



CITY COUNCILMEMBER
RIGEL ROBINSON
 DISTRICT 7

CONSENT CALENDAR
 March 14, 2023

To: Honorable Mayor and Members of the City Council

From: Councilmember Rigel Robinson (Author), Councilmember Sophie Hahn (Co-Sponsor)

Subject: Resolution and Letter in Support of H.R. 852, the Investing in Safer Traffic Stops Act of 2023

RECOMMENDATION

Adopt a Resolution in support of H.R. 852, the Investing in Safer Traffic Stops Act of 2023, and send a letter of support to Representative Ritchie Torres, Representative Barbara Lee, Senator Alex Padilla, and Senator Dianne Feinstein.

BACKGROUND

The Investing in Safer Traffic Stops Act of 2023 was introduced on February 6, 2023 by U.S. Representative Ritchie Torres. H.R. 852 would direct the U.S. Attorney General to create a grant program to provide funding to state, local, and tribal governments to hire civilian employees or purchase traffic monitoring technology for the purpose of enforcing traffic violations without the direct involvement of law enforcement officers. For fiscal years 2024 through 2029, \$100,000,000 would be allocated to the program each year.

Traffic enforcement is one way that municipalities can address dangerous driving behavior such as speeding and red light violations. However, it is well-documented that traditional enforcement conducted by police officers results in disproportionate enforcement actions against people of color, particularly Black people. According to the Stanford Policing Project, police pull over more than 20 million motorists per year, making traffic stops the most common interaction Americans have with police.¹ The City of Berkeley has committed to exploring civilian traffic enforcement through the BerkDOT process. The grant funding provided by H.R. 852 would support these ongoing planning efforts.

Black and brown people are disproportionately affected by traffic injuries and fatalities, whether while walking, biking, or driving.² If thoughtfully implemented, traffic monitoring technologies have the potential to address disparities in traffic violence while also reducing racial bias in police interactions. While automated speed enforcement is currently illegal in California, the City of Berkeley has supported state legislation to change this.

¹ <https://openpolicing.stanford.edu/findings/>

² <https://www.hsph.harvard.edu/news/press-releases/racial-disparities-traffic-fatalities/>

However, it is critical to carefully consider camera placement and other program aspects in order to avoid disparate impacts. Black and brown neighborhoods that have been historically under-invested in tend to have less pedestrian infrastructure, wider streets, and fewer traffic calming measures to slow drivers down. An analysis of Chicago's speed camera program found that the cameras that issued the most tickets were placed on four-lane roads, primarily in majority Black census tracts. On the other hand, the speed cameras that issued the fewest tickets were on two-lane streets, primarily in majority non-Black census tracts.³ Cameras that were placed near freeways and in less dense neighborhoods also issued a higher share of tickets. Any traffic camera technology deployed through this grant program must avoid unnecessarily punitive fines and take steps to ensure that people of color are not overburdened by tickets.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

None.

CONTACT PERSON

Councilmember Rigel Robinson, (510) 981-7170
Angie Chen, Legislative Assistant

Attachments:

- 1: Letter of support
- 2: Resolution
- 3: Bill text: <https://www.congress.gov/bill/118th-congress/house-bill/852/text?s=1&r=1>

³ <https://www.propublica.org/article/chicagos-race-neutral-traffic-cameras-ticket-black-and-latino-drivers-the-most>



March 14, 2023

United States Representative Ritchie Torres
1414 Longworth House Office Building
Washington, DC 20515

RE: City of Berkeley, California's Support for H.R. 852, the Investing in Safer Traffic Stops Act of 2023

Dear Representative Torres,

The Berkeley City Council would like to convey our strong support for the Investing in Safer Traffic Stops Act of 2023. The grant program created by this bill would provide critical funding to state, local, and tribal governments to explore alternatives to traditional traffic enforcement.

Time and time again, we have seen traffic stops turn deadly. Civilianization and automation of traffic enforcement have the potential to save lives by not only reducing dangerous driving, but also by reducing racially-biased police interactions that can escalate into violence. At the same time, automated enforcement can reproduce existing disparities caused by infrastructure under-investment in Black and brown neighborhoods. We urge you to take steps to ensure that the traffic monitoring technologies funded by this grant program do not overburden low-income people of color with punitive fines and fees.

We thank you for introducing this bill to support municipalities across America in our efforts to reimagine traffic enforcement.

Respectfully,

The Berkeley City Council

CC: Representative Barbara Lee
Senator Alex Padilla
Senator Dianne Feinstein

RESOLUTION NO. ##,###-N.S.

SUPPORT OF H.R. 852, THE INVESTING IN SAFER TRAFFIC
STOPS ACT OF 2023

WHEREAS, H.R. 852 would create a grant program to provide funding to state, local, and tribal governments to hire civilian employees or purchase traffic monitoring technology for the purpose of enforcing traffic violations without law enforcement officers; and

WHEREAS, for fiscal years 2024 through 2029, \$100,000,000 would be allocated to the program each year; and

WHEREAS, traffic stops are the most common interaction Americans have with police, and too often open the door for racial bias and police brutality; and

WHEREAS, the City of Berkeley has committed to exploring civilian traffic enforcement as a strategy to reduce unnecessary police interactions, focus traffic stops on street safety, and promote a racial justice lens in transportation; and

WHEREAS, the City of Berkeley has also supported reforms that would enable cities in California to deploy automated speed enforcement technologies, which if done in an equitable manner, would reduce both dangerous driving behavior and racial bias in traffic enforcement; and

WHEREAS, the funding provided by this grant program could support ongoing traffic enforcement civilianization efforts in the City of Berkeley and similar planning processes in cities across the country.

NOW THEREFORE, BE IT RESOLVED, that the Berkeley City Council hereby endorses H.R. 852, the Investing in Safer Traffic Stops Act of 2023.