A pretextual or pretext stop is one where officers use reasonable suspicion or probable cause of a minor traffic or code violation (e.g., Municipal Code or Health and Safety Code) as a pretext to investigate another, more serious crime that is unrelated to that violation."
https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2022/03/3_9_22_SO_No._3_Policy_Limitation_on_Use_of_Pretexual_Stops_Established.pdf

⁸ Policy – Limitation on Use of Pretextual Stops:
https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2022/03/3_9_22_SO_No._3_Policy_Limitation_on_Use_of_Pretexual_Stops_Established.pdf

reasonable cause or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law.

City of Seattle Policy Changes

On January 14, 2022, Chief of Police Adrian Z. Diaz sent a letter to Lisa Judge, Inspector General, informing the city that the Seattle Police Department will no longer treat expired or missing vehicle registration, issues with display of registration plates, technical violations, and bicycle helmet violations as primary reasons to engage in a traffic stop. The de-prioritization was informed by the fact that 1) *these violations do not have a direct connection to the safety of other individuals on the roads, paths, or sidewalks;* and 2) *violations may disproportionately fall on to those who are unable to meet the financial requirements set forth by the law.*

State of Virginia Legislative Proposals

On November 9, 2020, the General Assembly of Virginia voted to prohibit pretext stops for low-risk vehicle violations and jaywalking. Virginia revised select ordinances in Titles 15, 18, and 46 of the Virginia Code. For purposes of our inquiry, the revised Virginia Code ordinances can help inform revision of the County Code in a variety of respects, including relative to how and where pedestrians cross highways, the scope of local regulatory authority (regarding the ability to place signs/markers and impose penalties), the pedestrians' use of highways, and the use of effective or unsafe equipment.

City of Philadelphia Code Changes

On October 14, 2021, Philadelphia City Council amended Title 12 of the Philadelphia Traffic Code to ban traffic stops for minor vehicle violations to provide for the fair and transparent administration of the traffic violations, *prevent racial disparities, and protect public safety, and make certain technical changes.*

Accordingly, numerous jurisdictions across the United States are working to reduce racial disparities and increase public safety by decriminalizing pedestrian, bicycling, and minor traffic or low-level equipment violations as well as working to limit pretextual stops by law enforcement. Such jurisdictions are also taking affirmative steps to examine and acknowledge the role that their policies have played in creating racial disparities in bicycling and traffic enforcement.

Finally, jurisdictions across the country, after examining their policies, have determined, given the low yield in criminality of residents stopped for low-level equipment and traffic violations connected with bicycling and walking, that any rationale for potentially maintaining such policies is not justified by the time and funding associated with undertaking such tasks. By decriminalizing mobility, jurisdictions can reallocate law enforcement time and effort to tasks that yield higher rates of criminality. Finally, these jurisdictions agree that decriminalizing mobility and limiting the use of pretext stops makes residents safer. Limiting the use of pretext stops can decrease mistrust of law enforcement in communities, which in turn has the potential to increase the community's sense of safety. All are just cause for the recommended revisions to the County Code.

Funding Alignment

The Sheriff receives funding from the State of California Office of Traffic Safety (OTS) to perform *special enforcement operations encouraging bicycle and/or pedestrian safety as it pertains to collisions and/or violations made by bicyclists, pedestrians, and drivers*. Additionally, the California Highway Patrol (CHP) is allocated OTS funding for bicycle and pedestrian education and enforcement in the County. CHP enforcement efforts are usually focused on driver behavior toward walking and bicycling, compliance with crosswalks, and distribution of bicycle lights at community events. OTS funding used for bicycle and pedestrian enforcement could be modified to strengthen pedestrian and cyclist safety through funding for bicycle safety education programs, unarmed traffic enforcement, and increasing bike infrastructure in areas where it is currently lacking. Consistent with this recommendation, DPH recently applied for OTS funding to enable them to contract with community-based organizations to conduct bicycle and pedestrian safety educational programs in unincorporated communities within the County. If awarded, DPH plans to use some of the funding to purchase bicycle helmets and lights for distribution in these communities through classes and outreach events.

Background on Legislative Proposals

There are currently two legislative proposals that seek to decriminalize pedestrian and bicycle infractions.

Assembly Bill 2147 (Ting and Friedman)

As introduced on February 15, 2022, would prohibit a peace officer from stopping a pedestrian for a violation involving an illegal street crossing unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human power.

Existing law imposes various duties relating to the rules of the road, including, but not limited to, traffic signs, symbols, and markings, and pedestrians' rights and duties. Current law also prohibits pedestrians from entering roadways and crosswalks, except under specified circumstances. Under existing law, a violation of these provisions is an infraction. In addition, peace officers are authorized to make arrests for violations of the Vehicle Code without a warrant for offenses committed in their presence, as specified.

According to the authors, AB 2147 promotes safe walking and limits unjust enforcement by prohibiting law enforcement from stopping individuals for jaywalking unless there is an immediate danger of a collision with a moving vehicle.

Assembly Bill 2773 (Holden)

As amended on May 19, 2022, would require a peace officer making a traffic or pedestrian stop, before asking any questions, to state the reason for the stop, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. In addition, AB 2773 would require: 1) a peace officer to document the reason for the stop on any citation or police report resulting from the stop

and 2) the Department of Motor Vehicles (DMV) to include information regarding the duty of a peace officer to state the reason for the stop in the handbook at the earliest opportunity when the handbook is revised or reprinted.

Existing law authorizes specified peace officers, including agents of the Department of the California Highway Patrol, county sheriffs, and city police officers, to require a driver to stop and submit to an inspection in specified circumstances. Current law also requires the DMV to publish a synopsis or summary of the laws regulating the operation of vehicles and the use of the highways, known as the California Driver's Handbook, and requires the department to include specified information in the handbook, including a person's civil rights during a traffic stop.

According to the author, the goal of the legislation is to promote equity and accountability across California. AB 2773 would bring transparency to service of protecting the public.

RECOMMENDATIONS

Given the Los Angeles Times investigation and analysis of other jurisdictions, the workgroup examined enforcement practices related to people riding bicycles across the United States. In reviewing multiple jurisdictions, the workgroup identified models the County could adapt to improve bike and pedestrian safety and to modify enforcement practices using a racial equity lens to reduce racial disparities in traffic stops. In keeping with the Board's directives, the workgroup proposes the following recommendations for the Board's consideration:

1. Direct County Counsel, in consultation with ARDI, DPW, DPH, OIG, COC, and DBH, to explore and evaluate sections of County Code Titles 15 and 19 and explore opportunities to decriminalize certain biking activities, in alignment with best practices of other jurisdictions identified in Attachment I (Review of Relevant Sections of Los Angeles County Code Title(s) 15 and 19 - Attachment II);
2. Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DPW, and DBH, to explore the feasibility of potential ordinance language to mitigate the impacts of consent searches upon bicyclists in alignment with County Code Titles 15 and 19;
3. Direct DPW to consider factors pertaining to the safety of pedestrians and bicyclists, as appropriate, to avoid the potential of further criminalizing bicycling, including adding well-placed signage specifying the prohibition of bicycle riding, in the event that DPW is evaluating potential restrictions for bicyclists on sidewalks;
4. Direct DPH and DPW to explore the feasibility of using OTS funds to enhance bicycle and pedestrian safety in partnership with non-law enforcement County departments;

5. Direct ARDI, in consultation with DPW, DPH, OIG and COC, to report on enforcement strategies used in other jurisdictions that place responsibility for enforcing bicycle infractions in a non-law-enforcement agency, which can lead to more equitable outcomes;
6. Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DBH, and DPW, to explore the feasibility of providing, in any ordinance amended to decriminalize bicycling language, that the ordinance is retroactive and intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed, so that courts can recall arrest warrants and forgive fines associated with bicycling offenses;
7. Direct ARDI to convene a work group comprised of representatives from the CEO Legislative Affairs and Intergovernmental Relations branch, District Attorney, Public Defender, County Counsel, Office of Diversion and Re-entry, DPW and other affected Departments to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is no strong causal connections to collisions. This could include, but not be limited to, technical violations, equipment violations, proper lighting, jaywalking, and broken taillights.
8. Direct the Chief Executive Office, through the Legislative Affairs and Intergovernmental Relations Branch, to support Assembly Bill 2147 (Ting), which would prohibit a peace officer from stopping a pedestrian for an illegal crossing violation unless there is reasonable belief of immediate danger of a collision and Assembly Bill 2773 (Holden) which would require a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking questions, unless they reasonably believe withholding the reason is necessary to protect against an imminent threat.

Los Angeles County’s Anti-Racism Policy Agenda and Vision Zero Policy Alignment

The following chart demonstrates how each recommendation aligns with the Los Angeles County (County) proposed Racial Equity Strategic Goals¹ including Goal 2, *Reduce adult first-time felony convictions*. The proposed recommendations also align with Vision Zero Policy² Outcome B, *Address health inequities and protect vulnerable users*, specifically B-1, *Create a coordinated approach to law enforcement and community engagement in unincorporated communities*, B-2, *Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling*, and B-3, *Identify process and partners to consider revising the Los Angeles County Code (County Code) to allow the operation of bicycles on sidewalks*.

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 1	Direct County Counsel, in consultation with ARDI, DPW, DPH, OIG, COC, and DBH, to explore and evaluate sections of County Code Titles 15 and 19 and explore opportunities to decriminalize certain biking activities, in alignment with best practices of other jurisdictions identified in Attachment I (Review of Relevant Sections of Los Angeles County Code Title(s) 15 and 19 - Attachment II).	X	X		X

¹ Los Angeles County Racial Equity Strategic Plan <https://ceo.lacounty.gov/ardi-2/racial-equity-strategic-plan/>

² Los Angeles County Vision Zero: A Plan for Safer Roadways: <https://pw.lacounty.gov/visionzero/docs/SCAG-LACounty-VZ-Action-Plan-ver-D-hiRes-single-11-25-2019-rev.pdf>

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 2	Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DPW, and DBH, to explore the feasibility of potential ordinance language to mitigate the impacts of consent searches upon bicyclists in alignment with County Code Titles 15 and 19.	X			X
Recommendation 3	Direct DPW to consider factors pertaining to the safety of pedestrians and cyclists, as appropriate, to avoid the potential of further criminalizing biking, including adding well-placed signage specifying the prohibition of bicycle riding, in the event that DPW is evaluating potential restrictions for bicyclists on sidewalks.		X		
Recommendation 4	Direct DPH and DPW to explore the feasibility of using Office of Traffic Safety funds to enhance bicycle and pedestrian safety in partnership with non-law enforcement County departments.		X	X	
Recommendation 5	Direct ARDI, in consultation with DPW, DPH, OIG and COC, to report on enforcement strategies used in other jurisdictions that place responsibility for enforcing bicycle infractions in a non-law-enforcement agency, which can lead to more equitable outcomes.	X	X	X	

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 6	Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DBH, and DPW, to explore the feasibility of providing, in any ordinance amended to decriminalize bicycling language, that the ordinance is retroactive and intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed, so that courts can recall arrest warrants and forgive fines associated with bicycling offenses.	X			
Recommendation 7	Direct ARDI to convene a work group comprised of representatives from the CEO Legislative Affairs and Intergovernmental Relations branch, District Attorney, Public Defender, County Counsel, Office of Diversion and Re-entry, DPW and other affected Departments to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is no strong causal connections to collisions. This could include, but not be limited to, technical violations, equipment violations, proper lighting, jaywalking, and broken taillights.	X			X

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 8	Direct the Chief Executive Office, through the Legislative Affairs and Intergovernmental Relations Branch, to support Assembly Bill 2147 (Ting), which would prohibit a peace officer from stopping a pedestrian for an illegal crossing violation unless there is reasonable belief of immediate danger of a collision and Assembly Bill 2773 (Holden) which would require a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking questions, unless they reasonably believe withholding the reason is necessary to protect against an imminent threat.	X			

Review of Relevant Sections of Los Angeles County Code Title(s) 15 & 19

The following chart recommends relevant sections of Los Angeles County Code (County Code), Titles 15 and 19, to be evaluated for alignment with the County's Anti-Racist and Vision Zero Policy. ARDI recommends that County Counsel, in consultation with ARDI, DPH, OIG, and COC, DBH, and DPW examine and evaluate the following referenced sections of County Code, including considering the feasibility of the following potential ordinance changes, and that the additional described strategic recommendations be evaluated: 1) elimination of fees/penalties associated with biking violations, including forgiveness of outstanding debt and arrest warrants for violators; 2) consideration of limiting the admissibility of evidence obtained during pretextual bike stops for use in any trial, hearing, or proceeding; and 3) recommending that the Board urge Los Angeles Sheriff Department to issue a policy stating that they will no longer enforce select biking violations, will limit pretext stops, and will limit enforcement of secondary violations.

Table 2: County Code Title(s) 15 & 19 Sections to be Evaluated

County Code	Sections to be Evaluated
<p>15.200.010 Civil penalties for violation of parking</p>	<p>Evaluate the potential elimination of civil penalties associated with biking on sidewalks and failure to adhere to signs (County Code sections: 15.20.070, 15.76.080, 19.12.1340).</p> <p>Evaluate potentially not adding civil penalties associated with new County Code sections, 15.76.080, 15.76.082, 15.76.084, 15.76.086, 15.76.088, 15.76.089.</p> <p>Evaluate the feasibility of creating a pre-file diversion program aimed at avoiding the imposition of citations for biking violations that are predicated on State law.</p> <p>Evaluate the feasibility of cancelling outstanding citation debt and releasing warrants for offenses related to biking.</p>
<p>15.200.020 Additional assessments</p>	<p>Evaluate the elimination of delinquent fees associated with biking on sidewalks, low-level equipment infractions and failure to adhere to posted signage.</p> <p>Evaluate potentially not adding delinquent penalties associated with new County Code sections, 15.76.080, 15.76.082, 15.76.084, 15.76.086, 15.76.088, 15.76.089.</p>

	Evaluate the feasibility of forgiving outstanding delinquent penalties and recalling warrants for offenses related to biking.
County Code	Sections to be Evaluated
15.52.030 Pedestrians and bicyclists roadway crossing restrictions	Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>
15.20.070 Obedience to traffic signs	Evaluate the feasibility of adding language to the ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>
PROPOSED ORDINANCE SECTIONS in response to this motion 15.76.080 Driving or riding vehicles on sidewalk 15.76.082 Bicycle riding on sidewalk prohibited when 15.76.084 Bicycle riding on sidewalk – signs prohibiting authorized when 15.76.086 Bicycle riding on sidewalk - exceptions to compliance with signs prohibiting 15.76.088 Bicycle riding on sidewalk - temporary restrictions authorized when 15.76.089 Bicyclist riding on or from sidewalk Responsibilities of	Consider adopting the new ordinance language proposed in response to this motion, in consultation with OIG and County Counsel. Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>

<p>15.76.090 Riding on bicycle or motorcycle handlebars</p>	<p>Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i></p>
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County Code	Sections to be Evaluated
<p>19.12.1340 Bicycles and motorcycles</p>	<p>Evaluate the feasibility of adding to A., B. language that states that bicycles can be ridden or left immobile in areas where there is no adequate biking infrastructure.</p> <p>Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i></p>
<p>Other Additions</p>	<p>Evaluate the advisability of recommending that the Sheriff's Department issue a policy (like LAPD and Seattle) that limits enforcement of bicycle related violations, and limits pretext stops.</p> <p>Additionally, evaluate the advisability of the policy having language limiting the enforcement of <i>Secondary Violations.</i></p>