





April 16, 2021

The Honorable Laura Friedman  
 Chair, Assembly Committee on Transportation  
 1020 N St, Room 110  
 Sacramento CA 95814

**Re: Support—AB 1238 (Ting), Freedom to Walk Act**

Dear Chair Friedman:

The California Bicycle Coalition, California Walks, Los Angeles Walks, and the Lawyers' Committee for Civil Rights of the San Francisco Bay Area are pleased to co-sponsor Assembly Bill 1238, the Freedom to Walk Act. On behalf of the undersigned organizations and our respective members across California, we submit this letter in strong support for the Freedom to Walk Act, AB 1238. This much needed reform would repeal California "jaywalking" laws by legalizing certain common and safe street crossings that currently qualify as traffic infractions. To be clear, the Freedom to Walk Act does not change existing law that already requires pedestrians to avoid potentially hazardous situations on the roadway. Instead, it would protect vulnerable pedestrians against racially-biased, pretextual policing; inequitable fees and fines; unnecessary, and potentially lethal, interactions with law enforcement. Furthermore, it would remove impediments to walking around one's own neighborhood, facilitating healthy and safe travel that is necessary to meet California's environmental goals.

Jaywalking laws do more than turn an ordinary and logical behavior into a crime; they also create opportunities for police to racially profile. A jaywalking ticket can turn into a potentially life-threatening police encounter, especially for Black pedestrians, who are disproportionately targeted and suffer the most severe consequences of inequitable law enforcement. It is clear these laws are not enforced fairly. Across California, police departments stop Black pedestrians more often than their white counterparts. Data from the California Racial and Identity Profiling Act (RIPA) shows that, between 2018 and 2020, Black Californians were up to 4.3 times more likely than white Californians to be stopped for jaywalking.

Our state has a long history of over-policing, criminalization, and incarceration that imposes disparate impacts on Black Californians. One major contributor to the disparity is "pretextual policing:" the practice of stopping someone for a minor traffic violation in order to conduct an investigation unrelated to the stop. Mid-block pedestrian crossing (i.e. 'jaywalking') is a commonsense, everyday behavior that shouldn't lead to a confrontation with police. Now is the time for California to address the criminalization of harmless pedestrian actions across California and answer the demand for racial justice by repealing unjust jaywalking laws.

The criminalization of common pedestrian behavior also leads to fines, fees, and penalties that place an undue burden on the people least able to afford them. Many low-income people rely on walking as their only way to get where they need to go. Jaywalking tickets can lead to hundreds of dollars in fines and fees they cannot afford to pay. In some counties, outstanding jaywalking tickets can become a pretext for warrants and arrests, further impoverishing low-income residents. California has been moving away from these kinds of regressive approaches to revenue-raising. Fines for jaywalking, an infraction that causes no injury to the community, should be eliminated.

Furthermore, existing rules prohibiting common behavior reflect and reinforce an obsolete belief that public roadways belong primarily to people in motor vehicles. Streets are rarely designed to make walking safe or convenient. Jaywalking represents a rational adaptation to an unfriendly built environment: signal timing that prioritizes vehicular traffic, lack of crossings between common destinations, long distances between crosswalks are all characteristics of an unfriendly

built environment. In the absence of safe and accessible pedestrian infrastructure, residents do their best to access school, work, grocery stores, or parks. The most convenient or shortest route to walk may include crossings where there are no crosswalks. Criminalizing a rational, predictable response to poor infrastructure is unjust.

Compounding the injustice is the inequities in street design across neighborhoods. High-speed roads that lack adequate crossings, lighting, and sidewalks, are disproportionately concentrated in Black and Brown neighborhoods. Because of this, law enforcement are often policing communities for their lack of governmental services and improper land use planning; issues that white affluent neighborhoods do not similarly face. People should not be penalized for decades of infrastructure neglect and auto-first street design.

Walking is a key component of a sustainable transportation system, and the state should be doing everything in its power to encourage more people to walk in order to reduce driving and climate change impacts from transportation, improve public health, and improve air quality. State and local agencies have been investing significant resources in planning and building safe, connected, and protected pedestrian infrastructure on local streets and roads. Repealing unjust jaywalking laws should be aligned with these vital investments.

There is no evidence that jaywalking laws keep people safe. In fact, we know that these laws make many Californians unsafe by exposing them to pretextual policing and unnecessary encounters with law enforcement. California is in the process of reforming its laws regarding the use of public spaces. Several categories of infractions have already been eliminated in recent years at the state level, including vending without a permit and possession of marijuana. It's time to add jaywalking to this list.

We urge your support of AB 1238, the Freedom to Walk Act.

Sincerely,

Jared Sanchez, Senior Policy Advocate  
California Bicycle Coalition

Caro Jauregui, Co-Executive Director  
California Walks

John Yi, Executive Director  
Los Angeles Walks

Elisa Della-Piana, Legal Director  
LCCRSF

Jonathan Matz, CA Senior Policy Manager  
Safe Routes Partnership

Chione Flegal, Managing Director  
PolicyLink

Darnell Grisby, Executive Director  
TransForm

Hana Creger, Senior Program Manager  
The Greenlining Institute

Rigel Robinson, Councilmember  
City of Berkeley\*

Maryann Aguirre, Project Director  
People for Mobility Justice

David Diaz, MPH  
Active San Gabriel Valley

Jodie Medeiros, Executive Director  
Walk San Francisco

Noah Harris, Policy Advocate  
Climate Action Campaign

Maria Brenes, Executive Director  
InnerCity Struggle

Eric Mann, Director  
Labor Community Strategy Center

Melissa Cunningham, Executive Director  
Coalition for Sustainable Transportation

Julia Jordan, Policy Coordinator  
Leadership Counsel for Justice & Accountability

Tarrell Kullaway, Executive Director  
Marin County Bicycle Coalition

Leah Shahum, Executive Director  
Vision Zero Network

Michael Schneider, Founder  
Streets For All

Carolynn Johnson, Program Manager  
Institute for Transportation & Development Policy

James Rojas, Founder  
PLACE IT!

Rev. Tera Klein, Pastor  
Throop Unitarian Universalist Church, Pasadena

Asher Waite-Jones, Staff Attorney  
East Bay Community Law Center

Sacha Steinberger, Co-Executive Director

Yolanda Davis-Overstreet, Director  
RIDE: In Living Color

Michelle Seyler, Executive Director  
Clergy & Laity United for Economic Justice

Irene Kao, Executive Director  
Courage California

Corinne Kisner, Executive Director  
NACTO

Zach Norris, Executive Director  
Ella Baker Center for Human Rights

Colin Bogart, Steering Committee  
Pasadena Complete Streets Coalition

Kristopher Fortin, Project Director  
Santa Ana Active Streets

Rico Mastrodonato, Govt. Affairs Director  
Trust for Public Land

Christy Zamani, Executive Director  
Day One

Amika Mota, Statewide Policy Director  
Young Women's Freedom Center

Stuart Wood, PhD, Executive Director  
Sustainable Claremont

Cheryl Auger, Lead  
BAN SUP

Anne Wallach Thomas, Executive Director  
Shasta Living Streets

Liore Milgrom-Gartner, Northern CA Director  
CA Interfaith Power & Light

Jessica Meaney, Executive Director

Legal Link

Eli Akira Kaufman, Executive Director  
Los Angeles County Bicycle Coalition

Megan Vees, Staff Attorney  
Public Counsel

Randy Torres-Van Vleck, Director of Policy  
City Heights Community Development Corporation

Tori Kjer, Executive Director  
Los Angeles Neighborhood Land Trust

Barnali Ghosh, Coordinating Committee Member  
Walk Bike Berkeley

Kyle Heiskala, Board President  
BikeSD

Colin Parent, Executive Director  
Circulate San Diego

Alma Marquez, Executive Director  
Center for Community Action & Environ. Justice

Laura Cohen, Western Region Director  
Rails-to-Trails

Cynthia Rose, Director  
Santa Monica Spoke

David Levitus, Executive Director  
LA Forward

Peter Choi, Board Member  
Bicycle Kitchen/La Bici-Cocina

Becky Dennison, Executive Director  
Venice Community Housing

Shiloh Ballard, President & Executive Director  
Silicon Valley Bicycle Coalition

Investing in Place

Sasha Harnden, Public Policy Advocate  
Inner City Law Center

Kalyn Dean, Legislative Advocate  
ACLU California Action

Heather Deutsch, Executive Director  
Santa Barbara Bicycle Coalition

Joey Juhasz-Lukomski, Executive Director  
BikeVentura

Janice Li, Advocacy Director  
San Francisco Bicycle Coalition

Christopher Sanchez, Policy Advocate  
Western Center on Law & Poverty

Andy Hanshaw, Executive Director  
San Diego County Bicycle Coalition

Eric Harris, Director of Public Policy  
Disability Rights California

Gema Pérez, Executive Director  
Greenfield Walking Group

Steve Gerhardt, Executive Director  
Walk Long Beach

Connie Choi, Policy Director  
California Immigrant Policy Center

Cynthia Rose & Cris Gutierrez, Co-Chairs  
Santa Monica Safe Streets Alliance

Channa Grace, President and Director  
WORKS

Kiara Reed, Executive Director  
WALKSacramento

Carter Rubin, Mobility and Climate Advocate  
Natural Resources Defense Council

Heng Lam Foong, Program Director  
Asian Pacific Islander Forward Movement

Laura Raymond, Director  
Alliance for Community Transit - Los Angeles

Marven Norman, Executive Director  
Inland Empire Biking Alliance

J. Vasquez, Participatory Defense & Policy Coord.  
Communities United for Restorative Youth Justice

Bryn Lindblad, Deputy Director  
Climate Resolve

Héctor M. Huevo, Sen. Workforce Equity Coord.  
Jobs to Move America

Wade Askew, Managing Attorney  
Legal Services of Northern California

Juliet Sims, Associate Program Director  
Prevention Institute

Katrina Logan, Directing Attorney  
Community Legal Services of East Palo Alto

Preston Jordan, Co-founder  
Albany Strollers & Rollers

Jacob Denney, Econ. Justice Policy Director  
SPUR

Olivia Ramirez, Volunteer  
Sunrise Movement LA

Glenn Hammett, President  
Bike Bakersfield

Ronald Coleman, Managing Director of Policy  
California Pan-Ethnic Health Network

Preston Jordan, Vice Mayor  
City of Albany\*

Ge'Nell Gary, Mayor  
City of Albany\*

Rita Medina, State Policy/Advocacy Mang.  
Coalition for Humane Immigrant Rights

Debra Banks, Executive Director  
Sacramento Area Bicycle Advocates

Tina Yuen, Senior Planner  
ChangeLab Solutions

Damian Kevitt, Executive Director  
Streets Are For Everyone

\* Affiliation provided for identification purposes only