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**Cc:** [Breed, Mayor London \(MYR\)](#); [Ronen, Hillary](#); [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Eric.L.Mar@sfgov.org](#); [Safai, Ahsha \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [SFPD, Chief \(POL\)](#); [info@engardio.com](#)  
**Subject:** Re: Scrap the Proposed "Pretextual Stop" Policy  
**Date:** Tuesday, December 13, 2022 12:06:38 PM

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Dear Commissioners,

I wholeheartedly believe the proposed pretextual stop policy will result in more dangerous driving, cycling and scootering. This will increase traffic-related injuries and deaths in San Francisco.

### **Please oppose the December 14 revised draft of proposed General Traffic Enforcement Order 9.01.**

With some exceptions, it would ban police from enforcing violations of nine traffic laws such as failure to signal when making a turn or changing lanes: missing license plates; driving in the fog with broken headlights, taillights or brake lights. It would also allow bicyclists to flout traffic laws, creating an unacceptable threat to public safety, especially pedestrians. Bicyclists could also intentionally drive slowly in the middle of the road in order to block traffic.

Bicyclists would be allowed to engage in reckless behaviors, such as riding on the sidewalk or blowing through stop signs when pedestrians or other vehicles are present – even when there is immediate danger that the cyclist will crash with a pedestrian.

While we strongly support eliminating racial bias in traffic stops, this is the wrong way to do it because it is dangerous to public safety. Bias in traffic enforcement is already contrary to law and the Constitution. Any remnants should be addressed by other means, including officer training and accountability, not by ordering SFPD to abandon altogether the enforcement of duly enacted California traffic laws or city ordinances. This will result in the following negative effects:

\* Increased traffic accidents: Traffic deaths skyrocketed nationwide last year. In San Francisco, at the current rate there will be 31 pedestrian traffic deaths this calendar year even though the professed city goal is Zero deaths, with the elderly, Blacks, and the homeless disproportionately killed. It is common knowledge that traffic enforcement in San Francisco is already lacking due to the shortage of police officers and Police Commission inattention. This policy only adds to the crisis on

our roads, including essentially legalizing turns and lane changes without signaling, and other critical infractions that cause accidents.

\* More shootings and deaths. There is an epidemic in gun violence - an increase of over 70% shootings in San Francisco from 2019. How are police supposed to reduce shootings if the Police Commission makes it even more difficult to spot illegal guns in vehicles?

\* More crime. Small traffic crimes are often just the tip of the iceberg - criminals convicted for serious and violent crimes are often arrested after a traffic stop, as are those violating the terms of probation or parole.

This order only makes the streets more dangerous. Note that there have been 51 murders to date in San Francisco, and the year isn't over.

\* More road rage. One particularly ridiculous provision would allow bicyclists to intentionally drive slowly in the middle of the road to block traffic without being detained, even with dozens of vehicles backed up.


Some Commissioners claim this traffic order will make us safer by forcing officers to attend to serious crimes instead. Don't take this argument seriously. In fact, it creates additional reporting requirements and thus reduces police availability. And it goes against the proven effectiveness of "broken windows" policing.

What would make us safer: the Commission's advocacy for and implementation of full staffing of SFPD by adding the 500 officers that San Francisco is short. Instead, this proposed traffic order will surely impede morale and make police hiring and retention more difficult.

Please vote "no" on this proposal.

Sincerely,  
David Driver

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On Tue, Dec 6, 2022 at 5:29 PM David Driver  > wrote:

Dear Police Commissioners,

I am a long time resident of San Francisco and I am against the proposed policy on pretextual stops. It will lead to more bad driving, cycling, and scooter riding. This policy will hurt safety, especially for pedestrians. I urge you to scrap what's left of this proposal, and go back to the drawing board and come up with a policy on pretextual stops that doesn't adversely affect traffic safety, as the current proposal surely will.

A better policy would focus on preventing police officers from using traffic stops for fishing expeditions -- not with banning all stops for certain kinds of violations. These violations exist for important safety reasons, and need to be enforced.

For example:

**Turn signals** are fundamental to traffic safety. This is so basic that it's hard to conceive of how banning enforcement for not using turn signals ever got into your proposed policy. Drivers, pedestrians and cyclists depend on turn signals to predict what other vehicles will do. I am especially thinking of cyclists and scooter riders who are accustomed to passing vehicles on the right side. They absolutely need to know if a vehicle ahead of them is turning right. I specifically remember a young woman cyclist who was crushed under a truck in Soma when the truck turned right at an intersection across the bike lane she was riding in. Turn signals are a must in a crowded city like ours.

**Current registration and license plates** are also fundamental to regulating vehicles and drivers. Driving is a privilege, not a right. Especially in transit-first San Francisco. The registration system collects taxes and fees that offset the costs of vehicle use. Also, requiring current registration gets drivers to pay outstanding parking and traffic tickets, and ensures they have liability insurance. Additionally, current registration is necessary to send automated tolls and tickets to the proper party. Automated systems won't work if drivers do not have both license plates and up-to-date registration. This is important now for bridge tolls and red light cameras, and it will be even more important in the future for speed cameras and congestion zones.

**Bicyclists and scooter riders** must also follow the rules of the road, and should not be exempt from enforcement. I speak from personal experience on this issue. Years ago, an adult cyclist riding on the sidewalk crashed into me at a corner and broke my nose. I was lucky the back of my head didn't hit the pavement when I was thrown backwards to the ground. Since then, the chaos on the sidewalks has only gotten worse with many scofflaw cyclists and scooter riders using the sidewalks and also ignoring traffic lights and stop signs. Traffic laws absolutely need to be enforced against any vehicle operator, without blanket exceptions. This is especially true of ebikes and scooters. These vehicles aren't the pedal powered 10-speeds of yesteryear. They are full-fledged, motorized vehicles and need to be driven as such. Enforcement is necessary for cyclists and scooterists, too.

If the Police Commission passes the current policy on pretextual stops, then accidents, injuries and deaths will increase. We actually need more enforcement of traffic laws to promote safety and get to Vision Zero, not less. Please reject this policy.

Thank you,  
David Driver