



September 29, 2021

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

**Re: Assembly Bill 1238 (Ting) – Freedom to Walk Act – Request for Signature**

Dear Governor Newsom:

California Walks writes to underscore the need for your signature on Assembly Bill 1238 – The Freedom to Walk Act. Assembly Bill 1238 has the **support of 90 organizations**. Collectively, *we are the public safety experts on this issue.*

**Signing Assembly Bill 1238 means ending the punishment of pedestrians for getting around in their neighborhoods the best way they can and shifting our culture from being car-centric to one that provides and encourages safe crossings and spaces for all.**

The auto industry created jaywalking laws to blame pedestrians for auto crashes and shame them for simply walking. The word jay has racist and classist roots, describing someone from the country who "cluelessly" ventures out into the city. Pedestrians are still perceived as people who are "cluelessly" navigating our streets because of existing jaywalking laws and the greater car-centric culture. In fact, this is not the case because pedestrians across the state are already crossing safely mid-block, where it is currently not legal because they have no other choice.

To this day, there is no reason, or evidence, to suggest that jaywalking laws advance pedestrian safety. When the Oakland Police Department deprioritized bike and walk stops in 2019, severe pedestrian injuries and deaths dropped by 11%. We know that **pedestrians are the most vulnerable users on our road, and we must pass laws that protect them, not punish them.**

Jaywalking laws are used as tools to criminalize and control Black, Brown, and poor Californians:

- Data from police departments in Long Beach, San Diego, and Bakersfield found that Black people were 5.18 times more likely to be cited for jaywalking than white people, proportional to their population share.
- Data from Sacramento found that nearly 50% of jaywalking citations in 2016 were given to Black people, despite them making up only 14% of the city's population.

- Between 2010 and 2020, Los Angeles police wrote 31,712 jaywalking citations. Those tickets were issued disproportionately to Black pedestrians, who represent nearly a third of total citations, but account for about 9% of the city's population.
- Jaywalking fees are incredibly burdensome to low-income communities that are the most targeted. In Bakersfield, for instance, where only 17% of census tracts have a median income below 60% AMI, 92% of all jaywalking citations occurred in these tracts. Once fees and assessments are factored in, jaywalking citations can cost people more than \$500.

**These disparities are reason enough to legalize safe street crossings now.**

You now face a significant opportunity—the opportunity to keep all pedestrians in California safe. Kurt Reinhold, a black man who was stopped for safely crossing against a signal by the Orange County Sheriff's Department, was fatally shot in the ensuing encounter. Nandi Cain Jr., a young black resident of Sacramento, was also stopped for jaywalking, even though he was safely crossing at an unmarked crosswalk. Before he could even explain his actions, an officer threw him to the ground, punched him more than fifteen times, and left him concussed. **By reforming the existing law, Assembly Bill 1238 will narrow the grounds for stopping and citing people, reducing the number of unjust and pretextual encounters between police and pedestrians.**

**Will you sign Assembly Bill 1238 to protect all Californians?**

Sincerely,



Carolina "Caro" Jauregui  
Co-Executive Director