

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

October 15, 2013

The Honorable Cynthia Ming-Mei Lee  
Presiding Judge  
Superior Court of California, County of San Francisco  
400 McAllister Street  
San Francisco, CA 94102

Dear Judge Lee:

The following is a report on the 2012-2013 Civil Grand Jury Report, "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report *Sharing the Roadway: From Confrontation to Conversation.*"

The Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing on September 12, 2013, to discuss the findings and recommendations of the Civil Grand Jury and the departments' responses to the report.

The following City Departments submitted responses to the Civil Grand Jury (copies enclosed):

- Mayor's Office, dated August 9, 2013  
(Finding 4 and Recommendations 4.1 and 4.2)
- San Francisco Municipal Transportation Agency, dated August 9, 2013  
(Findings 1 and 4 and Recommendations 1.1, 1.2, 1.3, 1.4, 1.5, and 4.2)
- San Francisco Police Department, dated August 7, 2013  
(Recommendations 2.1, 2.2, 2.3, 3.1, 4.1, 4.2)
- Bicycle Advisory Committee, dated August 27, 2013  
(Findings 1, 2, and 4 and Recommendations 1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 3, 4.1, and 4.2)

The Report was heard in committee and a resolution prepared for the Board of Supervisors' approval that formally accepting or rejecting the findings and recommendations requiring the Board of Supervisors response (copy of Board Resolution No. 338-13 enclosed).

If you have any questions, please contact me at (415) 554-5184.

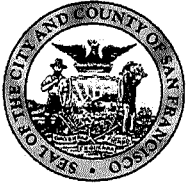
Sincerely,

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo  
Clerk of the Board

c:  
Members, Board of Supervisors  
Martha Mangold, Foreperson, 2012-2013 Civil Grand Jury  
Pat Kilkenny, Court Coordinator, Civil Grand Jury  
Ben Rosenfield, City Controller  
Jon Givner, Deputy City Attorney  
Severin Campbell, Budget and Legislative Analyst's Office  
Katherine Short, Budget and Legislative Analyst's Office

Antonio Guerra, Mayor's Office  
Janet Martinsen, San Francisco Municipal Transportation Agency  
Kathleen Sakelar, San Francisco Municipal Transportation Agency  
Christine Fountain, San Francisco Police Department  
Elbert Hill, Bicycle Advisory Committee



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

130602

[ Board Response - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation" ]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

9/24/2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener
Absent: 1 - Yee

10/4/2013 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

October 15, 2013

Date

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

AMENDED IN COMMITTEE

9/12/2013

FILE NO. 130602

RESOLUTION NO. 338-13

1 [Board Response - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up  
2 to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to  
3 Conversation"]

4 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
5 **and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are**  
6 **the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report**  
7 **Sharing the Roadway: From Confrontation to Conversation;" and urging the Mayor to**  
8 **cause the implementation of accepted findings and recommendations through his/her**  
9 **department heads and through the development of the annual budget.**

10 WHEREAS, Under California Penal Code Section 933 et seq., the Board of  
11 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
12 Court on the findings and recommendations in Civil Grand Jury Reports; and

13 WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or  
14 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a  
15 county agency or a department headed by an elected officer, the agency or department head  
16 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the  
17 response of the Board of Supervisors shall address only budgetary or personnel matters over  
18 which it has some decision making authority; and

19 WHEREAS, The 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving  
20 Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From  
21 Confrontation to Conversation" is on file with the Clerk of the Board of Supervisors in File No.  
22 130602, which is hereby declared to be a part of this resolution as if set forth fully herein; and  
23  
24  
25

1           WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
2 to Finding Number 4 as well as Recommendations 4.1 and 4.2 contained in the subject Civil  
3 Grand Jury report; and

4           WHEREAS, Finding No. 4 states: "SFPD needs the support of the City's leaders to  
5 enforce roadway laws effectively;" and

6           WHEREAS, the Recommendation No. 4.1 states: "The Mayor and the Board of  
7 Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a  
8 San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero  
9 bicycle fatalities and a 50% annual reduction in bicycle collisions;" and

10           WHEREAS, the Recommendation No. 4.2 states: "Through collaboration with SFPD,  
11 BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in  
12 Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow;" and

13           WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of  
14 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
15 Court on Finding Number 4 as well as Recommendations 4.1 and 4.2 contained in the subject  
16 Civil Grand Jury report; now, therefore, be it

17           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
18 Superior Court that it agrees with Finding 4; and, be it

19           FURTHER RESOLVED, That the Board of Supervisors reports that it has not  
20 implemented but will implement Recommendation 4.1 within six months of the publication of  
21 the Civil Grand Jury report, from June 10, 2013 to no later than December 10, 2013 and, be it

22           FURTHER RESOLVED, That the Board of Supervisors reports that it requires further  
23 analysis for Recommendation 4.2 for reasons as follows: the Board will evaluate what  
24 collaboration with the SFPD, Bicycle Advisory Committee, and SFMTA would look like; and  
25

1 conduct this evaluation within six months of the publication of the Civil Grand Jury report, from  
2 June 10, 2013 to no later than December 10, 2013; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the  
4 implementation of accepted findings and the recommendation through his/her department  
5 heads and through the development of the annual budget.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tails  
Resolution

File Number: 130602

Date Passed: September 24, 2013

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

September 12, 2013 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

September 12, 2013 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

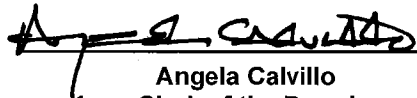
September 24, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener

Absent: 1 - Yee

File No. 130602

I hereby certify that the foregoing Resolution was ADOPTED on 9/24/2013 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

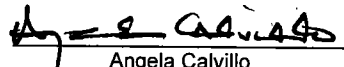
\_\_\_\_\_  
Unsigned

\_\_\_\_\_  
10/4/13

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
Angela Calvillo  
Clerk of the Board

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

August 9, 2013

The Honorable Cynthia Ming-mei Lee  
Presiding Judge  
Superior Court of California, County of San Francisco  
400 McAllister Street  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 AUG - 9 PM 3:45  
PN

Dear Judge Lee:

I am pleased to present my response to the 2012-2013 Civil Grand Jury report, *Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation.*

Every year, San Francisco has shown a commitment to enhancing the bicycle network. Recent examples include new physically separated bikeways on highly-traveled corridors, additional bike parking spaces, and the launch of a bike share system this month as part of the Bay Area's regional bike share pilot program. Additionally, funding the expansion of core bicycle infrastructure is a key strategy of my 2030 Transportation Task Force.

As investments in the bicycle infrastructure have increased, biking has grown in popularity. All modes of transportation in San Francisco – cars, buses, rail, walking, and biking – have to share the road and must respect each other's use of the roadway. To ensure that all citizens feel safe on City streets, we must continue to educate bicyclists and others about all traffic laws and provide proper enforcement when necessary.

In response, I have carefully considered the findings and recommendations of the Civil Grand Jury, as well as the response of the San Francisco Police Department (SFPD) and San Francisco Municipal Transportation Agency (SFMTA).

**The Mayor's Office response to the Civil Grand Jury's findings is as follows:**

**Finding 4.** SFPD needs the support of the City's leaders to enforce roadway laws effectively.

**Response:** *Agree.* I fully support all SFPD efforts to enforce roadway laws. As noted in the SFPD response, the Department is beginning to use mobile devices for traffic citations and collision reports, updating the outdated system of ticket books. The aggregated digitally collected citation data can be used to make enforcement decisions. With this new tool, the City will be able to improve enforcement of all roadway laws.

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200  
SAN FRANCISCO, CALIFORNIA 94102-4681  
TELEPHONE: (415) 554-6141

**The Mayor's Office response to the Civil Grand Jury's recommendations is as follows:**

**Recommendation 4.1:** The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.

**Response:** *Requires further analysis.* Every fatality on city streets is a tragedy and the twin goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions are laudable. The recently completed Pedestrian Safety Task Force was convened in response to a similar directive to reduce pedestrian injuries and fatalities. In 2010, Mayor Newsom issued Executive Directive 10-03 calling on the City to reduce fatal and serious injuries to pedestrians by 25% by 2016 and 50% by 2021 (compared to a 2008 baseline).

Building on the expertise developed through this process and in order to strengthen bicyclist safety, the Pedestrian Safety Steering Committee, (led by SFMTA and DPH), should consider reconvening within six months. The committee should review bicycle safety measures with the aim of reducing bicycle fatalities and collisions in San Francisco.

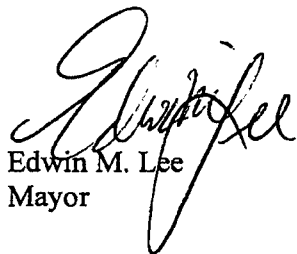
**Recommendation 4.2:** Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow.

**Response:** *Partially implemented and requires further analysis.* SFPD has already implemented numerous traffic enforcement safety campaigns. For example, two recent efforts were aimed at reducing distracted driving and DUI infractions. While both of these examples are focused on cars, SFPD plans on continuing targeted enforcement and education on all vehicular traffic, including bicycles.

Additionally, public awareness and compliance can be sought outside of enforcement campaigns. For example, an advertising campaign instructing drivers and bicyclists on the correct entry into and exit out of bike lanes could be just as effective in improving bicycle safety on City streets. SFPD should work with the Pedestrian Safety Steering Committee to see if an additional enforcement safety campaign is necessary.

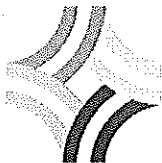
In conclusion, I offer my thanks to the 2012-2013 Civil Grand Jury for their service to the City and County of San Francisco, and commend their commitment to improving the effectiveness of City government.

Sincerely,



Edwin M. Lee  
Mayor





**August 9, 2013**

**The Honorable Cynthia Ming-mei Lee  
Presiding Judge  
Superior Court of California, County of San Francisco  
400 McAllister Street  
San Francisco, CA 94102**

***Subject: SFMTA response to Civil Grand Jury Report "Are the Wheels Moving Forward," dated June 10, 2013***

**Dear Judge Lee:**

Please find enclosed for your review the San Francisco Municipal Transportation Agency's response to the above-named Civil Grand Jury Report. We very much appreciate the time and effort of the Civil Grand Jury in researching and issuing this report.

If you have any questions, please call me at 701.4720 or Kathleen Sakelaris at 701.4339.

Edwin M. Lee  
*Mayor*

Tom Nolan  
*Chairman*

Cheryl Brinkman  
*Vice-Chairman*

Leona Bridges  
*Director*

Malcolm Heinicke  
*Director*

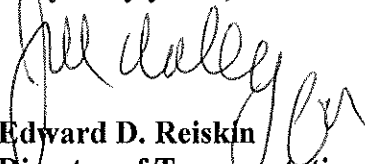
Jerry Lee  
*Director*

Joél Ramos  
*Director*

Cristina Rubke  
*Director*

Edward D. Reiskin  
*Director of Transportation*

**Very truly yours,**

  
**Edward D. Reiskin  
Director of Transportation**

**Enclosure**

One South Van Ness Ave.  
Seventh Floor  
San Francisco, CA 94103

Tele: 415.701.4500

www.sfmta.com



<b>Findings</b> For each finding the response must: 1) agree with the finding, or 2) disagree with it, wholly or partially, and explain why.	<b>Recommendations</b> As to each recommendation the responding party must report that: 1) the recommendation has been implemented, with a summary explanation; or 2) the recommendation has not been implemented but will be within a set timeframe as provided; or 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.	<b>Response</b>	<b>Comments (for internal discussion/review only)</b>
<b>Education:</b> 1. As the biking movement grows and evolves, more education will be needed. With the goal of a 20 percent mode share, efforts must be substantially increased to educate both bicyclists and motorists. In order to accomplish the mode share goal, more will be needed.	1.1 Bicycle safety education should be continued, expanded and extended to non-cyclists and motorists.	1 - Recommendation Implemented. SFMTA agrees with the Finding.  In addition to the numerous bicycle safety courses described in the Civil Grand Jury Report, the following initiatives are underway or will be implemented in 2013: <ul style="list-style-type: none"> <li>• Taxi Driver Training Programs: as part of new driver training and retraining for current drivers, a SFBC representative conducts a presentation on bicycle safety and education, which includes a handout of bike lane configurations and maneuvers; in addition, before the end of 2013, an on-line permit renewal requirement will be in place for all taxi drivers and will include a bicycle safety component among other topics</li> <li>• Transit Operator bicycle education initiatives include: bicycle safety awareness video is posted in Operator Divisions and plays an ongoing basis; the "Sharing the Road with Bicycles" video is</li> </ul>	

		<p>shown daily to senior operators in VTT class; a bicycle safety advocate conducts a one hour presentation to all new operator training classes; a "Sharing The Road with Bicycle Riders" safety pamphlet is distributed to all new operators.</p> <ul style="list-style-type: none"> <li>• Bike to Work Day: The SFMTA has a contract with the SFBC to perform outreach events prior to Bike to Work Day and on the day of the event. Prior to the event, activities include education classes to reach non-cycling populations, bike buddy campaigns, bike repair stations and bike tours. On the day of the event, the SFBC gives away at least 6,000 Bike to Work Day bags that include promotional items at 25 "energizer" stations throughout San Francisco.</li> <li>• Bike Maps: In Spring 2013, SFMTA developed a new user-friendly bicycle map that folds to a pocket size and includes key safety and encouragement messages (<a href="http://www.sfmta.com/maps/san-francisco-bikeway-network-map">http://www.sfmta.com/maps/san-francisco-bikeway-network-map</a>). The SFMTA printed 8,500 copies for distribution in 2013 Bike to Work Day bags and at summer events. Most maps are already gone and the map will be re-printed. In 2013, the SFMTA will also be printing 500 copies of the pre-existing San Francisco Walking and Biking Guide and will make these maps available to requestors.</li> <li>• Bike Guide: In 2013, the SFMTA completely redesigned and reformatted the San Francisco Bicycle Guide into a pocket-sized booklet featuring "how-to" information for bicycling on San Francisco's standard bikeways as well as the innovative bicycle facilities including bike boxes, green bike lanes, and cycletracks. The SFMTA printed a total of 4,250 copies of the guide in English, Spanish, and Chinese for distribution at SFMTA outreach events and 2013 Bike to Work Day. The bike guide will be reprinted prior to 2014 Bike to Work Day.</li> <li>• Social Media: The SFMTA leverages its Facebook</li> </ul>
--	--	--

- and Twitter social media properties on a weekly basis to encourage bicycling by highlighting new projects that enhance safety, convenience and comfort for bicyclists. The agency also promotes messages and stories that discuss the health benefits of bicycling as well as the importance of being a safe and responsible bicyclist.
- Website: The SFMTA's new website functions as a resource for San Franciscans to learn how the SFMTA's bike projects will positively impact their communities, from reducing congestion and pollution to increasing safety and comfort for those who bike and walk.
- Bike Lights: As in years past, the SFMTA will purchase approximately 900 sets of front and rear bike lights in 2013 and 2014 to give away during the "Be Seen" campaign that will include events such as the November and December Light Up the Night. These are evening commute events where the SFMTA and SFBC collaborate on sharing information about safe nighttime riding and then install bicycle lights on bicycles without lights. These lights help cyclists be seen throughout the fall and winter during the return to standard time from daylight savings time.
- Spoke cards: New this year, the SFMTA is designing and printing 5,000 retro-reflective spoke cards to giveaway during the "Be Seen" campaign that will include events such as the November and December Light Up the Night. The spoke cards will be printed with safety information for bicyclists and also be reflective so when placed in between spokes of a bicycle they serve as a side reflector. The SFMTA and SFBC collaborate during the evening giveaway commute events and share information about safe nighttime riding and will provide these spoke cards that will help cyclists be seen especially throughout the fall and winter during the return to standard time from daylight savings time.

		<ul style="list-style-type: none"> <li>• Bike Bells: The SFMTA is developing a bike bell campaign that will provide bells to bicyclists, helping them to avoid conflicts with pedestrians and other cyclists when passing or turning. This "Be Heard" campaign will include purchasing 600 bicycle bells, developing specific outreach materials and delivering them to passing bicyclists at commute events, Sunday Streets, and other SFMTA outreach events.</li> </ul>	
	<p>1.2 SFMTA should collaborate with SFBC to include SFBC flyers that promote and provide bicycle education in SFMTA Renewal Residential Parking Permit packets.</p>	<p>4 - Recommendation will not be implemented as it would be administratively and financially burdensome. The residential permit parking permit mailings are sent using an automated process that is not conducive to including materials from an outside entity like the SFBC. The intent of the Recommendation is better accomplished through SFMTA programs encouraging bike riding, including those described above under 1.1. SFMTA is also engaged in a regional partnership to launch a public bicycle sharing program (Bay Area Bike Share) in San Francisco and in other cities along the Peninsula. Experience from other cities has shown that bicycle sharing is an extremely effective method of promoting cycling and that its introduction consistently has a positive effect on bicycle safety. In addition to the bikes, stations, and system users being omnipresent in the public realm, the program itself includes a major marketing campaign that will reach people who travel by all modes.</p>	
	<p>1.3 Provide incentives to participants who complete SFBC Urban Bicycling Workshops in order to increase enrollment. Incentives could include SFMTA's City Pass, MUNI Passport or Clipper Card.</p>	<p>4 - Recommendation will not be implemented as classes are already oversubscribed and additional incentives for attendance are not needed. Rather, efforts should focus on identifying additional grant funds to expand the reach of classes.</p>	
	<p>1.4 Publicize classes and promote safe roadway behavior (share the road, obey traffic laws,</p>	<p>3 - Recommendation requires more analysis. The SFMTA is seeking funds for a widespread bike</p>	

	<p>etc.) on banners, billboards, and signs throughout the City, including MUNI bus stop shelters and the sides of MUNI vehicles.</p>	<p>encouragement campaign, which will include messages promoting safe roadway behavior for all roadway users. Assuming funds can be secured, campaign would launch 2014.</p>	
<p><b>Enforcement:</b></p> <p>4. SFPD needs the support of the City's leaders to enforce roadway laws effectively.</p>	<p>1.5 Offer bicycle-training courses to private San Francisco businesses.</p> <p>4.2 Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow.</p>	<p>1 - Recommendation has been implemented:</p> <p>The SFMTA is launching a new Commute by Bike pilot program this fall targeting employers and employees. The program is funded through a Transportation for Clean Air (TFCA) grant and will contract with the SFBC to provide bicycle training classes and technical assistance to employers. The program will start with 75 companies, totaling 7500 employees, in 4-5 neighborhoods throughout the city. The program will include bicycle safety classes, online contests to encourage bicycle use, and an evaluation to determine how best to design and expand similar programs in the future.</p> <p>3 - Requires further analysis.</p> <p>An Enforcement Safety Campaign would not be implemented by the SFMTA, however, in an effort to strengthen bicyclist safety, the Pedestrian Safety Steering Committee led by SFMTA and DPH could consider reconvening within six months to discuss bicycle safety measures with the aim of reducing bicycle fatalities and collisions in San Francisco. The committee could review the most recent bicycle collision reports as well as the list of recommended locations for targeted enforcement and engineering countermeasures.</p>	



**EDWIN M. LEE**  
MAYOR

POLICE DEPARTMENT  
**CITY AND COUNTY OF SAN FRANCISCO**

THOMAS J. CAHILL HALL OF JUSTICE  
850 BRYANT STREET  
SAN FRANCISCO, CALIFORNIA 94103-4603



**GREGORY P. SUHR**  
CHIEF OF POLICE

August 7, 2013

The Honorable Cynthia Ming-mei Lee  
Presiding Judge  
Superior Court of California  
County of San Francisco  
400 McAllister Street, Room 008  
San Francisco, CA 94102-4512

Dear Judge Lee:

I am pleased to offer the San Francisco Police Department's (SFPD) response to the 2012 – 2013 Civil Grand Jury report entitled "Sharing the Roadway – from Confrontation to Conversation." The SFPD's response to the report's findings and recommendations are set forth in the accompanying attachment.

The SFPD appreciates the work done by the Civil Grand Jury as it relates to the safety of our city's public. Ensuring the safety of our community, including pedestrians and bicyclists who are an increasing part of our commuter traffic, is a major priority for the SFPD. We look forward to working in partnership with the various City agencies and community organizations to implement the recommendations put forth in this report.

I thank the 2012 - 2013 Civil Grand Jury for its efforts in improving San Francisco government, the public's safety, and the overall quality of life in our city. I am grateful for the opportunity for the SFPD to participate in this initiative.

Sincerely,

**GREGORY P. SUHR**  
Chief of Police

/cf

Attachment

c: Martha M. Mangold, Foreperson, Civil Grand Jury  
Government Audit Clerk, Office of the Clerk of the Board  
Mayor's Office of Public Policy and Finance

**SAN FRANCISCO POLICE DEPARTMENT  
RESPONSE TO THE CIVIL GRAND JURY REPORT  
“Are the Wheels Moving Forward? A Follow-up to the 2009 – 2010 Civil Grand Jury  
Report, Sharing the Roadway: From Confrontation to Conversation”**

**Recommendation 2.1**

*SFPD should expand training related to bicycle safety and enforcement and implement the following:*

**Recommendation 2.2**

*SFPD should establish a comprehensive bicycle safety training program for new recruit officers, as well as ongoing bicycle training in its continuing education program for police officers, e.g., a stand-alone class reviewing California Vehicle Code and Traffic Code provisions specific to bicycling*

**Response: Agree – Implemented**

The Department currently has bicycle safety training, and has had such for many years, including recertification training for officers as outlined below:

- Recruit officers receive 16 hours of traffic enforcement training. As part of the 16 hours, there is one hour of training specific to bicycle enforcement.
- Recruit officers receive 40 hours of traffic collision investigation. Within that time, bicycle enforcement is discussed at specific points of the instruction.
- From 2001 to present, approximately 320 members have been certified in bicycle operations through a three day in-house education/training course. An additional 260 members have been recertified through a one day refresher course.

**Recommendation 2.3**

*SFPD should create an updated bicycle safety video modeled on Chicago's "Traffic Enforcement for Bicycle Safety" that includes all California Vehicle Codes and Traffic Codes related to bicycles*

**Response –Agree**

The Department has reviewed the bicycle safety video currently used by the City of Chicago. Academy staff will be asked to work on production of a similar video to include all applicable state laws. The video will be implemented into the existing officer training referred to in Recommendation 2.2, with a completion date of January 2014.

**Recommendation 3.1:**

*SFPD should update the citation form to include a category for bicycle infractions*

**Response: Agree - Implemented**

Completed for both electronically written and hand-written citations as of July 2013.



**Recommendation 4.1:**

*The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.*

**Response:** No response as this recommendation belongs to Departments other than the SFPD

**Recommendation 4.2:**

*Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow.*

**Response:** Agree - Partially implemented and requires further analysis.

The SFPD has already implemented numerous traffic enforcement safety campaigns. For example, two recent efforts were aimed at reducing distracted driving and DUI infractions. While both of these examples are focused on cars, the SFPD plans on continuing targeted enforcement and education on all vehicular traffic, including bicycles.

Additionally, public awareness and compliance can be sought outside of enforcement campaigns. For example, an advertising campaign instructing drivers and bicyclists on the correct entry into and exit out of bike lanes could be just as effective in improving bicycle safety on City streets. Through discussions with the Pedestrian Safety Steering Committee, the SFPD will determine if an additional enforcement safety campaign is necessary.



San Francisco Bicycle Advisory Committee  
City Hall, Room 408  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

August 27, 2013

Presiding Judge Cynthia Ming-Mei-Lee  
400 McAllister Street, Room 008  
San Francisco, CA 94102-4512

Dear Judge Lee,

We, the San Francisco Bicycle Advisory Committee, have reviewed the 2012-2013 Civil Grand Jury report, "Are the Wheels Moving Forward?" Below is our Committee's response to the Findings and Recommendations.

**Finding 1:**

San Francisco is well-served by the San Francisco Bike Coalition bicycle safety education efforts. SFBC bicycle education materials and classes are comparable to bicycle education programs in other U.S. cities known for their safe streets.

SFPD and SFMTA will launch a Bicycle Citation Diversion Education Program this year (2013). This satisfies the previous Jury recommendation to establish a Bicycle Court Traffic School option as a tool for education.

In 2012, the San Francisco Bike Coalition educated 4,866 people in its Street Safety Education classes, or approximately .01 percent of San Francisco's population. As the biking movement grows and evolves, more education will be needed. With the goal of a 20 percent mode share, efforts must be substantially increased to educate both bicyclists and motorists. The bicycle safety education programs of SFBC are on the right track to reduce confrontations between bicyclists and motorists. However, in order to accomplish the goal mode share, more will be needed.

**The San Francisco Bicycle Advisory Committee (BAC) agrees with Finding 1, with clarification on Paragraph 2:**

**We have met with the MTA, SFPD, a representative of the Board of Supervisors, a representative of the San Francisco Bicycle Coalition, and members from the Superior Court, Traffic, from 2011 to July 2013. There is no prospect for establishment of a Bicycle Citation Diversion Program in the foreseeable future, primarily due to procedural difficulties with State Superior Court citation processes.**

**Recommendation 1.1:**

Bicycle safety education should be continued, expanded and extended to non-cyclists and motorists.

**Recommendation requires further analysis. The BAC is unaware of any plans for expansion of the existing program to motorists beyond MUNI Operators and Taxi Drivers.**

**Recommendation 1.2:**

SFMTA should collaborate with SFBC to include SFBC flyers that promote and provide bicycle education in SFMTA Renewal Residential Parking Permit packets.

**Recommendation requires further analysis. The BAC is unaware of any plans for insertion of flyers to promote and provide bicycle education in SFMTA Residential Parking Permit packets.**

**Recommendation 1.3:**

Provide incentives to participants who complete SFBC Urban Bicycling Workshops in order to increase enrollment. Incentives could include SFMTA's City Pass, MUNI Passport or Clipper Card.

**Recommendation requires further analysis. The BAC is unaware of any plans to provide incentives for participants who complete SFBC Urban Cycling Workshops in order to increase enrollment.**

**Recommendation 1.4:**

Publicize classes and promote safe roadway behavior (share the road, obey traffic laws, etc.) on banners, billboards, and signs throughout the City, including MUNI bus stop shelters and the sides of MUNI vehicles.

**Recommendation requires further analysis. The BAC is unaware of any plans to publicize classes and promote safe roadway behavior.**

**Recommendation 1.5:**

Offer bicycle-training courses to private San Francisco businesses.

**Recommendation requires further analysis. The BAC is aware that the SFBC has long provided limited bicycle education to businesses, ranging from the Federal MTA offices, to PG&E and Lucas on an as-requested basis for many years.**

**Finding 2:**

While current SFPD training relative to bicycle safety and laws is included in classroom instruction where new recruit officers learn about California Vehicle Codes and accident investigation, more bicycle-specific training also needs to be part of continuing education for police officers.

**We agree with Finding 2, but wish to clarify that 'bicycle-specific training' should be oriented towards 'urban bicycling by utility bicycle operators' in addition to the traditional police training by the *International Police Mountain Bike Association*, which emphasizes advanced riding skills for pursuit and other law enforcement actions.**

**Recommendation 2.1:**

SFPD should expand training related to bicycle safety and enforcement and implement the following:

**Recommendation requires further analysis. The BAC has long supported and advocated for SFPD bicycle training, not only for better understanding of the law and real-life conditions bicyclists deal with, but also to increase the number of SFPD bicyclists enforcing traffic laws on our streets.**

**Recommendation 2.2:**

SFPD should establish a comprehensive bicycle safety training program for new recruit officers, as well as ongoing bicycle training in its continuing education program for police officers, i.e., a stand-alone class reviewing California Vehicle Code and Traffic Code provisions specific to bicycling.

**Recommendation requires further analysis. The BAC has long supported on-going training of all police officers, especially those who reside outside of San Francisco and have little connection to the transportation goals of San Francisco in developing a Transit-First City, discouraging personal auto use, and establishing a priority for slowing traffic to the benefit of children, seniors, bicyclists, the disabled, and other pedestrian users.**

**Recommendation 2.3:**

SFPD should create an updated bicycle safety video modeled on Chicago's "Traffic Enforcement for Bicycle Safety" that includes all California Vehicle Codes and Traffic Codes related to bicycles.

**Recommendation requires further analysis. The SFMTA recently implemented bicycle-specific safety video for all MUNI operators, with similar professional training goals.**

**Furthermore, the BAC has long supported the 2009-2010 Civil Grand Jury recommendation for the development of a Bicycle 'Redi-Ref', that provides short-hand guidance to officers in the field as to which Vehicle Codes apply to bicyclists, vs. those intended for personal and commercial motor vehicles only.**

**Finding 3:**

SFPD citation forms do not include a specific category for bicycle traffic violation; this omission inhibits awareness, data collection and enforcement efforts by the department.

**Recommendation 3:**

SFPD should update the citation form to include a category for bicycle infractions.

**Recommendation requires further analysis. The BAC is unaware of any plans for revision of citation forms to include a special category for Bicycles, but fully supports the benefits from such a revision.**

**Finding 4:**

SFPD needs the support of the City's leaders to enforce roadway laws effectively.

**The BAC agrees with Finding 4. We also observe that the SFPD internal structure seems to be overly insular and defensive, some in the hierarchy assume that the bicycle community is inherently suspicious of law enforcement, when in reality bicyclists are looking for fairness, understanding, and consistency.**

**Recommendation 4.1:**

The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.

**Recommendation requires further analysis. The BAC agrees with Recommendation 4.1, noting that a goal of zero fatalities will require the united efforts of all city departments to participate through Equality (Equity), Engineering, Enforcement, Education, Encouragement (Outreach), and Evaluation (feedback loop).**

**Recommendation 4.2:**

Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow.

**Recommendation requires further analysis. The BAC has made repeated attempts to meet with the other parties, and invite the SFPD to BAC meetings. This included requests for SFPD attendance at BAC meetings with a specific agenda item requiring SFPD response to this Civil Grand Jury's recommendations. The department has not responded to Committee invitations since January. The SF Administrative Code Section 5.130 (c) states, "In addition to the 11 voting members, the following City departments will each provide a non-voting representative to attend Advisory Committee meetings: the Police Department..."**

**The BAC enthusiastically looks forward to participation in the implementation of the recommendations of the 2009-2010 and 2012-2013 Civil Grand Juries.**

**Lastly, the Superior Court of the City and County of San Francisco should be a party to the above referenced *Enforcement Safety Campaign*, considering that all citations require conformance with Court procedures. This could involve changes in the manner in which the State processes citations and assesses fines.**

With regards,

Bert Hill, Chair  
San Francisco Bicycle Advisory Committee  
[www.sfbicycleadvisorycommittee@gmail.com](mailto:www.sfbicycleadvisorycommittee@gmail.com)  
(415) 337-1156 Office