



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Esparza
Councilmember Khamis

SUBJECT: SEE BELOW

DATE: April, 26, 2019

Approved

Maya Esparza *Johnny Khamis* (SP)

Date April 26, 2019

**SUBJECT: PROHIBIT SPECTATORS AT STREET RACES AND RECKLESS
DRIVING EXHIBITIONS**

RECOMMENDATION

1. Accept staff's recommendation to approve an ordinance amending Title 10 of the San José Municipal Code to include Chapter 10.50 which prohibits spectators at Street Races and Reckless Driving Exhibitions.
2. Direct the City Manager to explore possible funding sources for the Police Department to assign overtime staffing for the Racing Enforcement Detail (RED team) to augment their enforcement capabilities over the summer months of 2019.
3. Direct staff to return to Council in six months with a report on implementation, including data on the number of arrests, citations, calls, geographic distribution of incidents, and possible additional tools or measures to improve enforcement and discourage participation in street racing and sideshows.

BACKGROUND

We thank the Police Department and the City Attorney's Office for their hard work in bringing forward this much needed tool for our law enforcement officers to effectively combat street racing and sideshows.

San José faces a serious problem with illegal street racing and sideshows, a problem which has tragically taken a number of lives in recent years, and continues to endanger innocent bystanders, in addition to participants and spectators. These races are a regular occurrence, and are not bound by neighborhood or Council District. This is an issue that affects the safety of residents throughout the City, and demands our collective action.

On January 26, 2015, 24-year-old Kiran Pabla was jogging on Yerba Buena Road when she was killed by a driver believed to be engaged in a street race. On April 9, 2015, 20-year-old Alyson

Snow, a graduate of Leland High School, lost her life driving down Branham Lane when her car was struck by a driver participating in a street race. In October of 2015, 15-year-olds Jayleen Ciriaco and Anthony Ramos, and 18-year-old Oscar Avila Toledo were killed in a street race on East Santa Clara Street. More recently, in October of 2018, 49-year-old Lorraine Garcia was killed on Monterey Road when her taxi cab was struck during an alleged street race. Each of these senseless deaths is one too many, and it is our responsibility to ensure that our law enforcement officers have the necessary tools to keep our residents safe.

The Police Department's Racing Enforcement Detail currently has the resources to dedicate between 10-14 on-duty officers to enforcing our laws against street racing and reckless driving exhibitions, which is simply insufficient staffing to effectively ensure the safety of our communities. As the summer months approach, street racing and related illicit activities are expected to rise, and it is imperative that we make every reasonable effort to ensure that the Police Department has both the tools and staffing capability necessary to enforce our laws and discourage this dangerous, often fatal behavior.