



**Chief
Executive
Office.**

COUNTY OF LOS ANGELES

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, CA 90012
(213) 974-1101 ceo.lacounty.gov

CHIEF EXECUTIVE OFFICER

Fesia A. Davenport

December 4, 2024

To: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Janice Hahn

From: Fesia A. Davenport 
Chief Executive Officer

**REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH THE
IMPLEMENTATION OF THE VISION ZERO ACTION PLAN (ITEM NO. 6,
AGENDA OF AUGUST 2, 2022)**

On August 2, 2022, the Board of Supervisors (Board) adopted a motion directing the Chief Executive Officer, through the Anti-Racism, Diversity and Inclusion (ARDI) Initiative, to coordinate the implementation of recommendations proposed in the June 24, 2022 Chief Executive Office (CEO) [report](#) entitled, "Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan" and to consult with the CEO Legislative Affairs and Intergovernmental Relations Branch, Department of Public Health (DPH), District Attorney (DA), Public Defender, County Counsel, the Justice, Care and Opportunities Department (the Alternatives to Incarceration Initiative at the time), Department of Public Works (DPW), and other affected County departments, to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions. The motion further directed that each department engaged in this work to report back to the Board.

Attachment I provides an update and final report on the progress of the above-mentioned directives and efforts to decriminalize mobility in alignment with the Vision Zero Action Plan including details on the following:

- Status of the amendments to County Code Titles 15 and 19;
- Efforts by ARDI to implement the Board's directives in partnership with CEO's Budget and Operations Management Branch, CEO's Legislative Affairs and Intergovernmental Relations, the Department of Beaches and Harbors, DPW, DPH, DA, the Office of Inspector General, and the Los Angeles Sheriff's Department (LASD);



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- Efforts to examine LA Superior Court data related to retroactivity and fee forgiveness for pending cases related to bicycle riding on sidewalks, and utilization of evidence gathered during consent stops;
- The visualization and mapping of bicycle stop data;
- Legislative updates; and
- Final recommendations related to retroactivity and fee forgiveness, future Title 15 and 19 language changes, creating or updating policies leading to more equitable policing, and limiting the utilization of evidence gathered during consent stops in any trial, hearing, or other proceeding.

Attachment II contains data visualizations of bicycle stops, including demographic and geographic indicators, for the period of August 2021 through July 2023. The maps, which were developed through a collaboration between ARDI, the Internal Services Department, and LASD, offer additional insight into the racial and geospatial disparity of law enforcement stops in order to increase transparency and awareness of the County's efforts to decriminalize mobility. This is the final memo reporting on the implementation of the Board's directives.

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:CDM
DS:CS:es

Attachments

c: Executive Office, Board of Supervisors
County Counsel
District Attorney
Sheriff
Beaches and Harbors
Internal Services
Public Health
Public Works
Office of Inspector General
Sheriff Civilian Oversight Commission

Background

This report summarizes actions taken since the May 30, 2023 [report](#) and provides an update on actions taken to advance efforts to decriminalize mobility in policies related to law enforcement, pedestrian safety, bicycle riding, the utilization of various forms of micro-mobility, and address practices that have disproportionately affected Black and Latino/a/x people and communities¹ as described in the Board motion. The decriminalizing mobility workgroup focused on addressing County policies and practices that affect people using various forms of micro-mobility.² Communities relying on walking, bicycle riding, and other forms of transportation are exposed to fees, fines, and interactions with law enforcement. To meet the Board's directives, the Anti-Racism, Diversity and Inclusion (ARDI) Initiative, County Counsel, CEO's Budget and Operations Management Branch, the Legislative Affairs and Intergovernmental Relations (LAIR), the Department of Beaches and Harbors (DBH), Public Works (PW), the Department of Public Health (DPH), Los Angeles County District Attorney's Office (LADA), the Office of Inspector General (OIG), and the Los Angeles Sheriff's Department (LASD) coordinated to resolve outstanding activities.

The recommendations in this report emerged from workgroup and stakeholder meetings where ARDI collaborated with the above named departments to identify enforcement mechanisms associated with efforts to decriminalize mobility. This approach continued a process emerging from the November 16, 2021, Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan [motion](#). This motion instructed County Counsel, ARDI, the Civilian Oversight Commission and OIG to examine enforcement practices related to County residents riding bicycles and to examine whether the Los Angeles County Code and related enforcement practices are in line with County Anti-Racism and Vision Zero policies. In response to the most recent Board [motion](#) from August 2, 2022, ARDI reported on progress made and actions taken to achieve the Board's directives in the January 11, 2023, [report](#), the May 30, 2023, [report](#), and in this final report.

Through this process, ARDI and the decriminalizing mobility workgroup conducted multi-jurisdictional research, legislative analysis, reviewed County ordinances, examined related law enforcement policies and practices, and produced recommendations to coordinate the implementation of the Board directives. The workgroup also identified actions the County can take to further decriminalize mobility and improve enforcement to meet the Board's directives including:

- ARDI briefed the Board offices about the progress of this motion, and there is an interest and expectation from the Board offices that DBH will present amendments to Title 19 for Board consideration and approval to allow sidewalk bicycle riding similar to the amendments to Title 15 that PW presented to the

¹ 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/>

² Equitable Cities Report: Arrested Mobility- Barriers to walking, biking, and e-scooter use in Black communities in the United States Arrested Mobility: https://arrestedmobility.com/wp-content/uploads/2023/03/Arrested-Mobility-Report_web.pdf

Board. DBH worked with County Counsel to draft ordinance changes and intends to move forward on their efforts.

- In partnership and in alignment with OIG's recommendations on consent searches, and in communication with LASD, a broad approach was recommended to establish and adopt consent search policies to mitigate the impacts of consent searches upon bicyclists and improve pedestrian safety.
- Los Angeles Superior Court provided data related to the overall cost of fees and fines associated with sidewalk bicycle riding. This information can inform next steps to address the Board directive to explore the feasibility of retroactive enforcement of any ordinance amended to decriminalize bicycling language and applicable to any pending cases for violation of the ordinance for which individuals still owe fines and fees.
- Discussions with LADA highlighted the complexity of identifying cases where evidence was gathered through a pretextual stop. A process or policy can be established to better define and identify cases related to pretextual stops to mitigate the impacts of consent searches upon bicyclists and further decriminalize mobility.
- LASD is no longer reporting information related to bicycle stops and has transitioned to using the Racial and Identity Profiling Act (RIPA) [dashboard](#) which does not identify bicycle stops. However, LASD can make changes in the RIPA dashboard to include this information for the purpose of tracking mobility-related law enforcement stops.

To achieve the Board's directives and align with the actions identified by the decriminalizing mobility workgroup, this report presents updates on: 1) efforts related to County Code Titles 15 and 19; 2) efforts to advance equity in the built environment; 3) efforts to pursue OTS funding; 4) legislative advocacy efforts; 5) results from the analysis of bicycle stop data 6) recommendations to mitigate the impacts of consent searches; 7) recommendations to change enforcement practices; and 8) recommendations for retroactive fee forgiveness.

Update on Decriminalizing Certain Biking Practices in County Ordinances County Code Titles 15 and 19, and Advancing Equity in The Built Environment

On June 6, 2023, the Board unanimously approved amendments to County Code Title 15 presented by Public Works to allow bicycle riding on sidewalks in the unincorporated County Communities, except where prohibited by a sign. The Department of Beaches and Harbors has also finalized review of Title 19 of the County Code in collaboration with County Counsel related to bicycle riding on sidewalks in Marina del Rey. Beaches and Harbors is now advancing through internal processes toward consideration of proposed amendments to Title 19 by the Board. Although the Sheriff's Marina del Rey substation reported no instances of any related law enforcement actions, upon Board approval, the proposed amendments to Title 19 will clarify that safe bicycle riding is permitted on sidewalks in Marina del Rey.

In addition to the decriminalization of bicycle riding on sidewalks through the approved changes to Title 15, PW will install well-placed prohibition signage if after an evaluation PW decides to place restrictions for bicyclists on certain portions of

sidewalks to alert bicycle sidewalk users. As previously shared in the CEO ARDI [report](#) from January 11, 2023, this may involve providing alternative options for bicyclists to ride their bicycles (where available) or direction to dismount their bicycle and walk. Since adopting the Title 15 ordinance amendments, PW has not received any reports of issues regarding bicycling on sidewalks. ARDI has focused on advancing equity in the built environment in relation to bicycle safety as an active member of the Public Works led Los Angeles County Bicycle Master Plan (BMP) Bicycle Advisory Committee. Once updated, the BMP will serve as a guide for the development of safe and accessible bikeways and paths within unincorporated Los Angeles County and along County flood control district channels. The BMP will propose new bikeways, revisit the feasibility of unconstructed bikeways, incorporate new policies to share bikeway facilities with micro-mobility devices, and identify first/last mile bikeway improvements to further connect to transit stations and bus stops.

In partnership with community-based organizations and to create a space for dialogue among community members and County departments about bicycle riding and the built environment, ARDI is organizing screenings in all Supervisorial Districts of the film *Biking While Black*.³ The film is directed by Yolanda Davis-Overstreet, board member of the California Bicycle Coalition and Commissioner for Los Angeles County Highway Safety Commission. There will be opportunities to join in-person and virtual screenings. Each screening will have a panel discussion to address questions from attendees and present opportunities to stay engaged and informed.

Update on Progress to Mitigate Impacts of Consent Searches

ARDI has coordinated with the DA and LASD to respond to the Board directives related to consent searches. In consultation and collaboration with County Counsel and the Office of Inspector General (OIG), ARDI engaged LASD to identify policies and practices affecting bicycle riders, micromobility users, vehicle drivers, and pedestrians as they navigate through LA County communities. ARDI and OIG agree that adopting both a pretextual stop policy and a consensual search advisement to mitigate consent searches from law enforcement officers similar to an administrative order issued by the City of Los Angeles Police Department (LAPD) that requires a Consent to Search Verbal Advisement prior to a consensual search is needed.⁴ LASD will be reviewing that policy with its current monitors involved in the United States Department of Justice settlement agreement and will be reviewing it with the anticipated additional monitors that are expected to be appointed by the California Department of Justice following its investigation. Data will be used to evaluate the anticipated future LASD policies for potential future adoption. Other policies have

³ Biking While Black Film: <https://www.bikingwhileblack.com/>

⁴ OIG recommended the adoption of an advisement prior to a consensual search in its report, Reform and Oversight Efforts: Los Angeles County Sheriff's Department – October to December 2020, at pages 17 to 20, and the adoption of a policy similar to the Los Angeles Police Department's pretext stop policy in its report, Addressing Racial Disparities in Traffic Stops (March 2023).

recently been established by LASD to improve policing practices. These policies have established new parameters for the use of force and tasers.⁵

Furthermore, other collaborative efforts within LASD are taking place to promote culture change related to mobility decriminalization. ARDI has provided LASD with information about the changes to Title 15 to share with Sheriff's deputies, raise awareness that bicycle riding on sidewalks is no longer an infraction under the updated County Code, and limit the frequency of bicycle stops. LASD has shared the information about changes to Title 15 to officers in all patrol stations. To further promote cultural change around mobility law enforcement, ARDI invited LASD members to participate in the ARDI-sponsored training focused on the neuroscience of decision-making. This training is intended to provide tools to improve relationships with County residents and team members and implement practices that promote equitable outcomes. LASD invited sheriff deputies to participate in this training. ARDI will continue to promote future equity-related training with LASD as new training opportunities become available. ARDI has also engaged LASD to offer support with community engagement strategies to promote relationship-building opportunities with residents.

The importance of LASD having a consent search policy is emphasized in the [OIG report](#) titled "Reform and Oversight Efforts: Los Angeles County Sheriff's Department October to December 2020"⁶. According to the report, while consent searches are different than crime suppression stops, they have many of the same negative effects. On November 17, 2020, the Los Angeles Police Commission passed and approved an update to the existing Los Angeles Police Department (LAPD) consent search policy. The updated policy requires Los Angeles police officers to take additional steps to document and notify civilians of the search parameters before conducting what the law defines as "consensual searches."⁷ Consent searches are searches where the party being searched gives law enforcement agents' permission to conduct a search of their person or property. Consensual searches are constitutionally permissible and can be conducted without reasonable suspicion or probable cause. While the term may appear to be self-explanatory, courts have provided checks and balances as to when such a search can be done properly and when it exceeds the bounds of what is legally permissible. The onus is on the prosecution team, which includes law enforcement agents, to prove a search was consensual absent reasonable suspicion or probable cause.⁸ There are two main requirements for a consensual search to be legal: 1) the consent must be given voluntarily, and 2) the consent must be given by an individual/party with actual or implied authority over the items and/or place to

5 OIG reports that it received LASD's revised Use of Force and CEW (Taser) policies, it has not reviewed the policies to determine if OIG's comments incorporated in the revised policies.

⁶ Reform and Oversight Efforts: Los Angeles County Sheriff's Department - October to December 2020: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/27e9a79b-3d5a-43c5-a05b-ead6b6d8ce66/4thQuarter2020ReformAndOversightReport.pdf>

⁷ LAPD Chief of Police, "[01RM136_KM-C284e-20201021145746 \(lacity.org\)](#)," LAPD, November 17, 2020. (Accessed on December 14, 2020).

⁸ Bumper v. North Carolina 391 U.S. 543, 548 (1968).

be searched.⁹ The police may use ruses and deception to get consent and are under no obligation to tell a person of the right to refuse.¹⁰

In his October 27, 2020, "Interdepartmental Correspondence," LAPD's Chief of Police, Michael R. Moore, stated it was his hope by implementing such policies, his employees are better able to "communicate their investigative reasoning and actions. In doing so, officers further the Department's [LAPD's] initiatives to build trust and facilitate understanding with the community, as well as improve voluntary compliance in its enforcement efforts. Above all, greater transparency allows personnel to promote a better understanding amongst the public about actions taken by police officers and the reasons for them."¹¹ This new policy, through verbal or written advisement, requires LAPD officers to advise civilians they have an absolute right to refuse the request to search and can withdraw the consent at any time, something the law does not require. With the implementation of this policy LAPD now requires officers to capture on body-worn cameras or on Digital In-Car Video System, the officer's request to search and the civilian's answer to such a request.

In the alternative, the officer may provide the civilian a form in English and/or Spanish outlining the request for the search and must obtain a signed authorization from the civilian prior to conducting the search. While the new LAPD policy does not specifically prohibit the use of ruses or deception, the policy seemingly discourages the use of such tactics to gain consent. This level of transparency and documentation moves LAPD closer to its outlined goals of transparency and community trust. The Office of Inspector General reached out to LASD representatives to discuss whether it is considering implementing similar policies now that body-worn cameras are being distributed to all patrol deputies. LASD representatives directed the Office of Inspector General to LASD's Manual of Policies and Procedure section 3-06/200.08 – "Body Worn Cameras-Activation," which states:

Department personnel shall activate their body worn camera (BWC) prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public, including all:

- Vehicle stops;
- Pedestrian stops (including self-initiated consensual encounters);
- Calls for service;
- Code-3 responses, including vehicle pursuits;

⁹ Lemons, Bryan R., "Searching a Vehicle Without a Warrant Consent Searches," Federal Law Enforcement Training Centers.
https://www.fletc.gov/sites/default/files/imported_files/training/programs/legal-division/downloads-articles-and-faqs/research-by-subject/4th-amendment/searchingavehicle-consent.pdf.
(Accessed November 9, 2020).

¹⁰ Legal Information Institute, "Consent Searches," Cornell Law School.
<https://www.law.cornell.edu/constitution-conan/amendment-4/consent-searches#fn320> (Accessed November 9, 2020). LAPD Chief of Police, "01RM136_KM-C284e-20201021145746 (lacity.org)," LAPD, November 17, 2020.
(Accessed on December 14, 2020).

¹¹ LAPD Chief of Police, "[01RM136_KM-C284e-20201021145746 \(lacity.org\)](https://www.lapd.org/01RM136_KM-C284e-20201021145746)," LAPD, November 17, 2020, p. 1. (Accessed on December 14, 2020).

- Foot pursuits;
- Searches;
- Arrests;
- Uses of force, including any transportation of the subject;
- In-custody transports of persons who are uncooperative, belligerent, or threatening;
- Suspect, victim, and witness interviews (except as indicated below); and/or
- Any encounter with a member of the public who is or becomes uncooperative, belligerent, or otherwise hostile.

Department personnel may activate their BWC for the following reasons:

- Transportation of a member of the public; and/or
- Other investigative or enforcement activities where, in the Department member's judgment, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in documenting the incident for later investigation or review.

LASD's Manual of Policies and Procedure section 5-09/520.05, "Stops, Seizures, and Searches," states, "[d]epartment members shall not conduct arbitrary searches. The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual."

These policies require employees who are outfitted with body-worn cameras to turn them on when conducting searches. However, unlike the LAPD policy, the LASD policy does not require the consent to be captured and preserved in a video or in writing. It also does not require its employees to advise civilians of the parameters of the search, the right to refuse such searches, or the right to withdraw consent at any time during the search. LAPD policy explicitly details what its employees must say to civilians when conducting a consent. By specifying that the officer must state the place or items to be searched, by narrating the search as it is being conducted, and advising civilians they have a right to refuse, LAPD policy moves one step closer to the goal of transparency and building trust between its officers and the communities they serve. By documenting consent searches and obtaining written authorization or capturing it via video, it is also protecting its employees from potential baseless claims that consent was never given.

OIG's analysis of the updated consent policy implemented by LAPD and LASD's Manual of Policies and Procedure sections 3-06/200.08 and 5-09/520.05 informs the recommendations for LASD. The utilization of BWCs, written documentation with detailed records of the consent process, as well as requiring law enforcement agents to inform community residents about their rights during a consent search would increase transparency and help build trust. To successfully implement these practices, LASD will need to develop and socialize new policies to advance equity in policing practices.

OTS Funding Updates

The CEO ARDI report from January 11, 2023, provided information about OTS funding received by DPH to provide bicycle and pedestrian safety education and distribute safety equipment (helmets/lights/reflectors) in the unincorporated communities of East Los Angeles and Florence Firestone in 2023. DPH has continued these efforts by also receiving OTS funds for Fiscal Year (FY) 2023-2024. This funding has been used for an expansion of the program and to hire a Safe Routes for Seniors coordinator. The program now serves the communities of Florence Firestone, East Los Angeles, Willowbrook/West Rancho Dominguez, and Westmont/West Athens. The Safe Routes for Seniors program kicked off in Florence Firestone with a Health and Transportation Expo in May 31, 2024. DPH continues to pursue additional OTS funds to advance bicycle and pedestrian safety by applying for the FY 2024-2025 grant cycle.

Updates on Efforts to Change Enforcement Practices

In addition to the consultation and collaboration between County Counsel, OIG, ARDI, and LASD to promote equitable law enforcement practices and discuss the need to adopt a consent stop policy, ARDI has previously reported in the January 11, 2023 [report](#) on enforcement practices from other jurisdictions that can help inform future County policies for traffic safety enforcement. For example, the City of Berkeley recently has stated its vision establish the country's first civilian-led traffic enforcement unit by moving traffic enforcement from armed police to a new Department of Transportation to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and to identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations."¹²

According to legal scholar, Jordan Blair Woods, who established an extensive framework for civilian traffic enforcement, the implementation of unarmed, civilian-led traffic enforcement would involve: 1) establishing the types of traffic stops police officers will continue to perform such as stops for outstanding felony warrants and felony vehicle stops traffic monitors; 2) establishing traffic agencies that function independently from police departments that employs traffic monitors, that in case of more serious traffic violations or criminal offenses would request police assistance; and 3) reevaluating and trimming existing traffic codes.¹³

Updates on Retroactive Fee Forgiveness and Utilization of Evidence Gathered During a Pretextual Stop

In response to the Board's directives, ARDI has undertaken a comprehensive review of the policies and the fiscal implications of forgiving fines and fees for bicycle riding

¹² Civilian Traffic Enforcement in Berkeley: Is it Possible? <https://law.stanford.edu/2023/05/31/civilian-traffic-enforcement-in-berkeley-is-it-possible/>

¹³ Traffic Without the Police: <https://review.law.stanford.edu/wp-content/uploads/sites/3/2021/06/Woods-73-Stan.-L.-Rev.-1471.pdf>

on sidewalks. To produce this analysis, ARDI partnered with the CEO's Budget and Operations Management Branch to submit a data request to the Los Angeles Superior Court to access information about the number of violations of code section 15.76.080 for riding bicycles on sidewalks. Upon data review, it was found that there were 201 tickets issued by LASD in unincorporated areas since 2017 for this infraction. ARDI examined the number of citations with outstanding fees and fines related to citations for bicycling on sidewalks in unincorporated areas of the County. The data indicated that since 2017 and out of 198 LA Court Cases for infraction to Section 15.76.080, thirty-one cases have been dismissed, twenty-three cases have been closed and one case is in compliance. Table 1 is a summary count of all of the different case status found in the data received from the Court and their corresponding balance.

Table 1. Status and Outstanding Balance Report for Cases with Infractions to Section 15.76.080

Case Status	Case Count	Outstanding Balance
853.7 Penal Code Warrant	10	\$5,067.00
Bench Warrant	2	\$1,005.00
Closed	23	-
Compliance	1	-
Dismissed	31	-
In Collections FTA	123	\$35,220.00
In Collections FTP	3	\$821.03
Pending Collections	1	\$158.00
Re-Referral to Collections	1	\$172.00
Warrant	3	\$1,770.00
Total	198	\$44,213.03

ARDI worked with the Los Angeles Superior Court to identify the total dollar amount of the cases that have a penal code or bench warrant, are in collections, pending or being referred to collections. Knowing the total cost of those infractions will help inform whether the Board chooses to enact policy to cover the expense of retroactive fee forgiveness. This approach was taken to respond to the Board directive to coordinate the implementation of CEO's recommendations to explore the feasibility of potential ordinance language to mitigate the impacts on consent searches upon bicyclists and to explore the feasibility of providing retroactivity intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed so courts can recall arrest warrants and forgive fines associated with bicycling offenses.

ARDI also worked with County Counsel and LADA to evaluate the feasibility of mitigating the use of evidence discovered or obtained due to a pretextual stop for bicycle violations, including evidence discovered or obtained with the person's consent, in any trial, hearing, or other proceeding. ARDI provided individual case

details from the LA Superior Court to LADA to assess how many court records matched cases in the LADA database. No records were matched in the data analysis, determining that no instances of evidence gathered during a stop for riding a bicycle on a sidewalk have been used by LADA.

The analysis of the Court data can help inform the Board's consideration for fee forgiveness. In light of the revision of the County Code enabling bicycle riding on sidewalks, retroactive fee forgiveness may be an equitable approach to addressing the impact of enforcement. Finally, data analysis conducted by LADA found that identifying criminal cases with evidence gathered during a pretextual stop is a complex process that requires case reviews, informing the recommendation for LADA to establish a policy to help identify, reduce, or eliminate the use of evidence gathered during a pretextual stop, including evidence discovered or obtained with the person's consent in any trial, hearing, or other proceeding.

Legislative Updates

LA County's decriminalizing mobility efforts to advocate for equitable legislation through LAIR have continued beyond the previously reported support for AB 2147 (Ting) and AB 2773 (Holden), which were both signed into law by Governor Gavin Newsom. AB 2147 prohibits a peace officer from stopping a pedestrian for specified traffic infractions generally related to "jaywalking," 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 powers. AB 2773 requires a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking investigatory questions, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat.

The County advocated in support of additional proposals to continue advancing equitable legislation related to mobility. The County supported AB 93 (Bryan)¹⁴, which would have prohibited consent searches by peace officers without an evidence-based legal justification, but the bill did not pass even after a motion to reconsider made by Assembly Member Bryan was granted in May 2023. The County also advocated for AB 825 (Bryan), which would have prevented a local authority from passing a law that prohibited the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway. This bill, also known as the Safe Passage Bill, would have prevented bicycle riders to mix with potentially lethal car and truck traffic by finding a safe haven on sidewalks.¹⁵ The Bill was passed but vetoed by Governor Gavin Newsom in October 2023. The Governor's veto message indicated that the Assembly Bill was not signed into law because it would increase the risk of collisions with pedestrians since most sidewalks are not designed for bicyclists to safely use them and highlighted the need to continue

¹⁴ AB-93 Criminal procedure: consensual searches:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240AB93

¹⁵ Governor Newsom Vetoes AB 825 Safe Passage for Bikes Bill: <https://www.calbike.org/governor-vetoes-safe-passage-for-bikes/>

efforts to deliver the necessary infrastructure in all communities for safe bicycle and pedestrian travel¹⁶.

In response to another related Board motion to support Senate Bill SB 50 (Bradford): Vehicle Enforcement¹⁷, LAIR advocated for this Senate Bill that would have limited law enforcement's ability to use minor, non-safety-related traffic infractions to conduct racially biased pretextual stops, but it was moved to the inactive file by the author, Assembly Member Bryan¹⁸.

Updates on the Use of LASD Bicycle Stop Data

In order to provide further insight into the racial and geospatial disparity of law enforcement stops, ARDI collaborated with LASD and ISD to map the locations of bicycle stop data in an interactive [dashboard](#). The development of these maps helps identify the racial disproportionality of bicycle stops in all County communities and in each Supervisorial District. It also helps visualize geographically the multiple locations where Latino and Black residents have been overrepresented in bicycle stops as compared to the makeup of the population. This analysis shows that overrepresentation rates in some cities and communities have been as high as 10 times their share of the population.

LASD provided the Computer-Aided Dispatch (CAD) data, which has an indicator for bicycle stops. The data was requested for the period of August 2021 through July 2023. ARDI selected this timeframe to provide insight into the location of the bicycle stops after the LA Times report referenced in the Board motion. Using the available CAD data, ISD assisted ARDI by mapping bicycle stop data. Attachment II includes images of the map and key findings of this analysis including demographic data the age of the person being stopped, perceived race, and gender. The map also includes the number of stops of the Black and Hispanic population in every city and community within each Supervisorial District. In July 2023, LASD transitioned into the use of a dashboard representing the Racial and Identity Profiling Act (RIPA) data to track and visualize a wider array of law enforcement stops.¹⁹ LASD intends to review RIPA data for accuracy and determining if greater detail can be captured for the data to help conducting a thorough evaluation of stops. Further refinement is needed to help inform how to effectively address relevant issues related to stop practices.

¹⁶ AB-825 Vehicles: bicycles on sidewalks:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240AB825

¹⁷ Support for Senate Bill SB 50 (Bradford): Vehicle Enforcement:

<https://file.lacounty.gov/SDSInter/bos/supdocs/178954.pdf>

¹⁸ SB-50 Vehicles: enforcement:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240SB50

¹⁹ AB-953 – R.I.P.A Stop Data Dashboard: <https://lasd.org/transparency/ripa-dashboard/>

Final Recommendations

While considerable progress in decriminalizing mobility has been made, ARDI has identified recommendations to build on the work that has been accomplished. While many of these recommendations have broader policy implications, they offer opportunities to further decriminalize mobility activities through related law enforcement practices for which there are no mobility-only approaches or policies, as in the case of recommendations related to consent searches and the use of evidence gathered during a consent stop. The following recommendations are also informed by the feedback from the decriminalizing mobility workgroup, which included LASD, PW, DA, DPH and OIG, among others, and are designed to advance equity in the following areas:

Focus Area	Recommendation(s)
Decriminalizing Certain Biking Practices in County Ordinances County Code Titles 15 and 19, and Advancing Equity in The Built Environment	1) Direct DBH, in consultation with County Counsel, to review and propose language in County Code Title 19 that permits bicycle riding on sidewalks.
Mitigating Impacts of Consent Searches	2) Request LASD, in consultation with County Counsel to adopt a policy for consent stops in alignment with the recommendations from the OIG report titled "Addressing Racial Disparities in Traffic Stops," including but not limited to the following provisions: <ul style="list-style-type: none"> a. Deputies shall not conduct pretextual investigatory stops unless they have articulable reasonable suspicion regarding a serious crime in addition to ascertaining probable cause of a minor offense, such as a traffic violation. b. Deputies shall articulate on their BWC the reason for the stop prior to their encounter with an individual. Any citations and warnings resulting from a stop, should also be articulated on BWC including the deputy's response to any questions posed by the individual stopped. c. If deputies fail to follow the policy as enumerated, the Department may initiate an administrative investigation with the appropriate disciplinary outcome. d. Deputies shall adhere to Manual of Policy and Procedure 5-09/520.05 by not using a person's race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause except as part of actual and credible description(s) of a specific suspect or suspects in any criminal investigation.
	3) Request LASD to limit pretextual investigative stops by creating policies restricting deputies from stopping, detaining, or arresting, drivers, bicyclists, and pedestrians for certain safety

	equipment and low-level traffic violations, in alignment with the recommendations from the OIG report titled "Addressing Racial Disparities in Traffic Stops"
	4) Request LASD to enact a policy to comply with section 2806.5 of the California Vehicle Code requiring deputies: <ul style="list-style-type: none"> a. to state the reason for the stop prior to any questioning, unless the deputy reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. b. to document in a report or on the citation the reason for the stop.
	5) Request LASD to create a policy limiting when deputies conducting traffic stops of vehicles, bicycles, and pedestrians inquire whether the person is on probation or parole
Retroactive Fee Forgiveness and Use of Evidence Gathered During a Pretextual Stop	6) Direct CEO, in consultation with County Counsel, to review infraction to Section 15.76.080 data from the Los Angeles Superior Court to establish a process and set policy to offer refunds for payees who could provide proof of payment of any fees and fines that originated from an infraction to the ordinance prior to the amendments that allowed bicycle riding in sidewalks.
	7) Request LADA to adopt a policy that limits the use of evidence gathered during a pretextual stop, including evidence discovered or obtained with the person's consent to be admissible in any trial, hearing, or other proceeding
LASD Bicycle Stop Data	8) Request LASD to include bicycle stop data in the RIPA dashboard

Summary

The continuation of the implementation of the Board directives for decriminalizing mobility has focused on 1) aligning County Code with the existing practice of allowing bicycle riding on sidewalks in Marina del Rey; 2) collaborating with LASD and DA to mitigate consent searches and the use of evidence obtained through consent searches by the courts; 3) retroactivity and fee forgiveness for violations of Title 15 related to bicycle riding on sidewalks; 4) creating a geospatial map of bicycle stops; and 5) legislative advocacy. Based on the progress that has been made with the participation and collaboration of various County Departments, ARDI has provided recommendations for this work to continue to achieve full implementation of the Board directives.

Analysis of LASD Bicycle Stops Between August 2021 and July 2023

The table and figures below show overall Countywide and Supervisorial-level (SD) data on bicycle stops in the County by the reporting agency Los Angeles Sherriff's Department (LASD). These data were drawn from the Computer Aided Data (CAD) database which records these stops. Data on number, location, and frequency of stops between August 2021 and July 2023 are racially disaggregated and also provided below. Based on previous findings that show that Hispanic and Black residents in the County are disproportionately stopped, the [dashboard](#) highlights these stops as well as the cities in the County and/or SD with the highest number of stops.

Countywide Bicycle Stops by Race

Table 1 below shows that of the total number of bicycle stops in LA County during the aforementioned time period was approximately 7,100. Among the individuals stopped, 76.1% were Hispanic or Latino, 16.9% were white, 10.1% were Black/African American, 1.5% were Asian, 0.03% were American Indian Alaska Native, 0.1% were Native Hawaiian Pacific Islander, and 1.0% were some other race.

Table 1. Total Bicycle Stops from August 2021 to July 2023¹

Race/Ethnic Group	Bicycle Stop Count	Bicycle Stop Percentage
Hispanic or Latino (of any race)	5,400	76.1%
White alone (Not Hispanic or Latino)	1,200	16.9%
Black or African American alone (Not Hispanic or Latino)	719	10.1%
American Indian and Alaska Native alone (Not Hispanic or Latino)	2	0.03%
Asian alone (Not Hispanic or Latino)	103	1.5%
Native Hawaiian and Other Pacific Islander alone (Not Hispanic or Latino)	5	0.1%
Some Other Race alone (Not Hispanic or Latino)	68	1.0%
Two or More Races ²	-	-
Total	7,100	100%

¹ Computer Aided Data (CAD)

² Category not recorded in CAD data

Table 2, however, shows the racial demographics of the County in which Hispanic or Latino residents comprised 48.7%, white residents comprised 25.2%, and Black/African American residents comprised 7.6% of the County's overall population.³

Table 2. Los Angeles County Demographic Makeup

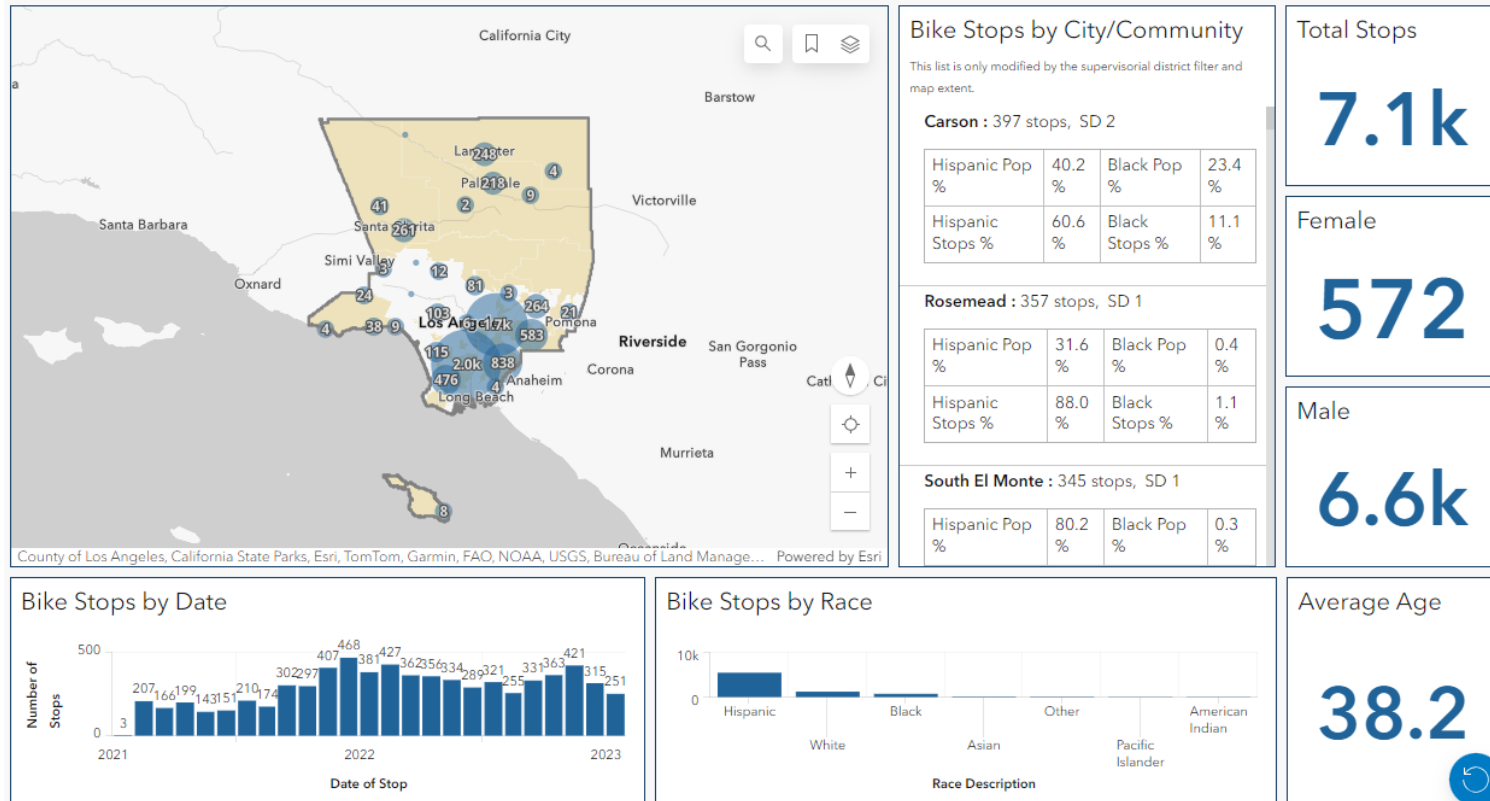
Race/Ethnic Group	Population	Percentage
Hispanic or Latino (of any race)	4,837,594	48.7%
White alone (Not Hispanic or Latino)	2,505,177	25.2%
Black or African American alone (Not Hispanic or Latino)	753,155	7.6%
American Indian and Alaska Native alone (Not Hispanic or Latino)	18,662	0.2%
Asian alone (Not Hispanic or Latino)	1,452,646	14.6%
Native Hawaiian and Other Pacific Islander alone (Not Hispanic or Latino)	20,597	0.2%
Some Other Race alone (Not Hispanic or Latino)	49,953	0.5%
Two or More Races*	298,906	3.0%
Total	9,936,690	100%

Comparing these data to the data on bicycle stops indicates that both Hispanic and Black residents are overrepresented among those stopped by law enforcement while riding a bicycle.

Overall, SD 4 had the highest number of total bicycle stops (approximately 2,000), followed by SD 1 (approximately 1,900), SD 2 (approximately 1,800), SD 5 (approximately 1,200), and SD 3 (185). Figure 1. below shows that the top three CSAs in the County with the highest number of total stops were Carson (SD 2) with 397 stops, Rosemead (SD 1) with 357 stops, and El Monte (SD 1) with 345 stops.

³ ACS Demographic and Housing Estimates: <https://data.census.gov/table/ACSDP5Y2022.DP05?q=050XX00US06037>

Figure 1. Countywide LASD Bicycle Stops



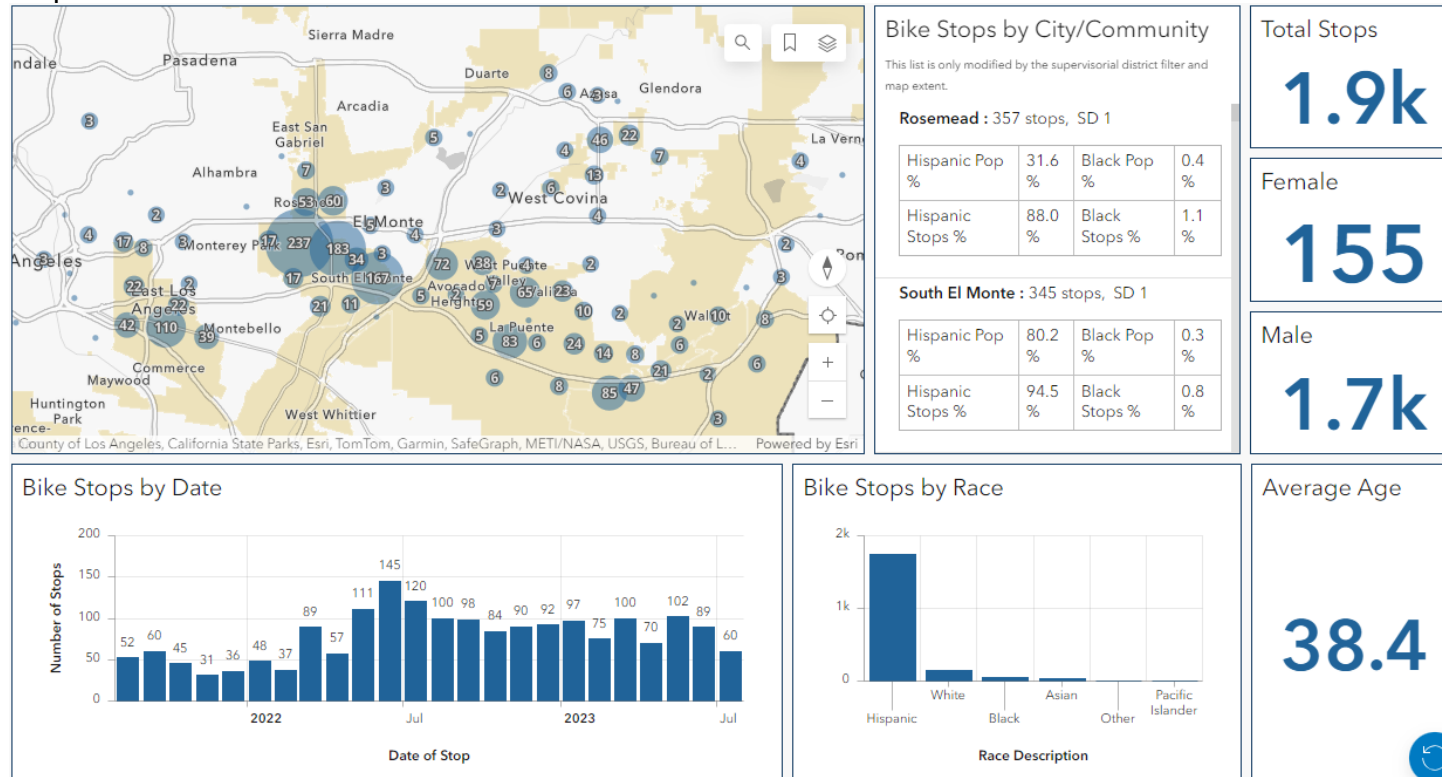
In Carson, Hispanic residents were disproportionately stopped, i.e., 60.6% of stops though they only comprise 40.2% of the population in Carson. Similarly, Hispanic residents in Rosemead, comprised 88.0% of those stopped, even though they make up just 31.6% of the population—almost three times their share of the population. In South El Monte, though the Hispanic population was 80.2%, they comprised 94.5% of all bicycle stops. For Black residents stopped in Rosemead, they were almost three times their share of the overall population in that area (i.e., 1.1% of stops compared to 0.4% of residents). In South El Monte, Black residents stopped were slightly over two and a half times their share of the population (0.3% compared to 0.8% of stops). Of those stopped, males comprised the overwhelming majority—93%.

Seemingly, at the countywide and supervisorial-level, bicycle stops tend to peak somewhere between April and June.

Bicycle Stops by Supervisorial District

In SD 1, there were approximately 1,900 bicycle stops during the time period analyzed (see Figure 2 below). During that time, Hispanic residents comprised 89.5% of all stops in the district, but only 55% of the overall population in the district.⁴

Figure 2. Supervisorial District 1

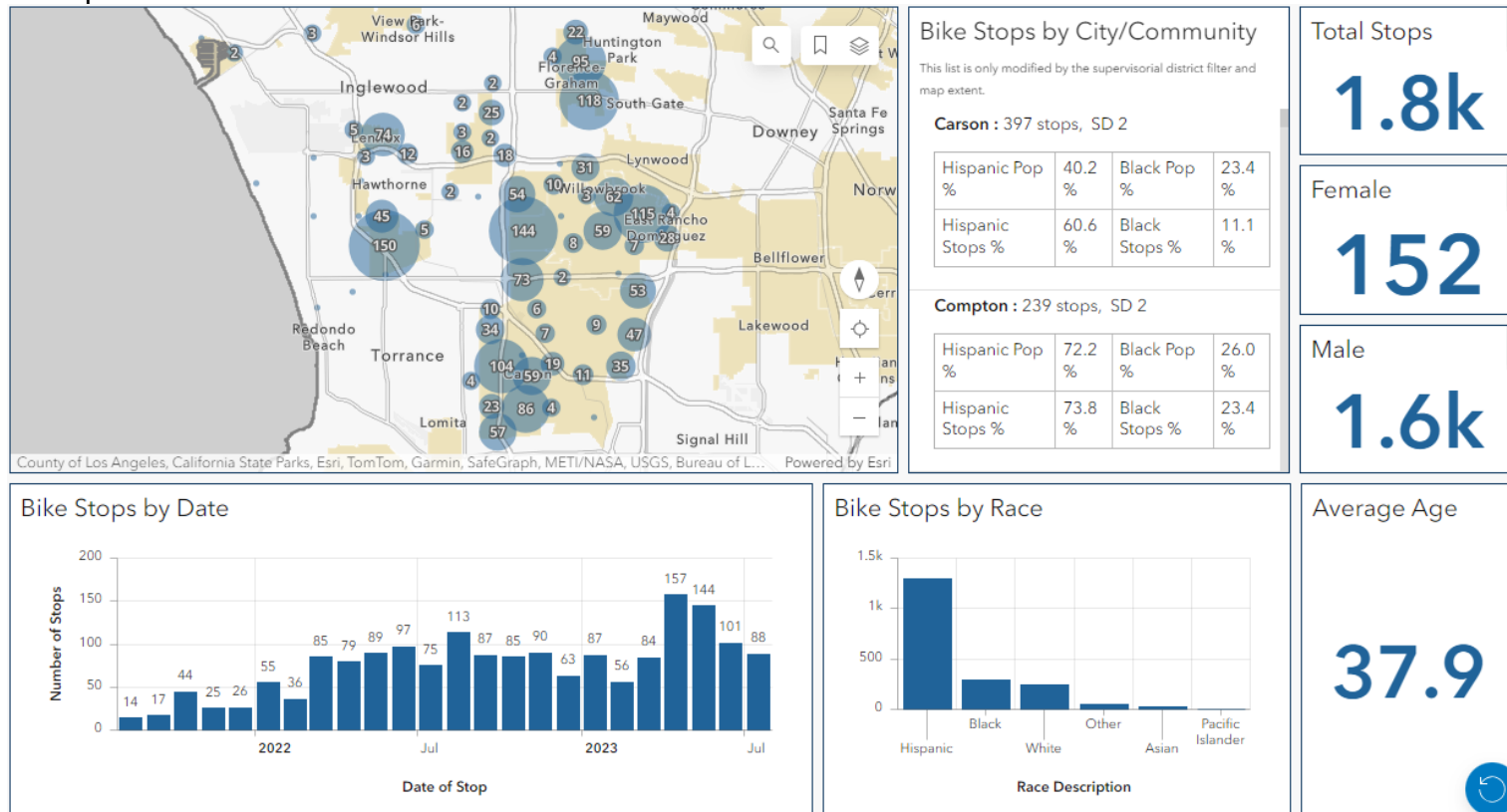


The CSAs with the highest number of stops in the SD were Rosemead (357 stops), South El Monte (345 stops), unincorporated East LA (251 stops). In all three, both Hispanic and Black residents were overrepresented among those stopped, as well as male residents.

⁴ Community Profile Supervisorial District 1: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%201.pdf

In SD 2, there were approximately 1,800 stops (see Figure 3 below). Hispanic residents, made up 72.2% of all stops yet comprised 47.7% of the overall population, were overrepresented among those stopped. Similarly, Black residents, comprising 14.7% of the district's population, were 16.1% of those stopped.⁵

Figure 3. Supervisorial District 2

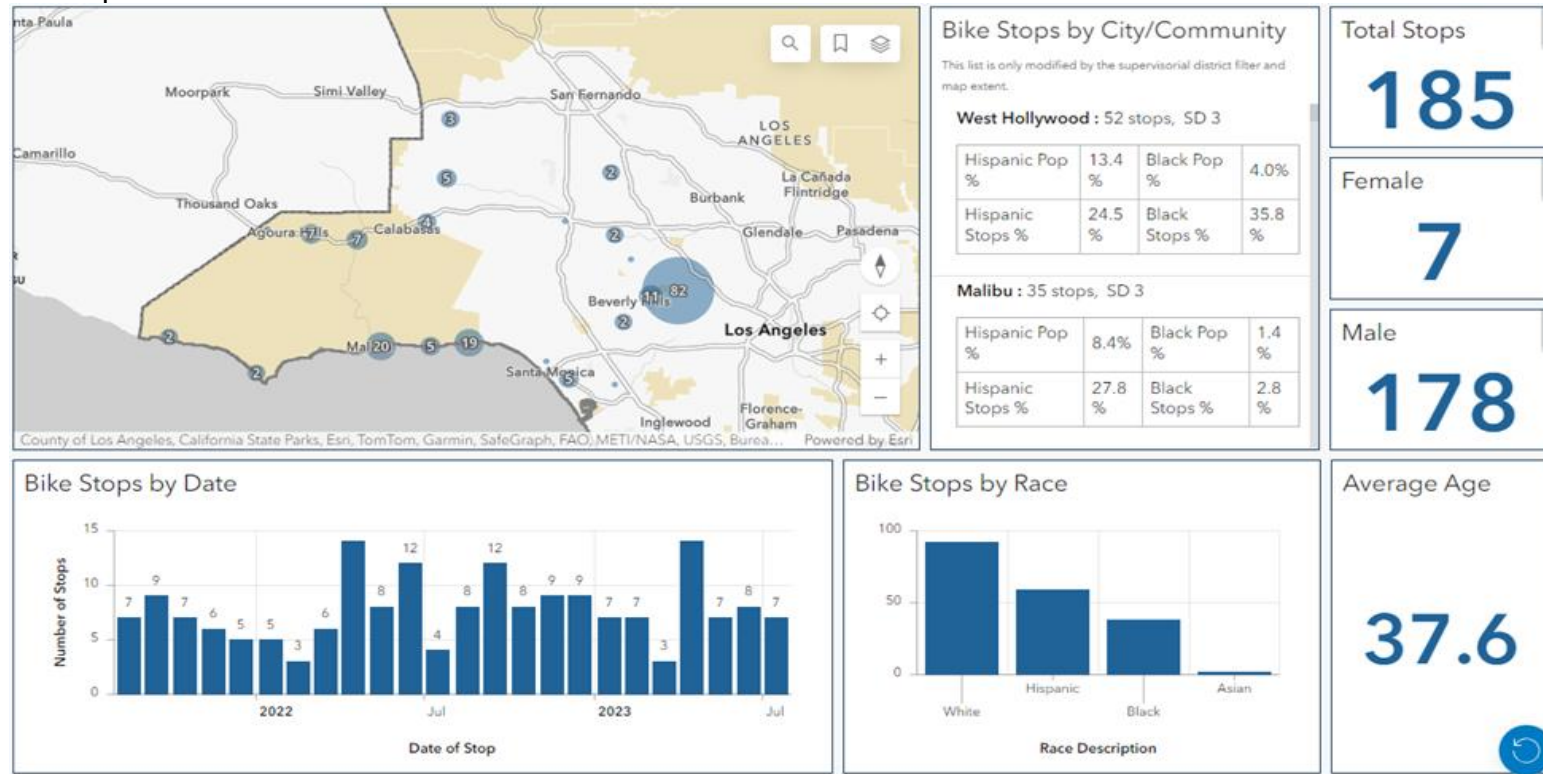


The CSAs in this district with the highest number of stops in were Carson (397 stops), Compton (239 stops), and unincorporated Florence-Firestone (223 stops). In all three, Hispanic residents were overrepresented among those stopped (i.e., 60.6% of stops compared to 40.2% of residents in Carson, 73.8% of stops compared to 72.2% of residents in Compton, and 92.1% of stops compared to 91.2% of residents in Unincorporated Florence-Firestone).

⁵ Community Profile Supervisorial District 2: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%202.pdf

During the time period assessed, SD 3 had the fewest number of stops compared to the other districts. Figure 4 below shows that of the total 185 stops, white residents comprised nearly half of those stopped (49.7%) and Black residents, who comprised 8.1% of the population were 20.5% of those stopped, more than 2.5 times their share of the population.⁶

Figure 4. Supervisorial District 3



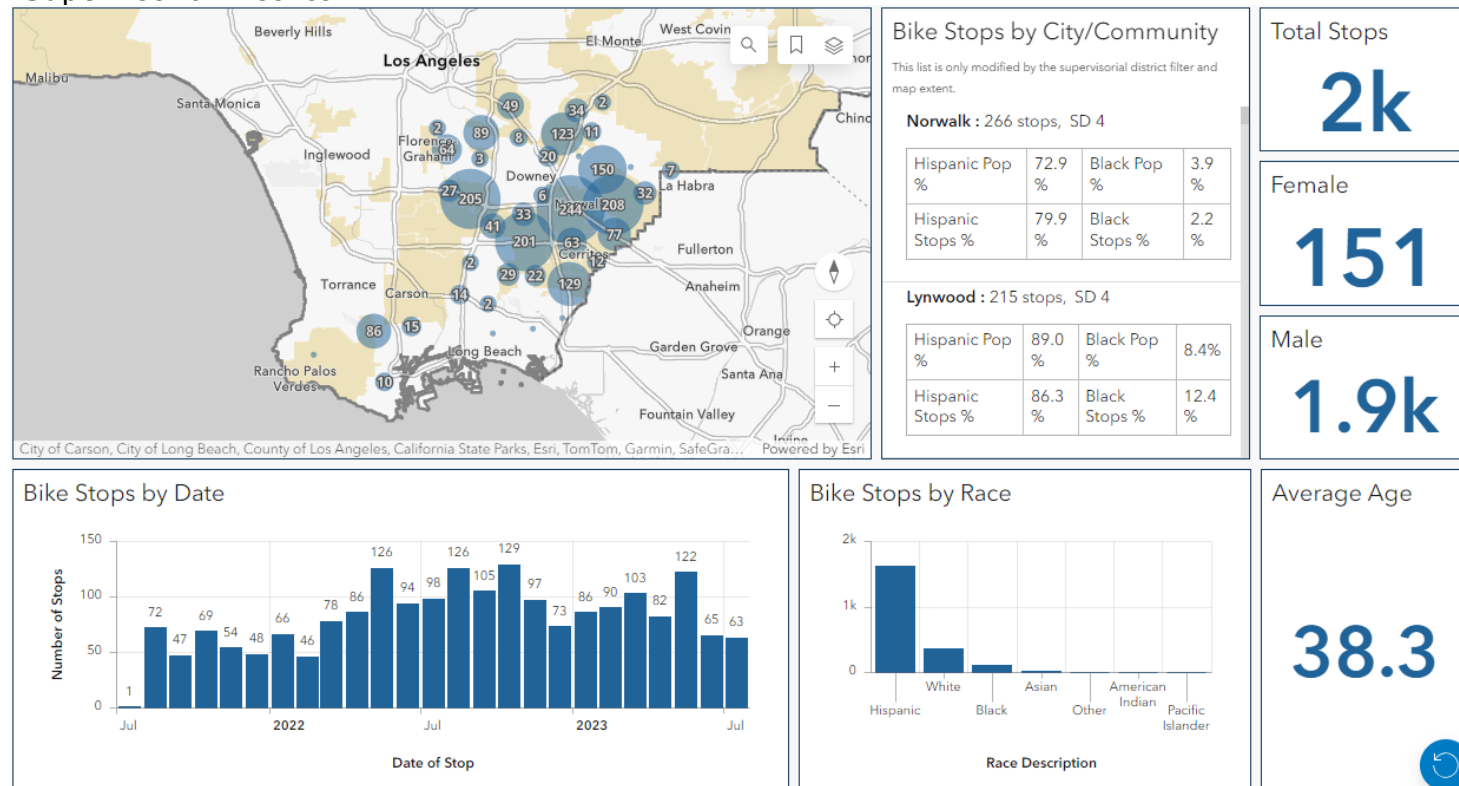
The CSAs with the highest number of stops in SD 4 were West Hollywood (52 stops), Malibu (35 stops), and Los Angeles Melrose (29 stops). In all three, Black residents were overrepresented among those stopped: 35.8% of stopped compared to 4% of residents in West Hollywood—nine times their share of the population; 2.8% of those stopped compared to 1.4% of residents in Malibu; and 41.4% of stops in Los Angeles Melrose compared to only 3.9%

⁶ Community Profile Supervisorial District 3: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%203.pdf

of residents—ten times their share of the population. Hispanics were also overrepresented among those stopped in West Hollywood: 24.5% of stops compared to 13.4% of residents; 27.8% of stops in Malibu while only comprising 8.4% of residents.

SD 4 had the highest number of bicycle stops in the County, with approximately 2,000 stops (i.e., 28.2% of all stops in the County) (see Figure 5 below). Hispanic residents, who made up 80% of all stops but comprised only 58.1% of the overall population, were overrepresented among those stopped.⁷

Figure 5. Supervisorial District 4

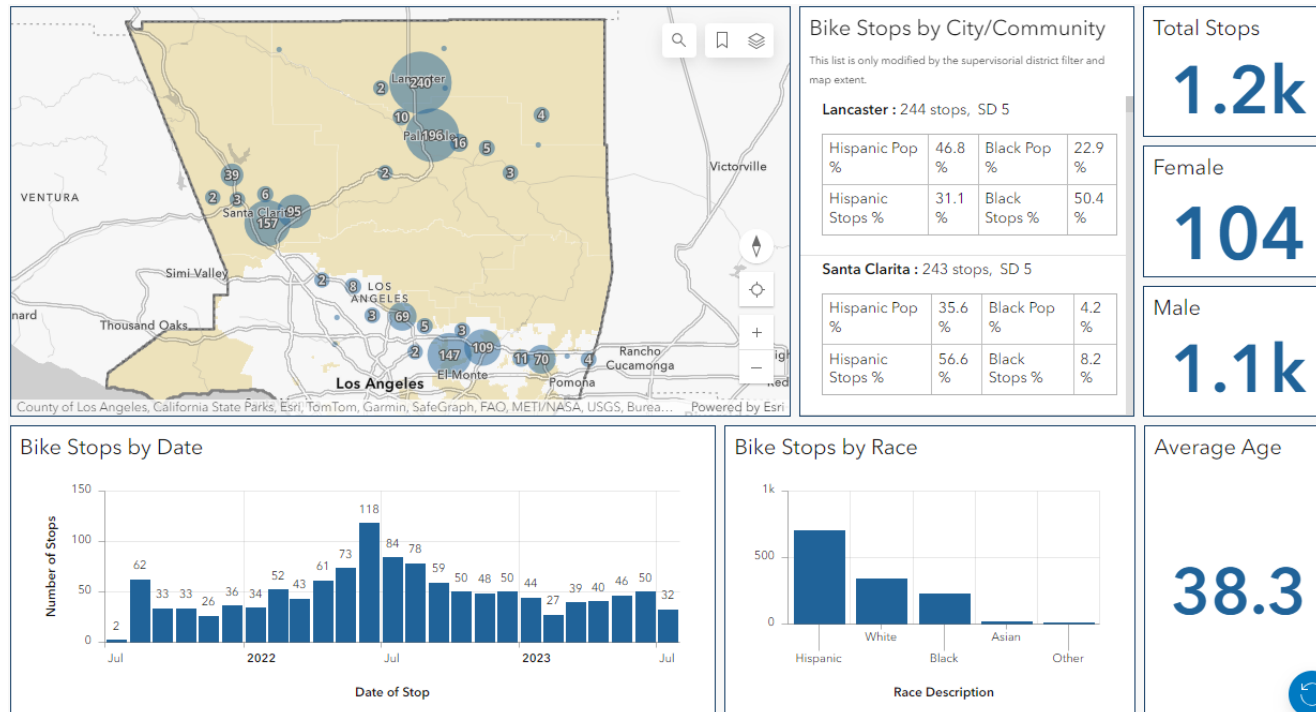


⁷ Community Profile Supervisorial District 4: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%204.pdf

The CSAs with the highest number of stops in the district include Norwalk (266 stops), Lynwood (215 stops), and Unincorporated South Whittier (192 stops). In Norwalk, Hispanic residents were slightly overrepresented among those stopped: 79.9% of stops compared to 72.9% of the population. Black residents were overrepresented among those stopped in Lynwood and Unincorporated South Whittier. In the latter, they comprised more than twice their share of population among those stopped (i.e., 1.2% of the population and 2.9% of those stopped).

Last, in SD 5, there were approximately 1,200 stops (see Figure 6 below). White residents made up 40.3 of the district's population, while Hispanic residents, made up 58.9% of all stops but only comprised 35.8% of the overall population, being overrepresented among those stopped. Similarly, Black residents, comprising 7.4% of the district's population, were 19% of those stopped, more than 2.5 their share of the population.⁸

Figure 6. Supervisorial District 5



⁸ Community Profile Supervisorial District 5: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%205.pdf

The CSAs with the highest number of stops in SD 5 were Lancaster (244 stops), Santa Clarita (243 stops), and Palmdale (215 stops). In all three, Black residents were overrepresented among those stopped: 50.4% of stopped compared to 22.9% of residents in Lancaster; 8.2% of those stopped compared to 4.2% of residents in Santa Clarita; and 17.3% of stops in Lancaster compared to 14.6% of residents. Hispanics were also overrepresented among those stopped in Santa Clarita: 56.6% of stops compared to 35.6% of residents; and 67.5% of stops in Palmdale while comprising 63.1% of residents.