Pedestrian Advisory Council Recommendation:
Future Traffic Safety Strategies in Austin
Recommendation 20210712-002

WHEREAS, the Bicycle Advisory Council (BAC) and the Pedestrian Advisory Council (PAC) advise the City of Austin and other government entities on planning, policy, design, funding, education, and enforcement regarding implementing and sustaining bicycle infrastructure and creating, maintaining, and operating pedestrian facilities, respectively;

WHEREAS, top strategies to reach 50/50 mode share by 2039 are to reduce traffic fatalities and serious injuries by focusing on safety culture and behaviors, and build active transportation access for all ages and abilities on sidewalk, bicycle, and urban trail systems;

WHEREAS, the Austin Vision Zero Action Plan to reduce traffic deaths and serious injuries by 2025 includes enforcement and prosecution under its five critical action areas and the Austin Police Department (APD) serves as the front line for preventing injuries and deaths through enforcement initiatives;

WHEREAS, the Reimagining Public Safety Task Force recommended "decoupling traffic enforcement units that do not involve directing traffic, conducting traffic stops, or filing criminal charges;"

WHEREAS, Berkeley City Council approved a plan to remove police from traffic stops, and community boards and advocates in other U.S. cities, such as Minneapolis, NYC, Oakland, and Chicago called for separate departments from police to handle enforcement of traffic laws;

WHEREAS, Safe Routes to School National Partnership removed enforcement from its framework due to inequitable impacts of law enforcement on people of color, and the Vision Zero Network espoused to "disentangle police activity from Vision Zero work" and "replace police actions in Vision Zero work with anti-racist strategies.";

WHEREAS, criminal law, criminal procedure, and legal history experts, such as Sarah Seo, published works highlighting the national issue of racial disparities in traffic stops and advocating the removal of civil traffic law enforcement from police duties;

WHEREAS, the Austin Strategic Mobility Plan (ASMP) under Chapter 6 Equity Policy 4 acknowledges "transportation enforcement practices have been shown to have a history of racial profiling and targeting, which has resulted in a disproportionate number of stops and arrests for people of color and has eroded community trust in police relationships;"

WHEREAS, the [January 2020 Analysis of APD Racial Profiling Data: Reasons for 2018 Motor Vehicle Stops](#) reported racial disparities in motor vehicle stops with Black/African Americans and Hispanic/Latinos increasingly overrepresented from 2015-2018, while White/Caucasians are increasingly underrepresented. In 2018, Black/African Americans made up 8% of the Austin population, 15% of the motor vehicle stops, and 25% of the arrests; while white people made up 54% of the Austin population, 47% of the motor vehicle stops, and 31% of the arrests;

WHEREAS, data from the [Pedestrian Safety Action Plan (2018)](#) shows Black pedestrians are disproportionately affected by pedestrian crashes: "While blacks make up only 7 to 8% of the Austin population, they account for nearly 17% of pedestrian crashes, 18% of incapacitating injury crashes, and 24% of fatalities... Blacks involved in pedestrian crashes are killed or seriously injured in 27%of crashes (compared with 23% of the time for all races), and are killed 9% of the time (compared with 6% of the time for all races)."

WHEREAS, [Austin's Traffic Safety Audit Report](#) published September 2019 did not mention inequitable impacts of traffic safety efforts on Black, Indigenous, or People of Color, and the response indicated needed changes include "increasing enforcement efforts;"

NOW, THEREFORE, BE IT RESOLVED that the Pedestrian Advisory Council requests the City of Austin and City Council take actionable steps toward eliminating inequitable impacts of law enforcement on black, indigenous, and people of color, including:

a. Create a violation standard to eliminate racial profiling at traffic stops;
b. Create detailed processes to safeguard against disproportionately targeting people of color that go beyond unconscious bias training and racial equity training;
c. Transfer some policing functions of traffic enforcement to non-police agencies that address unsafe behaviors by road users, especially drivers;
d. Invest in solutions centered on education and engineering that build safer streets and movement for people biking, walking, using transit, and anyone using roads;
e. Monitor for possible patterns of sampling bias, underreporting of encounters or arrests, and submissions of plans for development and improvement;
f. Address communities reporting an inordinate number of stops for cyclists and pedestrians of color;

BE IT FURTHER RESOLVED, the PAC suggests the City of Austin and City Council continue to collaborate with Reimagining Public Safety Task Force Community Members and Agencies, including Austin Justice Coalition, Just Liberty, Grassroots Leadership, and Texas Appleseed, as well as the Equity Office and other groups working on law enforcement issues to re-envision public safety, examine data around disproportionate traffic enforcement, and create a standard to eliminate racial profiling at traffic stops.

Date: July 12, 2021
Vote: 6-0 with Baily, Patel and Cox absent
Attest:

Kimberly Levinson

Kimberly Levinson, PAC Chair