



# COUNTY OF SONOMA

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

## SUMMARY REPORT

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**Agenda Date:** 12/12/2023

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**To:** Board of Supervisors

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

**Staff Name and Phone Number:** Sheriff Engram 565-27891 and Heidi Keith 565-2812

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

Final Adoption of Sideshows, Street Races, and Reckless Driving Exhibition Ordinance

**Recommended Action:**

Adopt an ordinance amending Chapter 19 of the Sonoma County Code to add a new Article VII - Sideshows, Street Races, and Reckless Driving Exhibitions, as directed by the Board on December 5, 2023.

**Executive Summary:**

The Board of Supervisors is being asked to adopt an 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. □

Sideshows present a significant public safety and quality of life concern for residents and visitors of Sonoma County. The intention of the 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.

On December 5, 2023, at a regular meeting, the Board of Supervisors introduced the proposed ordinance to amend Chapter 19 of the Sonoma County Code to add a new Article VII. - Sideshows, Street Races, and Reckless Driving Exhibitions. This Board item now seeks the adoption of that ordinance. The ordinance will take effect thirty (30) days after adoption.

**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 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 Sonoma, City of Petaluma, 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 hopes the ordinance 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 the 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 participated 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 damaged 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 held 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 was 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, promotors, 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.

Recommendation:

On December 5, 2023, at a regular meeting, the Board of Supervisors approved staff’s recommendation and directed staff to amend Chapter 19 of the Sonoma County Code to add a new Article VII. - Sideshows, Street Races, and Reckless Driving Exhibitions. Staff now recommends adoption of the proposed ordinance.

**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 ordinance through an equity lens to evaluate the ordinances intended impacts with respects to reducing racial inequities and improving success for underserved members of our community. Overall, the adoption of the ordinance will benefit all residents of

Sonoma County. Preventing or reducing the number of sideshow events in low-income and communities of color with reduce the harm these events cause including negative impact on quality of life, air quality due to the smoke released from burning rubber tires, trauma-inducing noise pollution, unmanageable crowds leaving 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 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. 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.

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 to ensure that information regarding the ordinance is widely disseminated to residents. This includes through 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. Additionally, data will be captured and recorded on the implementation and enforcement of the 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 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:**

December 5, 2023: The Board considered the proposed ordinance and adopted a resolution introducing, reading the title of, and waiving further reading of the proposed ordinance.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
<b>Total Sources</b>			

**Narrative Explanation of Fiscal Impacts:**

The requested Board action does not have a fiscal impact.

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

**Narrative Explanation of Staffing Impacts (If Required):**

The requested Board action does not have a staffing impact.

**Attachments:**

1. Ordinance Amending Chapter 19 of the Sonoma County Code to add a new Article VII. - Sideshow, Street Races, and Reckless Driving Exhibitions
2. Post-adoption Summary of Proposed Ordinance

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

None