

Februray 2016

## *Protecting Pedestrians From Scofflaw Bicyclists*

### **Pedestrian Safety Not "Worthwhile"?**

by Patrick Monette-Shaw

Just as truth typically becomes the first casualty of war, in the on-going war to enhance San Francisco's pedestrian safety, the truth about pedestrian accidents caused by bicyclists appears to be a *veracity* casualty of San Francisco Police Department statistics.

The *San Francisco Chronicle* [reported](#) December 14 millennial bicyclist Katrina Sostek felt her \$200 fine for running a stop sign at Duboce Avenue and Church Street was unfair. The police officer who ticketed her "could have been doing something worthwhile," Sostek whined. Puh-leeze, Katrina! Don't want a traffic ticket? Then simply obey State law and come to a full stop.

When did protecting my life from rogue bicyclists become unworthwhile? How did preventing bicyclists from receiving mere traffic violation citations become more "worthwhile" than protecting pedestrians like me?

Running stop signs is dangerous behavior that might cost me my life. From my perch, traffic law enforcement to protect me is completely worthwhile, despite Sostek's misguided wail.

Not to be outdone, Board of Supervisors' president London Breed was quoted in the same *Chronicle* article saying "Our limited police resources should be used for more important things" involving public safety. Golly, Supervisor Breed! When did traffic law enforcement to protect my life become both unworthwhile *and* less important?

The squeaky-wheel — the San Francisco Bicycle Coalition itself — posted a [notice](#) on its web site on December 18, saying (among other things):

*"The question raised by SF's Bike Yield Law remains how best the SFPD can deploy limited traffic enforcement resources. Over 2,000 people have signed our petition in favor of making people biking cautiously and slowly through stop signs the lowest enforcement priority.*

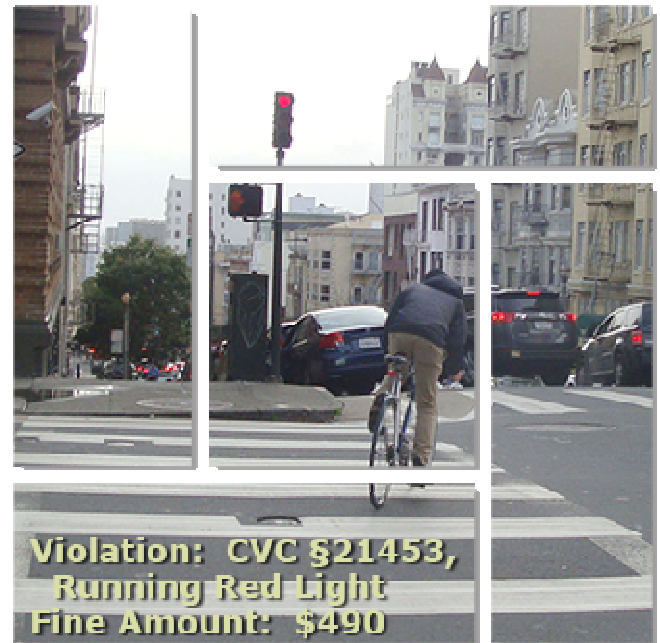
*Together, we can bring an end to the SFPD's wasteful and counter-productive crackdown against biking. Please sign the petition in favor of smart enforcement today.*

*Meanwhile, at one of the most dangerous intersections in the country — Market and Octavia — the San Francisco Police Department (SFPD) invested zero officer-hours in traffic enforcement over a four-week period that included the crackdown.*

*The Bike Yield Law was endorsed by both the Bicycle Advisory Committee and the Pedestrian Safety Advisory Committee."*

Tellingly, the Bicycle Coalition neglected to note that 2,000 petition signatures seeking "smart enforcement" represents just over two-tenths of one percent — yes, just 0.23% — of San Francisco's 852,469 estimated population in 2014. That's hardly a mandate to change State law. In my book, "smart enforcement" suggests that when laws are enforced, they'll be obeyed.

The Bike Coalition appears to want an exemption just for them so they don't have to obey the law like everyone else. Handing them an exemption to State law is actually what may be counter-productive to reducing morbidity and mortality.



**Photo:** January 19, 2016, 3:35 p.m. **Location:** Hyde Street at Sutter Street. **Photo and Illustration:** Patrick Monette-Shaw. Note cyclist blowing through red light *and* in pedestrian crosswalk, after barreling down Hyde Street sidewalk north of Sutter heading south.

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**" Golly, Supervisor Breed! When did traffic law enforcement to protect my life become both unworthwhile *and* less important? "**

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**" The Bicycle Coalition neglected to note that 2,000 petition signatures seeking 'smart enforcement' represents just over two-tenths of one percent — yes, just 0.23% — of San Francisco's 852,469 estimated population in 2014. That's hardly a mandate to change State law. "**

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The Bike Coalition’s claim SFPD should stop its wasteful and counter-productive enforcement against bicyclists breaking the law is not borne out by pedestrian and bicyclist injury data (see below). Market and Octavia may be a dangerous intersection, but it is *not* one of the top-five most dangerous intersections in San Francisco. And the Bike Coalition also neglected noting that at least five of the 11 City departments that adopted statements supporting Vision Zero now oppose the rolling-stop bike law, including the Department of Public Health, SFMTA, the Police Department, the Mayor’s Office, and the Mayor’s Disability Council.

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**“ The Bike Coalition’s claim SFPD should stop its wasteful and counter-productive enforcement against bicyclists breaking the law is not borne out by pedestrian and bicyclist injury data. ”**

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### Encouraging Illegal Behavior

Police Chief Greg Suhr also disagrees. [Suhr wrote](#) to the Board of Supervisors’ Land Use and Public Safety Committee on December 4 saying the proposed “rolling stop” bicyclist legislation would encourage illegal behavior by those using one specific mode of transportation [bicycles] to violate California Vehicle Code §22450(a) — prohibiting running stop signs — putting others at risk of injuries, ranging from minor to fatal.

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**“ The Bike Coalition also neglected noting at least five of the 11 City departments that adopted statements supporting Vision Zero now oppose the rolling-stop bike law. ”**

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San Francisco’s Vision Zero plan purports it will assist in reducing traffic fatalities by employing a “Focus on the Five” strategy to enforce the top five collision factors — running stop signs (CVC §22450(a)), running red lights (CVC §21453), violating pedestrian right-of-way (CVC §21950(a)), committing turning violations (CVC §21801), and speeding (CVC §22350). These are all moving violations subject to Police Department enforcement, not SFMTA Parking Control Officer enforcement issues.

Unfortunately, Suhr suggested the commitment is to focus this strategy on these five factors only in the City’s top five most dangerous intersections. The current five most dangerous intersections are: 1) 16th Street/Potrero Avenue, 2) MLK/Cross Over Drive, 3) Mission Street/6th Street, 4) Van Ness Avenue/Bay Street, and 5) Van Ness Avenue/Broadway Street. [Note: The list is thought to be updated periodically based on shifts in traffic patterns.]

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**“ The ‘Focus on the Five’ strategy to enforce the top five collision factors includes violators running stop signs, running red lights, violating pedestrian right-of-way, committing turning violations, and speeding, which are all moving violations. ”**

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That leaves hundreds or thousands of other intersections throughout the City without any enforcement focus to reduce accidents resulting from the five collision factors. Suhr did qualify that in addition to the top five most dangerous intersections, officers enforce vehicle code violations all over the City.

Suhr’s letter to the Board of Supervisors documented that in the five-year period between January 1, 2010 and December 31, 2014 bicyclists were at fault in San Francisco in 30 percent of injury and fatal collisions — 129 of 427 — due to failure to stop at stop signs, violating CVC §22450(a). Suhr also claimed that during the first nine months of 2015 (January 1 through September 30) there were 447 collisions between bicycles and motor vehicles, including two bicycle fatalities, with bicyclists at fault in 46 percent (206) of the incidents.

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**“ Suhr’s letter noted bicyclists were at fault in 46% (206) of the incidents. ”**

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It’s odd that Chief Suhr knew bicyclists were at fault 30% of injuries and fatalities due to failure to stop at stop signs, because a public records request (below) shows that SFPD issued just one bicyclist a citation for running a stop sign, and that was in 2015.

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**“ Suhr suggested the commitment will focus this strategy in the City’s top five most dangerous intersections: 1) 16th Street/Potrero, 2) MLK/Cross Over Drive, 3) Mission/6th Street, 4) Van Ness/Bay Street, and 5) Van Ness/Broadway Street, leaving hundreds or thousands of other intersections throughout the City without an enforcement focus. ”**

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Were this SFPD data accurate (it isn’t!), and had just one running-stop-sign citation been issued in the past three years (below), it would illustrate SFPD clearly isn’t doing its job, and would also raise the question of whether the Bicycle Coalition is simply crying “wolf”!

## Comparative Data

Suhr's statistics mirror a California Highway Patrol [analysis](#) of 1,997 accidents showing bicyclists were at fault approximately sixty percent of the time when cyclists were severely injured or sustained fatal injuries.

The San Rafael Police Department [reported](#) that between March 2013 and March 2014, bicyclists were at fault in 50 percent of 30 accidents between cars and bicyclists.

In 2012, the National Highway Traffic Safety Administration (NHTSA) [reported](#) 726 cycling-related deaths and 49,000 cycling-related injuries, and that many more injuries go unreported. In 2013, NHTSA [reported](#) 4,735 pedestrians were killed and an estimated 66,000 injured in traffic crashes in the United States, but didn't provide statistics on who was at fault.

NHTSA's 2012 report noted that more than one-fourth (28 percent) of the cyclists killed in 2012 had blood alcohol concentrations (BACs) of .01% or higher, and almost one-fourth (24 percent) had BACs of .08% or higher.

All states define driving with a blood alcohol concentration (BAC) at or above 0.08% as a crime. With inflated BAC's, sensory-motor coordination and impaired balance are typical. BAC's of 0.08% affect reasoning, depth perception, peripheral vision, and glare recovery. BAC's of 0.100% or higher affect reflexes, reaction time, gross motor control, and staggering.

One dirty little secret is that while everyone knows about the dangers of drunk driving and DUI's, nobody ever discusses the fact that drunks also climb onto bicycles, and have impaired judgment when it comes to pedestrian safety!

The difference between drunk drivers (DUI's) and drunk bicyclists (CUI's — Cyclists Under the Influence) is that for drunk drivers, there is an administrative procedure to suspend driver's licenses in 42 states on the *first* drunk-driving offense. Since bicyclists aren't licensed in California or in San Francisco, there's no administrative process for making sure CUI's are taken off our roads!

Data initially provided by SFPD (below) shows that, sadly, police officers issued just one citation to a cyclist driving "under the influence" between 2013 and 2015 in violation of CVC §21200.5 — and that single ticket was issued in 2013. To reflect: Data provided by SFPD revealed just one citation for riding a bike while drunk and one other citation for bicyclists running a stop sign during this three-year period. That's pathetic enforcement.

Megan Hottman, a former professional bike racer, personal-injury lawyer, and co-author of the book *Bicycle Accidents: Biomedical, Engineering and Legal Aspects*, [notes](#) that roughly 47 percent of all bike-car mishaps happen because bicyclists are at fault, a statistic bicycle lobbyists and San Francisco's Bicycle Coalition probably want to ignore.

Hottman also waded into the discussion of bicyclists driving under the influence, the dirty little secret that the San Francisco Bicycle Coalition — and Supervisor John Avalos, author of San Francisco's Rolling Stop bike legislation — probably prefer not be mentioned.

## City Department Records Responses

Three main records requests were submitted to various City departments for this article — including the Department of Public Health, the Department of Emergency Management, and the San Francisco Police Department — along with several follow-up clarification requests. Records produced revealed disturbing data.

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**“ A National Highway Traffic Safety Administration report in 2012 noted 28 percent of cyclists killed in 2012 had blood alcohol concentrations (BACs) of .01% or higher, and almost 24 percent had BACs of .08% or higher. ”**

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**“ One dirty little secret is that while everyone knows about the dangers of drunk driving and DUI's, nobody ever discusses the fact that drunks — 'CUI's' — also climb onto bicycles impaired. ”**

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**SFGH Trauma Registry Data**

The data provided by DPH was solely for San Francisco General Hospital and Trauma Center, which is San Francisco’s single trauma center and, therefore, receives the most severely-injured patients.

The data was generated from SFGH’s Trauma Registry database, which captures information about patients who suffered injuries that required hospitalization or treatment in its ER, whether not they are admitted to the hospital. The Trauma Registry includes patients with severe injuries, as well as those with minor and even no injuries, those who required admission, those who were discharged from the ER, and patients who were not evaluated by the Trauma Team but required admission to a surgical service (e.g., orthopedics, neurosurgery, etc.) due to their injuries. The Trauma Registry only captures data about the most severely injured, and does not include patients who were *not* seen by the Trauma Team but were seen in the ER, treated, and discharged.

There are numerous hospitals in San Francisco; each receives some pedestrian injuries, but that data is obviously not captured by SFGH’s Trauma Registry, or easily or publicly available.

Data DPH provided for the five-year period between calendar years 2010 and 2014 showed:

**Table 1: SFGH Trauma Registry by Type of Accident — Calendar Years 2010 to 2014**

	Calendar Year					Total Incidents	% Mix
	2010	2011	2012	2013	2014		
Ped vs Bike (PVB)	11	14	8	11	12	56	1.4%
Ped vs Auto (PVA)	653	594	507	467	466	2,687	66.3%
Bike vs Auto (BVA)	342	302	206	230	227	1,307	32.3%
<b>Total</b>	<b>1,006</b>	<b>910</b>	<b>721</b>	<b>708</b>	<b>705</b>	<b>4,050</b>	<b>100.0%</b>

Clearly, pedestrians face the greatest risks between accidents with bikes and cars that comprise over two-thirds of all accidents, compared to cyclists. While the data showed a relatively small number of pedestrians — 56 — were struck by bicyclists and treated at SFGH, their outcomes were disproportionately severe:

**Table 2: SFGH Trauma Registry Data Outcomes — Calendar Years 2010 to 2014**

	Total Incidents	Admissions to SFGH	% Mix of Incidents	% Mix of		Head / Neck / Cervical Spine / Injuries	
				Deaths	Incidents	Injuries	% Mix of Incidents
Ped vs Bike (PVB)	56	26	46.4%	2	3.6%	24	42.9%
Ped vs Auto (PVA)	2,687	953	35.5%	79	2.9%	679	25.3%
Bike vs Auto (BVA)	1,307	318	24.3%	9	0.7%	285	21.8%
<b>Total</b>	<b>4,050</b>	<b>1,297</b>	<b>32.0%</b>	<b>90</b>	<b>2.2%</b>	<b>988</b>	<b>24.4%</b>

Of the 56 pedestrians hit by bicyclists, 46.4% (26) were admitted to SFGH, a significantly higher percentage of admissions than either pedestrians hit by autos or bicyclists hit by autos.

For its part, SFPD reported (Table 4, below) that there were 86 collisions between bicyclists and pedestrians between 2012 and September 30, 2015. The difference between DPH’s and SFPD’s data — 56 vs. 86 — may be due to whether the accidents involved transport to SFGH’s or to some other Bay Area hospital that admit injured pedestrians.

Of the 56 pedestrians hit by bicyclists, their two deaths reflected a higher mortality rate than did either pedestrians hit by autos or bicyclists hit by autos. That’s 56 pedestrians struck by bicyclists too many, and two deaths too many.

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**“Of the 56 pedestrians hit by bicyclists, 46.4% were admitted to SFGH, a higher percentage of admissions than either pedestrians hit by autos or bicyclists hit by autos.**

**In addition, of the 56 pedestrians hit by bicyclists, 42.9% sustained a higher rate of head/neck/cervical spine injuries than did either pedestrians hit by autos or bicyclists hit by autos.”**

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Table 2 also shows that of the 56 pedestrians hit by bicyclists, 42.9% (24) sustained a higher rate of head/neck/cervical spine injuries than did either pedestrians hit by autos (17 percent lower) or bicyclists hit by autos (half as low, at 21.8%). Notably, head/neck/cervical spine injuries were double the rate for pedestrians struck by bicyclists — whether or not cyclists were travelling at six miles per hour or more — than for bicyclists struck by autos.

DPH also reported that in the same five-year period, 1,307 bicyclists were hit by automobiles, 24.3% (318) of whom were admitted to SFGH. Of cyclists hit by autos, 21.8% (285) sustained head/neck/cervical spine injuries, and nine died. Suhr noted on December 4 that another two bicyclists died in 2015, bringing the total to 11 bicyclist deaths, which is not yet recorded in DPH's Trauma Registry as the data for 2015 is not yet complete.

Of the 2,687 pedestrians struck by automobiles in the same period, 35.5% (953) were admitted to SFGH, 25.3% sustained head/neck/cervical spine injuries, and 79 died.

Of the 4,050 injuries reported by DPH involving pedestrians vs. bicyclists, pedestrians vs. autos, and bicyclists vs. autos in this five-year period, fully 67.7% (2,743) involved pedestrians going up against bikes and cars; the remaining 32.3% involved bicyclists going up against cars. Clearly, pedestrians are at much greater risk of injuries caused by scofflaw auto drivers and scofflaw bicyclists, since 81 pedestrians died from being struck by cars or bikes, and only nine bicyclists died after being struck by autos.

And that doesn't count pedestrians killed by cyclists or autos and pronounced dead at the scene, and never transported to SFGH, or pedestrians transported to other hospitals.

There's clearly a public health cost — along with patient trauma — from such injuries, which Ms. Breed must be aware is "important," despite her protestations. Unfortunately, SFGH's Trauma Registry doesn't capture data on pedestrians injured by cyclists who were transported to private hospitals, so comprehensive data isn't collected citywide. And SFGH's Trauma Registry database obviously doesn't capture fatalities who weren't transported to SFGH, but to the Medical Examiner's office or the City morgue, instead.

KQED [reported](#) on December 7, 2015 that bicycle apologists claim it appears most cyclists who caused collisions during that time frame appear to be, for the most part, injuring only themselves. This is pure nonsense.

"Injuring just themselves" — when SFPD data shows 86 pedestrians were involved in collisions with bicyclists — appears to be bicycle advocates just making stuff up to pamper their sense of entitlement, notwithstanding clearly disproven by DPH's and SFPD's data.

KQED reported that Andrew Stoltzfus, a bike coalition member, said he is deeply skeptical of numbers released by SFPD, considering SFPD's troubling history of blaming bike riders in collisions. Well, Mr. Stoltzfus, although Bicycle Coalition members may want to stick their collective heads in the sand, the 56 pedestrians hit by bicyclists, and the two dead pedestrians — documented by SFGH's trauma data base, not SFPD — may well disagree that bicyclists are only injuring themselves "for the most part."

The Vision Zero Coalition released a report in February 2015 reporting progress the City made during 2014, noting that 29 people were killed in traffic in 2014, including 17 pedestrians, 3 bicyclists, and 9 drivers. [Note: SFGH's Trauma Registry database reported just 26 traffic deaths during 2014, the difference between the two data sources may be fatalities transported directly to the morgue who never made it to SFGH, or accident victims transported to other hospitals who died.]

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**“ There's clearly a public health cost — along with patient trauma — from such injuries, which Ms. Breed must be aware is 'important,' despite her protestations. ”**

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Preliminary results reported by DPH through the end of November 2015 show another 29 people were killed in traffic in 2015, including the same number of 3 bicyclists, only 7 drivers, and 19 pedestrians — with another 30 days to go in December 2015.

The 17 pedestrians killed in 2014 represented 58.6% of all traffic deaths; the 19 pedestrians killed through November 2015 represent 65.5% of all traffic deaths, with 30 days to go. Clearly, with traffic deaths remaining constant between 2014 and 2015 and the rise in the number of pedestrians killed, Vision Zero appears not to be working so well, no matter what the Bicycle Coalition may want you to believe.

The trend that traffic deaths remain constant points to the need for greater enforcement. It doesn't point to a need to relax enforcement of California's Vehicle Code for anyone.

**9-1-1 Dispatch Data**

Another records request to San Francisco's Department of Emergency Management revealed the 9-1-1 dispatch system received 3,479 calls between calendar year 2013 and December 21, 2015 regarding automobile vs. motorized/non-motorized two-wheeled vehicle accidents, 56.5 percent of which (1,964) involved patients transported to hospitals during the three-year period. Of those transported, 76 percent (1,485) were transported to San Francisco General Hospital, and the remainder transported to other Bay Area hospitals.

It should be noted the national medical protocol used by San Francisco 9-1-1 dispatchers doesn't differentiate the type of two-wheel vehicles involved (bikes vs. motorcycles, scooters, etc.), so it's unclear how many of these accidents involved autos vs. bicyclists. That said, the call volume clearly places an "important" strain on 9-1-1 dispatchers, as Breed should know, and impacts patient care at SFGH and other hospitals.

**Concerning Police Department Records Responses**

A records request to SFPD placed on December 14, 2015 revealed troubling data in its initial, flawed responses. After pressing SFPD for over a month for meaningful bicyclist data, by January it was clear SFPD's data lacks veracity.

**SFPD Collision Data**

**Table 3: Number of Collisions: Bicyclist vs. Automobile (BVA) — Calendar Years 2006 to 2015**

Calendar Year	BVA Collisions	Calendar Year	BVA Collisions	Calendar Year	BVA Collisions	Calendar Year	BVA Collisions
2006	289	2009	464	2012	493	2015	447
2007	394	2010	530	2013	654		
2008	421	2011	533	2014	571		
						<b>Total</b>	<b>4,796</b>

Wow! Nearly 5,000 bike vs. auto collisions across a decade! There were just 289 such incidents back in 2006, which more than doubled by 2013 to 654 incidents, and despite Vision Zero San Francisco hasn't been able to reverse the trend to pre-2007 levels!

Although DPH reported just 1,307 bicyclist vs. auto patients were treated in its ER or admitted to the hospital between 2010 and 2014, SFPD reported 3,228 collisions between cyclists and autos during the same period — a difference of 1,921 collisions.

It's unclear whether some of the other 1,921 incidents involved transport to hospitals other than SFGH; whether some of the incidents involved fatalities who were transported to the morgue, instead; or whether some of the incidents involved no need for transport for medical care to any hospital.

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**“ Wow! Nearly 5,000 bike vs. auto collisions across a decade! There were just 289 such incidents back in 2006, which more than doubled by 2013 to 654 incidents, and despite Vision Zero, San Francisco hasn't been able to reverse the trend to pre-2007 levels! ”**

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**Table 4: Number of Collisions: Pedestrians vs. Bicyclists (PVB) — Calendar Years 2006 to 2015**

Calendar Year	Collisions
2006 – 2011	<i>Statistics Not Available</i>
2012	24
2013	28
2014	20
2015 -- Through 9/30/2015	14
<b>Total</b>	<b>86</b>

**“ Although DPH reported just 1,307 bicyclist vs. auto patients were treated in its ER or admitted to the hospital between 2010 and 2014, SFPD reported 3,228 collisions between cyclists and autos — a difference of 1,921 collisions. ”**

Although DPH’s data showed just 56 pedestrian vs. bicyclist incidents across the five-year period between 2010 and 2014, Table 4 above shows SFPD asserted there were 86 such incidents across just four years — with data for 2010 and 2011 ostensibly unavailable. This is worrisome, since if there were even just another 20 collisions each year in 2010 and 2011 unreported by SFPD, that portends another 40 collisions, pushing SFPD’s numbers to more like 126 collisions, not the 56 reported by DPH or the 86 reported by SFPD.

**SFPD Bicyclist Citations Data**

As troubling as SFPD’s collision data are, the dismal enforcement with citations issued by SFPD is more troubling.

**Table 5: Stratification of Citations Issued to Bicyclists — Calendar Years 2006 to 2015**

Violation Code:	21200(a)-21453	21200-22450(a)	21200(a)	21717	7.2.12	21208(a)	21201(a)	24607	21200.5	21212(a)	Total
Description:	Running red light signal	Failure to stop at stop sign	Bicyclists subject to same laws as drivers	Failure to take bicycle lane	Bicyclists riding on sidewalks	Bicyclists must ride in bike lane	Bicycle wheel brake required	Bike w/o rear reflectors at night	Riding bicycle while impaired	Helmet required for age under 18	
Calendar Year	<i>Statistics Not Available From SFPD</i>										
2006 – 2012	<i>Statistics Not Available From SFPD</i>										
2013	2	0	59	6	5	3	1	1	1	0	78
2014	1	0	420	0	15	1	0	0	0	1	438
2015 -- Through 9/30/2015	2	1	408	0	8	0	0	0	0	0	419
<b>Total</b>	<b>5</b>	<b>1</b>	<b>887</b>	<b>6</b>	<b>28</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>935</b>
Percent Mix	0.5%	0.1%	94.9%	0.6%	3.0%	0.4%	0.1%	0.1%	0.1%	0.1%	

**Shading Legend:** San Francisco's Vision Zero "Focus-on-Five" Top -Five Collision Factors

- A total of 935 citations issued to bicyclists over a three-year period translates to less than one ticket issued per day, all over the City. Seriously?
- Of the citations issued, only six were issued to bicyclists across the three years for just two of the five “Focus on Five” strategies (running red lights and failure to stop at stop signs). Seriously?

**“ A total of 935 citations issued to bicyclists over a three-year period translates to less than one ticket issued per day, all over the City. And only six citations were issued for just two of the five ‘Focus on Five’ strategies. Seriously? ”**

In stark contrast, 28 citations were issued to bicyclists riding on sidewalks, which is *not* one of the five Focus on Five strategies, but a danger to pedestrians walking on sidewalks, nonetheless. And with that said, SFPD officers issued just 28 citations to cyclists riding on sidewalks during a 1,003-day, three-year period? How is this called enforcement? I typically see at least that many cyclists riding on the sidewalk outside my apartment building’s front door in the 900 block on Sutter Street every week!

Riding bicycles on sidewalks is also a known risk for pedestrians. It almost seems as if SFPD is turning a blind eye to the problem.

A [letter-to-the-editor](#) in the *San Francisco Chronicle* on December 24 summed it up nicely. San Francisco resident William Johnson wrote:

*“It is particularly dangerous when cyclists on sidewalks come up behind you and you can’t hear them coming. These adult sidewalk cyclists act as if they actually have the right of way, and that*

*pedestrians should be getting out of the cyclist's way on the sidewalks. ... These scofflaws should be arrested and booked into jail for a cooling off period where they might realize just how dangerous and egregious riding their bicycles on city sidewalks is."*

- Of concern, SFPD failed to stratify any of the other three Focus on Five enforcement strategies — including violating pedestrian right-of-way, turning violations, and speeding. Are we to believe SFPD issued zero citations to bicyclists for these other three “Focus on the Five” enforcement strategies during the last decade since 2006? Seriously?
- Fully 95% of all citations were for violating CVC §21200(a), as if SFPD could not identify and include a specific violation documenting a precise transgression of the State’s vehicle code, and simply lumped 95% of all citations issued to cyclists into a broad catch-all category without stratifying which specific vehicle code violation had occurred. This simply suggests sloppy record keeping at SFPD.

Of note, CVC §21200(a) is not, in itself, a violation of the vehicle code — unless it is documented by an additional violation of some other section of the vehicle code. CVC §21200(a) is simply an identifier that another vehicle code section violation was committed by a bicyclist, rather than committed by a motor vehicle driver. Since it is simply an identifier, no specific fine amount is listed in California’s Uniform Bail and Penalty Schedule.

- And where is SFPD’s data for the seven-year period between 2006 and 2012 showing the number of citations issued for the two Focus on Five strategies of running red lights and running stop signs. Why is that data “unavailable”?

**“ Are we to believe SFPD issued zero citations to bicyclists for these other three ‘Focus on the Five’ enforcement strategies during the last decade since 2006? Seriously? ”**

**“ Fully 95% of the bicycle citations were for violating CVC §21200(a), a catch-all category that bicyclists are subject to the same traffic laws as vehicle drivers. CVC §21200(a) is not, in itself, a violation of the vehicle code — unless documented by an additional violation of some other CVC section. ”**

**Table 6: Citations Issued to Bicyclists by Police Station — Calendar Years 2006 – September 2015**

Calendar Year	Station:	Central	Southern	Bayview	Mission	Northern	Park	Richmond	Ingleside	Taraval	Tenderloin	Traffic	Grand Total
2006 – 2012	Statistics Not Available From SFPD												
2013		0	98	47	37	78	3	38	41	7	114	17	480
2014		14	165	91	207	151	34	43	62	10	416	380	1,573
2015 -- Through 9/30/2015		20	49	35	216	127	49	134	42	7	290	391	1,360
<b>Total</b>		<b>34</b>	<b>312</b>	<b>173</b>	<b>460</b>	<b>356</b>	<b>86</b>	<b>215</b>	<b>145</b>	<b>24</b>	<b>820</b>	<b>788</b>	<b>3,413</b>
Percent Mix of Grand Total		1.0%	9.1%	5.1%	13.5%	10.4%	2.5%	6.3%	4.2%	0.7%	24.0%	23.1%	

**Shading Legend:** District Stations containing one or more of the top-five most dangerous intersections, as of December 2015.

- Of great concern is why SFPD stratified by type of violations just 935 citations issued to bicyclists between 2006 and 2015 in Table 5, but data SFPD presented in Table 6 above shows fully 3,413 citations issued during the same period. Why was SFPD unable to stratify the difference — fully 2,478, or 72.6%, of citations — by type of violation, and stratified just 935, or 27.4%, by type of violation?
- The Southern (312), Bayview (173), Mission (460), Northern (356), and Richmond (215) stations were the four Police Stations that involved the top-five most dangerous intersections SFPD identified in a public records request. Their combined 1,343 citations represent 39.3% of citations issued against bicyclists.
- By contrast, the 1,608 citations issued between the Tenderloin Station and the Traffic Company represented 47.1% of citations against bicyclists.

**“ Why was SFPD unable to stratify the difference — fully 2,478 (72.6%), of citations — by type of violation, and could only stratify just 935, (27.4%), by type of violation? ”**



- The mere 86 citations issued by the Park Station — which the Bicycle Coalition complains about bitterly, including along the “Wiggle” — represented just 2.5% of the 3,413 total citations.

More sadly, it appears that the number of citations issued is not correlated to the greater number of collisions reported by DPH and the Police Department.

### **“Seven Ate Nine”: SFPD’s Unreliable Crime Stats**

After receiving SFPD’s initial responses for bicyclist citation data, several follow-up records requests seeking clarification further exposed SFPD’s flawed record keeping.

As Joe Eskenazi [noted](#) in his December 2014 article in the *San Francisco Weekly*, titled “Seven Ate Nine: The San Francisco Police Department’s Crime Stats Aren’t What They Used to Be,” SFPD has a troubled history of fudging its crime stats. Eskenazi reported, in part:

*“Even the most cursory examination of police statistics suggests that statistics aren’t as statistical as they used to be. The crime totals printed in the most recent San Francisco Police Department annual report for the year 2012 do not match the 2012 totals printed in last year’s [annual report]. And the crime totals listed in the annual report for 2013 do not match the 2013 totals reported to the FBI. ...*

*In 2012, Chief Greg Suhr asked the [city controller to audit](#) the department’s record-keeping. That was not a pleasant report to read for fans of neat and functional government: The controller found the cops’ CompStat system was hamstrung by too many streams of manually compiled information and misinformation, leading to a multiplicity of numbers where there really ought to be only one.*

*So, the numbers — the numbers that reveal whether or not crime is going up or down and by how much — are unreliable. And have been for some time.”* [Hyperlink to Controller’s report added.]

Now, SFPD’s misinformation about crime stats appears to be mirrored in traffic citation statistics SFPD issued not only to motorists, but also to bicyclists.

SFPD initially reported for this article that between calendar years 2013 and 2015, the ten District Police Stations and the Traffic Company had issued a total of 3,413 citations shown in Table 6 above. However, the first table SFPD provided (Table 5 above) breaking down the number of citations issued by type violation of the CVC totaled just 935 citations, a difference of 2,478 citations, leading to several questions:

- How can it be that SFPD only knows what *type* of violation had occurred in just 935 citations — just 27.4% of the citation issued to bicyclists across this three-year, 1,003-day period? That’s less than one citation issued per day! Alternatively, given the data in Table 6, the 3,413 citations issued by the ten District Stations amounts to approximately 3.4 citations issued daily during the 1,003-day period — across all ten District Stations and the Traffic Company.
- Why was SFPD unable to stratify the type of citations issued for the additional 2,498 bicyclist citations — 72.6% of the 3,413 citations reportedly issued?

**Hint:** The answer appears to be that only the Traffic Company issues tickets electronically, and the manual, hand-written tickets issued by officers stationed at the 10 District Stations appear to be getting lost, somehow.

- Table 5 that SFPD provided listed a total of 887 citations issued to bicyclists — fully 94.9% of the 935 citations listed in the table — as having been issued for violating CVC § 21200(a) (Bicyclists subject to same laws as drivers). Did those 887 citations issued for violating §21200(a) not record the actual violation that occurred, or did SFPD not retain the multiple citations issued on those tickets?

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**“The [city] controller found the cops’ CompStat system was hamstrung by too many streams of manually compiled information and misinformation, leading to a multiplicity of numbers where there really ought to be only one’.”**

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**“Even the most cursory examination of police statistics suggests that statistics aren’t as statistical as they used to be. ... So, the numbers — the numbers that reveal whether or not crime is going up or down and by how much — are unreliable. And have been for some time’.”**  
— *San Francisco Weekly*

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- Table 5 listed just two of the five “Focus on Five” strategies: Running red lights (5 tickets) and failure to stop at stop signs (1 ticket), but contained no data on citations issued for CVC §21950(a) (violating pedestrian right-of-way), CVC §21801 (committing turning violations), and CVC §22350 (speeding). Did SFPD really issue *zero* citations in the past three years for these other three CVC violations? Really? Not one citation issued to a bicyclist for violating pedestrian right-of-way?

**“ Table 5 listed just two of the five ‘Focus on the Five’ strategies: Running red lights and failure to stop at stop signs, but contained no data on citations issued for CVC §21950(a), CVC §21801, and CVC §22350. Did SFPD really issue *zero* citations in the past three years for these other three Focus on the Five violations? ”**

Pressing SFPD’s public information staff further revealed that only the Traffic Company may have more precise and accurate data, since they issue electronically-issued citations and may retain the electronic data. On January 8, 2016 SFPD provided updated records showing the types of citations issued, but the new information was disappointing.

SFPD included citations issued in the last three months of 2015, as Table 7 shows. Notably, nearly half — 47.8% — of the additional 253 tickets issued during the fourth quarter were issued by the Tenderloin District and Mission District police stations, and an additional 10% were issued citywide by the Traffic Company.

**Table 7: Citations Issued to Bicyclists by Police Station — Fourth Quarter 2015**

Calendar Year	Station:	Central	Southern	Bayview	Mission	Northern	Park	Richmond	Ingleside	Taraval	Tenderloin	Traffic	Grand Total
2015 -- Through 9/30/2015		20	49	35	216	127	49	134	42	7	290	391	1,360
2015 -- Through 12/31/2015		23	66	39	271	168	71	148	47	8	356	416	1,613
<b>Net Change Adding Oct — Dec</b>		<b>3</b>	<b>17</b>	<b>4</b>	<b>55</b>	<b>41</b>	<b>22</b>	<b>14</b>	<b>5</b>	<b>1</b>	<b>66</b>	<b>25</b>	<b>253</b>
Percent Mix of Oct — Dec Total		1.2%	6.7%	1.6%	21.7%	16.2%	8.7%	5.5%	2.0%	0.4%	26.1%	9.9%	

**Shading Legend:** District Stations containing one or more of the top-five most dangerous intersections, as of December 2015.

Table 8 below revises Table 6, to include the additional citations issued between October and December 2015.

While the Bicycle Coalition has complained bitterly about an up-tick in the number of citations issued by Captain Sanford’s officers in the Park Station, the Richmond District actually saw the highest percent change from 2014 to 2015, with a 244.2% increase in the number of citations issued. Five of the Police Districts and the Traffic Division saw increased citation enforcement in 2015, while the other five Police Districts experienced fewer bicycle citations issued.

Disturbingly, bike enforcement appears to be down by nearly 60% by SFPD staff at both the Southern and Bayview district stations, not a good outcome for pedestrians. Citations increased a modest 2.5% citywide across the two years.

**Table 8: Citations Issued to Bicyclists by Police Station — 2006 — 2015**

Calendar Year	Station:	Central	Southern	Bayview	Mission	Northern	Park	Richmond	Ingleside	Taraval	Tenderloin	Traffic	Grand Total
2006 – 2012		Statistics Not Available From SFPD											
2013		0	98	47	37	78	3	38	41	7	114	17	480
2014		14	165	91	207	151	34	43	62	10	416	380	1,573
2015		23	66	39	271	168	71	148	47	8	356	416	1,613
<b>Total</b>		<b>37</b>	<b>329</b>	<b>177</b>	<b>515</b>	<b>397</b>	<b>108</b>	<b>229</b>	<b>150</b>	<b>25</b>	<b>886</b>	<b>813</b>	<b>3,666</b>
Percent Mix of Grand Total		1.1%	9.6%	5.2%	15.1%	11.6%	3.2%	6.7%	4.4%	0.7%	26.0%	23.8%	
Percent Change 2014 to 2015		64.3%	-60.0%	-57.1%	30.9%	11.3%	108.8%	244.2%	-24.2%	-20.0%	-14.4%	9.5%	2.5%

**Shading Legend:** District Stations containing one or more of the top-five most dangerous intersections, as of December 2015.

But a disappointing January 8 records update from SFPD did not include further stratification about the types of citations issued. Instead, SFPD claimed that although the bicycle citations issued by the Traffic Company — which

are issued using electronic handheld devices — were thought to be capable of generating a breakout of the type of citations issued, details about the citations were apparently unavailable. SFPD noted:

*“When we run a report on the handheld devices, the majority of the citations populate for 21200(a) CVC **only**, which is typically the first violation listed on a citation. Though the citation will have the subsequent stop sign/failure to yield/California vehicle code violation, when we run the numbers, this is what the system provides us. [We are] working with [the] Traffic [Company] to see if there’s a different way to find the numbers, but if not, it would amount to printing every single one of the 1,613 citations [issued in 2015] and hand-tallying them (precisely why we do not have a breakdown of citations issued to bicyclists per violation, per district station).”*

It seems inconceivable that the handheld electronic devices are apparently capable of printing out paper citations to hand to bicyclists listing each violation that may have occurred in addition to CVC §21200(a) [which is just an identifier that a vehicle code violation was committed by a bicyclist], but then any pre-programmed reports stored on the devices are only capable of printing just the first citation issued — in this case the identifier showing the citation was issued to a bicyclist.

What good are the handheld devices if they would have to print out all 1,613 citations issued in 2015 and then have to manually count each type of violation issued? Is this because SFPD does not have I.T. staff with the expertise to know how to access the additional citation data stored on the devices and tabulate the results electronically rather than by hand? Are we back to the City Controller’s concern in 2012 that SFPD has too many streams manually-compiled statistics?

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**“ What good are the handheld devices if they have to print out all 1,613 citations issued in 2015 and then have to manually count each type of violation issued? ”**

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The update did indicate that the number of citations for violating CVC §22450(a) — prohibiting running stop signs — between January and November 2015 grew from one just citation across the entire City, to *three* citations. Really? Just three citations for running stop signs fueled the Bicycle Coalition’s drama and angst?

SFPD also reported in its update that there were still zero citations issued to bicyclists for Failure to Yield to Pedestrians [presumably violating pedestrian right-of-way (CVC §21950(a))]. SFPD noted there were no additional citations issued between October and December 2015 to bicyclists riding on sidewalks in violation of San Francisco Transportation code 7.2.12, which remained at a total of eight citywide during all of 2015.

Sadly, the January 8 update illustrated the “Seven Ate Nine” phenomena, since SFPD reported there were only 405 citations issued for CVC §21200(a) — the identifier code, for bicyclists subject to same laws as drivers — a reduction from 408 citations SFPD first reported for this article.

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**“ The ‘Seven Ate Nine’ monster is now nibbling on SFPD’s bicycle violation statistics, in addition to SFPD’s crime stats — damaging the veracity of SFPD data every step of the way. ”**

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So the “Seven Ate Nine” monster is now nibbling on SFPD’s bicycle violation statistics, in addition to SFPD’s crime stats — damaging the veracity of SFPD data every step of the way. It’s unacceptable that the Vision Zero campaign has to rely on unreliable SFPD data involving bicyclist citations and resulting pedestrian injuries.

After all, in the absence of stratifying the volume of citations issued by the particular violation infraction committed, how can there be targeted enforcement or targeted education campaigns to change cyclists’ behavior if City officials don’t know which sections of the vehicle code bicyclists are violating?

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**“ It’s unacceptable the Vision Zero campaign has to rely on unreliable SFPD data involving bicyclist citations. ”**

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### **Another Looming Pedestrian Risk: Hoverboards**

The *San Francisco Weekly* published an [article](#) by its managing editor, Jeremy Lybarger, on December 24, 2015 regarding whether hoverboards — particularly self-balancing scooters powered by lithium ion batteries that have a nasty habit of exploding and are banned on airlines — will be subject to San Francisco’s “rolling stop” bicycle legislation.

Lybarger reported there was then some debate among San Francisco city officials and City departments about whether hoverboards were “subject to the same rules of the road as bicycles, motorized skateboards, and other wheeled devices.”

Hoverboards are misnamed, as they don't actually hover above the ground on a cushion of air. And they travel at speeds of up to 12 miles-per-hour, twice the speed of the six miles-per-hour being considered for the bicycle rolling-stop legislation. Any vehicle going 12 miles-per-hour can inflict severe injuries in accidents involving pedestrians.

Senior citizens — like me — who have had life-long hearing impairments since birth all too frequently can't hear bicycle *dérailleur* gears clicking away as they approach us from behind. How are we — senior citizens and I, and everyone else — supposed to hear lithium ion batteries powering hoverboards? Do the batteries make some sort of sound audible to human ears?

How can it be that the San Francisco Board of Supervisors, SFMTA, and the Police Department were unable to reach consensus in determining whether hoverboards are motorized vehicles, when New York City's Police Department had outlawed them on both sidewalks and New York streets? Can't our "consensus Mayor" Ed Lee help broker this?

Supervisor John Avalos declined to comment to the *Weekly*, Supervisor Eric Mar said he had no idea, and Supervisor Mark Farrell claimed the legislation only applies to bicyclists, not people riding hoverboards. Lybarger reported that an SFMTA spokesperson wasn't able to clarify the issue. Stupidly, the MTA spokesperson claimed "hoverboards aren't vehicles," which of course they are, since they are vehicles with two wheels powered by a battery.

According to the medical protocol employed by 9-1-1 dispatchers at San Francisco's Department of Emergency Management, other two-wheeled devices are classified as vehicles, whether motorized or not. Why would SFMTA believe that two-wheeled hoverboards might be classified differently?

In response to a records request, SFMTA declined providing the name of its spokesperson who spoke with Lybarger, secrecy trumping accountability from government officials.

This is nonsense. Obviously, hoverboard batteries make them "motorized vehicles," just as cars operated by batteries are still motor vehicles! San Francisco officials appeared to be engaged in a new game of semantics. This isn't rocket science.

Even more ridiculously, although New York City police have declared hoverboards illegal on both streets and sidewalks and subject to a \$200 fine, Commander Ann Mannix in San Francisco's Police Department claimed further research was required about whether the hoverboards are subject to traffic laws, suggesting it may be contingent on how egregious a hoverboard-caused violation causing an accident is. Mannix, a job classification 0490 Commander III, was paid \$226,497 in total pay in the fiscal year ending June 30, 2015 — perhaps for her skills using spin control. This should not rely on whether an event was "egregious," it should rely on whether behaviors are clearly illegal.

Predictably, the San Francisco Bicycle Coalition weighed in, saying enforcement of vehicle code violations by hoverboards should also be set as the lowest priority for SFPD, claiming that since the majority of traffic injuries and



Photo: January 16, 2016, 3:57 p.m. Location: On sidewalk outside 952 Sutter Street. Photo and Illustration: Patrick Monette-Shaw. Hoverboardist, sans helmet, headed east on one-way-west Sutter Street, two weeks after State law made them subject to local prohibition.

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**“ Senior citizens — like me — can't hear bicycle *dérailleur* gears clicking away as they approach us from behind. How are we to hear lithium ion batteries powering hoverboards? ”**

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**“ SFMTA declined providing the name of its spokesperson, secrecy trumping accountability from government officials. ”**

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**“ Stupidly, the MTA spokesperson claimed 'hoverboards aren't vehicles,' which of course they are, since they are vehicles with two wheels powered by a battery. Obviously, hoverboard batteries make them 'motorized vehicles,' just as cars operated by batteries are still motor vehicles. San Francisco officials appear to be engaged in a new game of semantics. ”**

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deaths are caused by autos, any accidents caused by non-majority bicyclists and people riding hoverboards should have an exemption carved out for them.

It shouldn't take SFGH's trauma unit, 9-1-1 emergency dispatchers, and SFPD long to begin collecting statistics whether pedestrians are, in fact, placed in harm's way by hoverboards clogging our sidewalks — along with scofflaw cyclists — but only if they update their protocols to actually start collecting this key data, accompanied by the political will to *require* the data collection!

Comically, just four days after the *Weekly* published Lybarger's article, on December 28 the *San Francisco Chronicle* [reported](#) Governor Jerry Brown signed legislation authored by Assemblywoman Kristin Olsen, R-Modesto, amending California's vehicle code to permit hoverboards for 16-year-olds or older beginning on January 1, 2016 on streets, and in bike lanes and on bike paths, but only if riders wear a helmet. The legislation doesn't address prohibiting riding hoverboards on sidewalks, since sidewalks fall under the jurisdiction of local cities, not California's vehicle code. Each jurisdiction will decide whether to allow hoverboards on local sidewalks.

The *Chronicle's* December 28 article reported SFPD spokesman Officer Albie Esparza — who “*only*” earned \$148,166 in total pay during FY 14–15 compared to Commander Mannix's \$226,497 — luckily came to her aid. Esparza said San Francisco will be among cities where hoverboards *aren't* legal on sidewalks. “They would not be allowed on the sidewalk because they are motorized vehicles, just like Segways,” Esparza said. As if Ms. Mannix couldn't discern this, herself.

What's next? Will both hoverboardists and auto drivers demanding they are “entitled” to a rolling-stop exemption privilege, too? And will San Francisco's Board of Supervisors cave in to another bloc of “entitled” voters?

## Nonsense From City Supervisors

The *San Francisco Examiner* [reported](#) December 16, 2015 that Supervisor Avalos is concerned that scofflaw cyclists can't afford to be ticketed. “Ticketing for biking cautiously through a stop sign is \$200. For many people, that's the difference between making their monthly rent or not,” Avalos whined.

*Examiner* reader Joe Mac published a letter-to-the-editor on December 23, in which [Mr. Mac noted](#) that kind of logic left him shaking his head. Mr. Mac offered a suggestion: “Don't run through the damn stop sign and you can make your rent.” Amen, Mr. Mac!

I have an idea: Prominently post bicycle traffic fine amounts on SFPD's and the Bicycle Coalition's web site so bicyclist's will know beforehand the corresponding fines they may face for flagrant violations of California's vehicle code. Perhaps then, they'll be able to calculate in advance whether they will be able to make their rent payments after having to pay any traffic fines they incur, or whether any momentary “inconveniences” by obeying various traffic laws is worth the price of getting fined. If it's “inconvenient” for them to obey the law, fine the hell out of them, inability to pay rent concerns be damned!

That's more likely to help with “enforcement,” lessening any burden on police officers to assess whether the violations are the “least important” of their duties. Problem solved! Educating bicyclists in advance may deter their scofflaw behavior. It would be as simple as posting a table of the fines, like this:

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**“ Predictably, the San Francisco Bicycle Coalition weighed in, saying enforcement of vehicle code violations by hoverboards should also be set as the lowest priority for SFPD. ”**

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**“ Comically, four days later, the *San Francisco Chronicle* reported Governor Brown signed legislation which doesn't permit riding hoverboards on sidewalks, and reported SFPD spokesman Albie Esparza said San Francisco will be among cities where hoverboards aren't legal on sidewalks. ‘They would not be allowed on the sidewalk because they are motorized vehicles, just like Segways’. ”**

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**“ There are too many cops performing civilian jobs — 500 officers reported as of 2009 — who should be returned to the streets for such things as ‘enforcement.’ Since 2009, sworn officer staffing in SFPD has increased by almost 100 officers, and it's not clear how many of the additional cops are also performing civilian jobs. ”**

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**Table 9: California Judicial Council Uniform Bail and Penalty Schedules, 2015 Edition: Bicycle Fine Amount Extract**

CA Vehicle Code (CVC) Section Number	Description	Fine
CVC 22450(a)	Running stop signs	\$238.00
CVC 21453	Running red lights	\$490.00
CVC 21950(a)	Violating pedestrian right-of-way (in crosswalk)	\$238.00
CVC 21801	Turning violations	\$238.00
CVC 22350	Speeding (Unsafe Speed for Prevailing Conditions 1-15 MPH Over Limit)	\$238.00
CVC 21200(a)	Cyclists must adhere to vehicle code as if operating a motor vehicle	N/A
CVC 21200.5	Riding bike while impaired	\$690.00
CVC 21294(c)	Illegal Operation of Electrically Motorized Boards Endangering Safety of Others	\$197.00
<b>San Francisco Transportation Code</b>		
7.2.11	Operating Electric Mobility Devices (Segway's) on Sidewalk	\$62.00
7.2.12	Riding bicycle on sidewalk	\$100.00

**Shading Legend:** San Francisco's Vision Zero "Focus-on-Five" Top -Five Collision Factors

Source: [Uniform Bail and Penalty Schedule – 2015 Edition](#), link provided by SFPD.

**Board of Supervisors Ignores SFPD Staffing Problems**

The *Examiner* reported December 16 that for his part, Supervisor Wiener, who supports rolling stops said, “We have far better uses for our scarce law enforcement resources.” Really, Supervisor Wiener? Or are you and Supervisor London “*Limited Police Resources Should Be Used for More Important Things*” Breed conveniently reading from the same playbook?

After all, *BeyondChron* [reported](#) former Mayor Gavin Newsom eliminated 264.66 unfilled civilian positions at SFPD in 2009 in a cost-savings budget reduction. The fact is, there were too many cops performing civilian jobs — 500 officers as *BeyondChron* reported as of 2009, including 148 police officers, sergeants, and lieutenants in SFPD Administration, now probably higher — who should be returned to the streets for such things as “enforcement.” Had those civilian positions been retained, they could free up sworn police officer resources that Mr. Wiener and Ms. Breed whine about.

Since 2009, sworn officer staffing in SFPD has increased by almost 100 officers since Mayor Lee and Chief Suhr took office during FY 2010–2011, but it’s not clear how many of the additional cops are also performing civilian jobs.

**Table 10: Changes in SFPD Sworn Officer Staffing — FY 2010-2011 vs. FY 2014-15**

Code	Job Classification Title	FY 10-11		FY 14-15		Change FY 10-11 to FY 14-15			
		#	Total "Total Pay"	#	Total "Total Pay"	#	Total "Total Pay"		
0380	Inspector, (Police Department)	2	\$323,539	1	\$182,361	(1)	(\$141,178)		
0381	Inspector II	3	\$433,415			(3)	(\$433,415)		
0382	Inspector 3	170	\$24,023,713	61	\$10,143,840	(109)	(\$13,879,872)		
Q 35	Assistant Inspector	2	\$293,404			(2)	(\$293,404)		
Q 36	Assistant Inspector II	10	\$1,391,814			(10)	(\$1,391,814)		
Q 37	Assistant Inspector 3	13	\$1,810,125	3	\$549,718	(10)	(\$1,260,407)	(135)	(\$17,400,090)
0390	Chief of Police	1	\$210,465	1	\$339,283	0	\$128,818		
0395	Assistant Chief Of Police	1	\$62,856			(1)	(\$62,856)		
0402	Deputy Chief 3	6	\$1,428,439	8	\$2,408,251	2	\$979,812		
0490	Commander 3	10	\$1,826,956	7	\$1,642,371	(3)	(\$184,585)		
Q 63	Director Of Forensic Services	1	\$0			(1)	\$0		
Q002	Police Officer	533	\$56,713,308	650	\$57,176,886	117	\$463,579		
Q003	Police Officer 2	333	\$40,009,180	340	\$48,961,211	7	\$8,952,032		
Q004	Police Officer 3	779	\$97,612,563	778	\$108,753,998	(1)	\$11,141,435		
Q050	Sergeant, (Police Department)	15	\$2,196,799	8	\$1,383,000	(7)	(\$813,799)		
Q051	Sergeant 2	16	\$2,329,326	46	\$7,860,677	30	\$5,531,350		
Q052	Sergeant 3	285	\$41,770,403	369	\$64,282,980	84	\$22,512,577	230	\$47,787,174
Q060	Lieutenant (Police Department)	1	\$154,945	1	\$154,214	0	(\$731)		
Q061	Lieutenant 2	1	\$103,382	3	\$580,426	2	\$477,045		
Q062	Lieutenant 3	95	\$14,926,645	96	\$16,891,176	1	\$1,964,532		
Q082	Captain 3	34	\$6,161,373	31	\$6,791,396	(3)	\$630,023		
<b>Subtotal Sworn Officers</b>		<b>2,311</b>	<b>\$293,782,650</b>	<b>2,403</b>	<b>\$328,101,790</b>	<b>92</b>	<b>\$34,319,141</b>	<b>95</b>	<b>\$30,387,084</b>
<b>Total Staff Across All of SFPD</b>		<b>2,798</b>	<b>\$323,471,426</b>	<b>2,979</b>	<b>\$368,248,566</b>	<b>181</b>	<b>\$44,777,140</b>		

Source: City Controller’s Office, City and County of San Francisco, Payroll Database for Each Fiscal Year.

In March 2011 San Francisco Public Defender Jeff Adachi released surveillance videos from the Henry Hotel that revealed San Francisco Police Department narcotics officers had falsified police reports in order to justify searching residences without warrants or consent. The three plainclothes cops were subsequently indicted along with two other officers. All five (or more) had engaged in “multiple criminal conspiracies.”

In a potential overreaction to Adachi’s release of the surveillance video’s, it is thought Chief Greg Suhr eliminated the Narcotics unit and phased out plain clothes officers. Then around 2010, SFPD reportedly held a final Inspector’s examination, before subsequently eliminating the job classification. As Table 10 shows above, that led to a decline of 135 Inspectors, when many inspectors retired and weren’t replaced.

**“ Since 2011, there was a net increase of 92 sworn officers, costing \$34.3 million more annually in total pay alone. ”**

In 2013 there was reportedly a mass exodus of Sergeants who had that stayed on for an additional year under the DROP program. Another examination test was held and at least 114 Sergeants were hired or promoted.

The Deferred Retirement Option Program, or DROP — cooked up by former Police Officer Association president Gary Delagnes — allowed cops over 50 years old with at least 25 years’ experience to begin collecting pension benefits in addition to regular pay. Before DROP closed enrollment in 2011, 341 police officers had enrolled. As of August 2013, DROP had cost San Francisco \$58 million and there were still 73 officers enrolled in DROP, which was finally abandoned in 2014.

Since 2011, when Lee became Mayor and Suhr became Police Chief, there are now 135 fewer Inspectors, but an additional 230 Police Officers and Sergeants, for a net increase of 92 sworn officers costing \$34.3 million more annually in total pay alone (including overtime pay and “other” pay) but excluding fringe benefits and retirement, which represented 77% of the \$44.8 million increase in total pay for the Department’s increase of 181 additional employees.

**“ Why does the SFPD have at least seven sworn officers manning its two public information staffs, earning over a million dollars in total pay alone? ”**

It’s not clear how many of the 92 additional officers are also performing civilian jobs, but neither Supervisor Breed nor Supervisor Wiener appear too concerned about whether San Francisco has far better uses for our scarce law enforcement resources.

**“ Has everyone forgotten that when laws are enforced, they’ll be obeyed, and when they aren’t enforced, they won’t be? ”**

For that matter, if San Francisco is experiencing scarce law enforcement resources, why does the SFPD have at least seven sworn officers manning its two public information staffs, one for general members of the public and another in its Media Relations Unit? Based on payroll data obtained from the City Controller’s office, these seven officers earned over a million dollars in total pay alone (excluding fringe benefits and pensions) during the Fiscal Year ending June 30, 2015.

**Table 11: Staffing of SFPD’s Public Information Department**

LAST NAME	FIRST NAME	JOB CODE	JOB CLASS TITLE	REGULAR PAY	REGULAR HOURS	OVERTIME PAY	OVERTIME HOURS	OTHER PAY	TOTAL PAY	WORKING JOB TITLE	SECTION IN SFPD
Andraychak	Michael	Q052	Sergeant 3	\$143,289	2160	\$12,867	127	\$16,559	\$172,716	Officer in Charge	Media Relations Unit
Gatpandan	Grace	Q002	Police Officer	\$92,259	2160	\$8,257	117	\$7,584	\$108,100	Public Information Officer	Media Relations Unit
Esparza	Alberto	Q003	Police Officer 2	\$121,068	2160	\$5,901	69	\$21,197	\$148,166	Public Information Officer	Media Relations Unit
Manfredi	Carlos	Q004	Police Officer 3	\$123,471	2160	\$30,936	331	\$4,081	\$158,488	Public Information Officer	Media Relations Unit
Ng	Wilson	Q004	Police Officer 3	\$123,471	2160	\$20,960	240	\$4,708	\$149,139	Web Master	Media Relations Unit
Jean	Michelle	Q062	Lieutenant 3	\$163,674	2160	\$548	5	\$6,964	\$171,185	Acting Captain, Risk Management	Legal Division
Woon	Christopher	Q062	Lieutenant 3	\$163,674	2160	\$5,326	47	\$5,590	\$174,590	Lieutenant of Risk Management	Legal Division
<b>Total</b>				<b>\$930,906</b>	<b>\$6,480</b>	<b>\$84,794</b>	<b>\$313</b>	<b>\$66,684</b>	<b>\$1,082,384</b>		

If these seven public information officer jobs were civilianized, San Francisco could redeploy these seven sworn officers to enhance enforcement of “Focus on the Five” citations and otherwise beef up “scare enforcement resources,” as both Supervisors Breed and Wiener must know.

Don’t you and Ms. Breed agree, Mr. Wiener, that these resources *should* be converted to civilian positions, freeing these sworn officers up to go out and join enforcement teams to protect both pedestrians and cyclists?

## An Inconvenient Truth: Risks of “Rolling Stops”

It’s clear that the data show pedestrians are at great risk in San Francisco, from both bicyclists and motor vehicles. Passing the proposed “rolling stop” bicyclist ordinance may have an unintended consequence of not only encouraging illegal behavior by those using one specific mode of transportation — bicycles — but may also encourage auto drivers to engage in the same illegal behavior, since they also may feel as “entitled” to violate the top-five collision factors as their bicyclist brethren.

Has everyone forgotten that when laws are enforced, they’ll be obeyed, and when they aren’t enforced, they won’t be? Have cyclists concluded that given San Francisco’s totally inadequate enforcement, they can disobey the law with brazen impunity?

Apparently, millennial Sostek believes enforcement isn’t worthwhile and she shouldn’t have been singled out for having chosen to disobey the law. Chief Suhr disagreed when he noted it isn’t acceptable to encourage folks (like Ms. Sostek) to break a law that can result in injury or death simply because it is “inconvenient” for bicyclist’s to come to a complete stop. My life, safety, and eventual death shouldn’t hinge on whether Sostek and others are *momentarily* inconvenienced.

Given the paucity of data concerning stratification of the types of citation violations issued to bicyclists since 2006, the Board of Supervisors would be completely remiss to declare that rolling stop sign violations are to be the lowest enforcement priority. How could the Board of Supervisors adopt this legislation in the face of no data about the types of moving-violation offenses being committed by bicyclists?

Hopefully, Mayor Lee will veto this rolling-stop bicycle legislation, if it’s passed. My life — obviously worthwhile to me, if not to Ms. Sostek — may depend on his veto.

After all, I don’t want to become a “casualty” statistic in the on-going war of bicyclist “rights” resulting in pedestrian’s becoming collateral damage from friendly-fire, but truth-denying, bicyclists.

The truth — and I — don’t want to become a casualty in this ugly war on our commons, and on our common passageways.

*Monette-Shaw is an open-government accountability advocate, a patient advocate, and a member of California’s First Amendment Coalition. He received a James Madison Freedom of Information Award from the Society of Professional Journalists–Northern California Chapter in 2012. He can be contacted at [monette-shaw@westsideobserver.com](mailto:monette-shaw@westsideobserver.com).*



**Photo:** December 26, 2015, 9:23 a.m. **Location:** On sidewalk at 975 Sutter Street. **Photo and Illustration:** Patrick Monette-Shaw. Note cyclist is dangerously close to disabled man pushing wheelchair. It was unclear whether he was in her line of sight, or if she was oblivious.

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**“ Given the paucity of data concerning stratification of the types of citation violations issued to bicyclists since 2006, the Board of Supervisors would be completely remiss to declare that rolling stop sign violations are to be the lowest enforcement priority. ”**

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**“ My life, safety, and eventual death shouldn’t hinge on whether Sostek and others are momentarily inconvenienced. My life — obviously worthwhile to me, if not to Ms. Sostek — may depend on Mayor Lee’s veto. ”**

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## Postscript

This article was completed and submitted to the Board of Supervisors prior to its January 12 hearing in the hope data from SFGH's Trauma Registry, Department of Emergency Management's 9-1-1 dispatch records, and SFPD citation and collision data might influence the Board to **reject** passing the Idaho "Rolling Stop" bicycle legislation on second reading.

In an apparent game of "chicken" with the Mayor, just six members of the Board of Supervisors voted on second reading on January 12 to ignore the Mayor's warning and passed the rolling stop Ordinance, ignoring endangered pedestrians in favor of "convenience" — or "inconvenience" — to a small, but very politically vocal and loud group of bicyclists.

The Board ended up passing the Rolling Stop Bike Ordinance on second reading with Supervisors London Breed, John Avalos, David Campos, Jane Kim, Eric Mar, and Scott Wiener voting in favor, and Supervisors Mark Farrell, Aaron Peskin, Katy Tang, and Norman Yee voting against. Supervisor Malia Cohen was absent, excused due to travel; however, she had voted **against** passage of the Ordinance on its first reading on December 15.

The Mayor had ten calendar days from January 12 to decide whether to veto the Ordinance.

It appears the six City Supervisors who voted on January 12 to approve the legislation completely underestimated the Mayor's resolve, perhaps pandering to the Bicycle Coalition's most ardent members and their unending sense of entitlement to violate State law.

On September 28, 2015, Mayor Lee had communicated his opposition to the "Idaho Stop" legislation, warning the Supervisors of his intent to veto it, if it reached his desk. The Mayor [wrote](#) last September, in part:

*"The so-called 'Idaho Stop,' while expedient for some bicyclists, directly endangers pedestrians and other cyclists, and I cannot allow it to become law. Trading away safety for convenience is not a policy I can allow this City to endorse.*

*New laws should enhance public safety, not create potential conflicts.*

*A large number of stakeholder groups ... have joined my office ... to ensure that we prioritize improvements on our streets to **protect pedestrian safety**. This legislation represents a **step backwards** on this shared Vision Zero goal, and if it is sent to my desk, I will veto it [emphasis added]."*

On January 19, Mayor Lee carried through, and issued his [veto](#), saying, in part:

*"This ordinance does not promote balanced public safety for all the diverse users of our streets; rather, it trades safety for convenience. Therefore, this is not a policy I can allow this City to endorse.*

*I remain strongly committed to Vision Zero, and this law does not move us towards that goal, so I am vetoing it."*

The Board of Supervisors now have 30 days from the Mayor's veto to override it, apparently on a calendar-day basis, suggesting that the Board of Supervisors has until February 18 to see if it can muster the eight votes necessary to override the Mayor's veto.

It appears unlikely the Board of Supervisors has the necessary eight votes needed to overturn the Mayor's veto; it is thought that the Board is at least two votes short of being able to override the veto.

Contact the Board of Supervisors as soon as possible and urge them to **reject** any attempt to override the Mayor's veto. Your life — and pedestrian safety — may depend on it.



**Photo:** January 25, 2016, 1:53 p.m. **Location:** Sutter and Hyde Street intersection heading west. **Photo and Illustration:** Patrick Monette-Shaw. Note Segway rider without helmet was dangerously close to pedestrians and animals, and continued riding down sidewalk.