



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/5/2023

To: Board of Supervisors

Department or Agency Name(s): Sheriff's Office

Staff Name and Phone Number: Sheriff Eddie Engram 565-2781 and Heidi Keith 565-2812

Vote Requirement: Majority

Supervisorial District(s): Countywide

Title:

Sideshows, Street Races, and Reckless Driving Exhibitions Ordinance

Recommended Action:

Adopt a resolution introducing, reading the title of, and waiving the reading of a proposed ordinance amending Chapter 19 of the Sonoma County Code to add a new Article VII - Sideshows, Street Races, and Reckless Driving Exhibitions.

Executive Summary:

The Board of Supervisors is being asked to consider a proposed ordinance to amend Chapter 19 of the Sonoma County Code to add a new Article VII. - Sideshows, Street Races, and Reckless Driving Exhibitions to prohibit participating, spectating and/or promoting illegal sideshows, street races and reckless driving exhibitions on public streets, highways, and off-street parking facilities in the unincorporated area of Sonoma County. The first reading of the proposed ordinance and public meeting will take place as a regular calendar Board of Supervisors item on December 5, 2023. The adoption of the ordinance is scheduled for the Board of Supervisors meeting of December 12, 2023, with the ordinance taking effect thirty (30) days after its passage (January 11, 2024). Sideshows present a significant public safety and quality of life concern for residents and visitors of Sonoma County. The intention of the proposed ordinance is to dissuade participation in sideshows, provide consistency across local jurisdictions, and offer an additional tool to the Sonoma County Sheriff's Office to address these dangerous events.

Discussion:

Description of Problem and Community Impacts

Sideshows, street races, and reckless driving exhibitions create an unsafe environment for Sonoma County communities, drastically impacting the quality of life in areas where they occur and often causing damage to vehicles, private and public property, reducing air quality due to burning rubber, and producing noise pollution and litter. These contests, usually held in the late night or early morning hours on public streets and off-street parking lots involve activities such as drifting, speeding, burnouts, and donuts. The large scale coordinated sideshow exhibitions which are happening all over the Bay Area and are happening in Sonoma County in cities like Santa Rosa and Petaluma are not spontaneous events; they are planned, organized, and highly promoted on social media. Promoters of sideshows often attract hundreds of illegal street racers and spectators who converge on intersections and parking lots to participate in exhibitions. Participants block streets with their

cars to set up exhibition areas where spectators act as human guard rails. When law enforcement arrives at the scene of an exhibition, spectators and participants scatter in cars traveling at high rates of speed causing dangerous conditions and traffic congestion only to caravan to a new location for their contests.

During these events a relatively small number of persons are either cited or arrested, in large part due to the challenging nature of the sideshow events. Law enforcement struggles to gain access to the center of a sideshow and participants typically flee while continuing to exhibit dangerous driving behavior to avoid being detained. Again, the act of fleeing from law enforcement can be as hazardous to the community as the events themselves.

In Sonoma County, sideshows have been increasing in size and frequency, as well as becoming more violent and disruptive. Participants have displayed riotous behavior, throwing rocks and bottles at law enforcement, fire, and emergency medical personnel causing bodily harm and property damage. During one event in Santa Rosa one side show participant shot another participant, demonstrating the danger surrounding these illegal events. Although most Sonoma County sideshow activity has historically taken place in incorporated cities such as Santa Rosa, Rohnert Park, and Petaluma they have the potential to push out into the unincorporated area of the County and often do as participants flee when law enforcement arrives. Many of these promoters, participants, and spectators are from outside Sonoma County.

Solution

One of the main goals of the proposed ordinance is to provide consistency across jurisdictional boundaries within Sonoma County. The City of Santa Rosa, City of Rohnert Park, and the Town of Windsor have all adopted similar ordinances. The City of Petaluma, City of Sonoma, and City of Cotati have indicated that they plan on proposing similar ordinances to their councils in the near future. The Sonoma County Law Enforcement Chief's Association (SCLECA) has established a Countywide sideshow enforcement protocol which outlines universal procedures that support organized techniques and tactics to resolve sideshow incidents effectively and safety.

The Sheriff's Office is proposing the ordinance in hopes it will deter sideshow activity in the unincorporated area of the County and prevent any additional "pushing out" of sideshow activities that originate in incorporated areas. Additionally, the ordinance will be used to effectively dissuade those who promote and encourage participation in and spectating of these dangerous exhibitions by extending penalties to those who incite the activities in the first place.

Ordinance

- What the ordinance does:
 - Provides definitions outlining parameters of ordinance.
 - Prohibits promoting, organizing, or facilitating spectators to gather at exhibitions or where preparations are being made for exhibitions.
 - Makes it unlawful to knowingly participate as a driver or passenger.
 - Makes it unlawful to knowingly be present as a spectator or where preparations are being made.
- Circumstances necessary to prove violation:
 - Person has been charged previously for participation in, been a spectator, aided and abetted, or attended.

- Person charged was previously present at a location where preparations were being made for a sideshow or where one was in progress.
- Evidence of violation may include:
 - Time of day
 - Nature and description of the Scene
 - Number of people at the Scene
 - Location of the person charged in relation to other persons or group at the Scene
 - Number and descriptions of motor vehicles at the Scene
 - Modified or altered motor vehicles to increase power, handling, or visual appeal
 - Person charged drove or was transported to the Scene
- Penalties
 - Maximum of six (6) months in jail and a fine of \$1,000 unless at the discretion of the prosecuting agency, the violation is reduced to an infraction.
 - Actual damages caused by violation as may be determined by a jury or court.

Outreach

The Sheriff's Office has committed to a robust outreach campaign surrounding the proposed ordinance. The Sheriff will be holding a community meeting on November 16th, 2023, to announce the proposed ordinance, receive public comment, and provide an opportunity for the community to ask questions. Sheriff's Community Engagement staff have been using social media and the Sheriff's e-newsletter to introduce the ordinance and advertise the Sheriff's community meeting as well as the Board of Supervisors meeting in which the proposed ordinance will be considered.

The Board's adoption of the Sideshow, Street Races, and Reckless Driving Exhibitions Ordinance will provide the Sheriff's Office the ability to cite sideshow organizers, promoters, spectators, and participants providing law enforcement with an additional tool to respond to and dissuade these dangerous and unlawful events and to prevent these activities from growing in size and frequency within Sonoma County.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

Yes

As a significant Board agenda item, the adoption of a Sideshow Ordinance has been identified as an opportunity to conduct a racial equity analysis. In consultation with the Office of Equity through the County Administrator's staff, the Sheriff's Office has evaluated the proposed ordinance through an equity lens to evaluate the ordinance's intended impacts with respect to reducing racial inequities and improving success for underserved members of our community.

Overall, the adoption of the proposed ordinance will benefit all residents of Sonoma County. Preventing or reducing the number of sideshow events in low-income and communities of color will reduce the harm these events cause including negative impact on quality of life, air quality due to the smoke released from burning rubber tires, noise pollution, unmanageable crowds, litter, and damage to private and public property. The

ordinance should improve public safety and the physical environment for these residents.

The main goal of the ordinance is to discourage the participation in sideshows, street races, and reckless driving exhibitions which create an unsafe environment for communities. The unincorporated areas of Sonoma County have been fortunate to not have these types of events begin in their neighborhoods. The intent of the proposed ordinance is to dissuade these activities in unincorporated areas of the County in the event they are “pushed out” by enforcement activities in incorporated areas where they are currently taking place. According to jurisdictions like the cities of Oakland and San Jose where sideshows are prevalent, promoters of sideshows often target neighborhoods that already suffer from poor equity indicators such as lower income, higher crime rates, and historic disinvestment. These events can draw hundreds of people to these neighborhoods, many from outside the County. Deterring sideshows in the unincorporated areas of the County and joining with the other Sonoma County cities who have passed similar ordinances will reduce the harm that these reckless driving exhibitions cause and improve public safety and the physical environment for all residents, especially those targeted areas, which typically experience the most impacts.

To address the potential of any negative impact the implementation of this ordinance may inadvertently produce the Sheriff’s Office will work with our partners and stakeholders, including the Sheriff’s Office Community Roundtable for Equity, Engagement and Diversity (CREED) to ensure that information regarding the proposed ordinance is widely disseminated to residents. This includes thorough and repeated outreach, both English and Spanish, through established avenues including social media, the Sheriff’s month e-newsletter, community events including town halls and community academies. The first of which is a community meeting being held by the Sheriff on November 16th, 2023, to introduce the ordinance, take public input, and answer questions. Additionally, data will be captured and recorded on the implementation and enforcement of the proposed ordinance which will be reviewed periodically to ensure that there are no unintended outcomes that may cause inequities and to allow the Sheriff’s Office to evaluate the actual impacts on communities, particularly historically underserved communities.

The narrow focus of the proposed ordinance will allow the Sheriff’s Office to only pursue those most involved in creating these events while protecting those persons who may have innocently been found to be in the location of a sideshow by happenstance. Most importantly, the evidence that the person has been at a prior sideshow will provide a compelling case to cite actual participants which should enhance the positive impacts and reduce any unforeseen negative impacts.

The Board must weigh the cost of increased criminal penalties and the associated consequences on the small number of individuals promoting and directly participating in sideshows with the overall costs to the larger communities where these events could take place. The Board must decide if the cost of sideshows on the wider community is of greater impact to the County’s advancement of equity principles than the cost of the enforcement actions against the few who are organizing, preparing, and participating in sideshow events.

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected

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Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

The requested Board action does not have a financial impact.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

The requested Board action does not have a staffing impact.

Attachments:

1. Resolution introducing, reading the title of, and waiving further reading of the proposed ordinance.
2. Ordinance Amending Chapter 19 of the Sonoma County Code to add a new Article VII. - Sideshows, Street Races, and Reckless Driving Exhibitions
3. Pre-adoption Summary of Proposed Ordinance

Related Items "On File" with the Clerk of the Board:

None