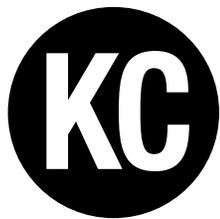


TAKING ON TRAFFIC LAWS:

*A How-To Guide for
Decriminalizing Mobility*

BIKE
WALK



Safe
Routes
PARTNERSHIP



CONTENTS

Foreword	3
Introduction	5
Section I: Why the Need to Repeal Laws Leading to Racialized Traffic Enforcement?	6
A. The Research is Clear: Traffic Enforcement of Laws Related to Walking and Biking is Racialized	6
Section II: What BikeWalkKC Did in Kansas City	10
Phase 1: Information Gathering	12
Phase 2: Building a Coalition	17
Phase 3: Speaking Up and Seeking Change	20
Phase 4: Mobilizing Support: How They Did It in Kansas City	22
Phase 5: Celebrating Success and Looking to the Future	25
Section III: A Call to Action	27
A. Assess the Opportunity	27
Conduct A Legal Scan to Analyze What Traffic Laws Are on the Books	27
Gather Data on Enforcement of Traffic Laws - Both Quantitative and Qualitative	28
B. Build A Coalition of Supporters	29
C. Assess the Decision-Making Landscape and Chart a Path Forward	29
D. Mobilize Support	30
E. Evaluate and Look to the Future	31
Wrapping Up	32
Appendix	33

FOREWORD

The work to decriminalize jaywalking didn't begin in Kansas City, Missouri. In fact, it's important to acknowledge that this work fits within a broader sphere of research, advocacy, and legislation focused on creating safer streets for the people made vulnerable by both a historical and contemporary lack of investment. Dr. Charles T. Brown coined the phrase "Arrested Mobility" in order to identify the historical and institutional elements working to limit and endanger the free movement of Black and Brown people. Angie Schmitt and others have written extensively of how these decisions disproportionately harmed Black and Brown communities over decades and needs to be reversed. These voices have been a part of a movement manifesting in places like Virginia, which decriminalized jaywalking in January 2021, several months before Kansas City.

This guide is a guide, not the guide. BikeWalkKC was incredibly fortunate to work with elected officials, organizational partners, and members of the community to successfully push for the decriminalization of walking and biking in Kansas City, Missouri. While BikeWalkKC is proud of what was accomplished, it's important to acknowledge that there were missteps in how this came to be. This document shares these lessons not only to show the process, but to also help others avoid the same mistakes. Further, even when things went right, it may not be an approach that works for every community, and someone reading this guide may have to do things differently. BikeWalkKC welcomes different approaches because it demonstrates another way to achieve something everyone should get behind: creating a space where the most vulnerable road users, especially Black and Brown travelers, are able to move and exist without the threat of police violence.

BikeWalkKC has partnered with the Safe Routes Partnership to develop this guide, and looks forward to working together in the future on related issues of equity, safety, and more.

Michael Kelley, Author

Policy Director
BikeWalkKC

At a time when many people, both personally and professionally, are reckoning with what it means to be actively anti-racist, what it means to dismantle systems of oppression, the work BikeWalkKC is doing in Kansas City, Missouri stands out as an exemplar. They identified laws that, under the auspices of safe transportation, were not generating the intended safety outcomes, and instead lead to overpolicing of Black people, causing psychological, financial, and even physical harm to people in their city. And BikeWalkKC worked to repeal these laws. They started to take apart a system that is oppressing their community.

For more than 15 years, Safe Routes Partnership has worked to build the capacity of local advocates, elected leaders, and agencies to build and grow Safe Routes to School programs. Equity has been at the heart of this work for more than a decade, and in June 2020, we removed Enforcement from the 6 Es of Safe Routes to School framework. As the "background" section of this guide shows, enforcing some traffic laws related to people walking and bicycling not only fails to meet the intended goal of keeping road users safe, it escalates into real harm and danger for people of color, especially Black people. In partnership with BikeWalkKC, our intent with this guide is to encourage active transportation advocates and professionals to take an actively anti-racist approach to the work of creating safe, connected, equitable communities for people walking and bicycling.

Marisa Jones, Co-Author

Director, Policy and Partnerships
Safe Routes Partnership

A NOTE ABOUT THE TERM “DECRIMINALIZE”

Throughout this guide, we use the term “decriminalize” to refer to repealing and modifying laws that lead to racialized enforcement of Black people, Indigenous people, Latinx, Brown, and other people of color as they move throughout their communities. This is a lay or colloquial definition rather than a strictly legal definition. We use this term because it is the term that BikeWalkKC used in their campaign, but they are administrative violations. However, people stopped and cited while walking and biking report being made to feel like criminals, and these administrative violations can serve as a pretext for law enforcement to run background checks and issue warrants, which can lead to criminal charges.

As you work to modify and repeal laws that police mobility and may lead to over-policing of Black, Brown, Indigenous, and other people of color, you will have to determine what language works best in your community to communicate what you are doing. We do not want the use of the term “decriminalization” to be used as a way to discredit advocates working for these important changes. This is a new policy space, and we look forward to future message testing and learning from other campaign successes to understand how to best communicate this important work.

“A bike ticket is an administrative, not a criminal, violation and carries a fine that generally ranges from \$50 to \$200, [...] But it also can offer a reason for a stop, which could allow police to check warrants and possibly lead to an arrest.”

Mary Wisniewski for The Chicago Tribune

INTRODUCTION

This guide offers a starting point for advocates and communities interested in decriminalizing traffic violations related to walking and biking. It draws upon the lessons learned from BikeWalkKC's experience successfully advocating for legislation to decriminalize walking and biking in Kansas City, Missouri (Kansas City) and offers ideas for action steps others can take on this path toward decriminalization. The authors of this report hope to provide insights and lessons learned to inform and inspire other communities to pursue decriminalization measures as well.

This guide also serves as a means of connecting the community of advocates, government staff, elected officials, community stakeholders, and others as BikeWalkKC and similar organizations work to build and expand upon this work. As people and advocates that promote walking and biking, if they are not actively working to break down the legal barriers in addition to the physical barriers that keep Black and Brown people from engaging in active transportation, then they are actively harming the communities they purport to serve. Making walking and biking truly safe, equitable, and appealing will take more than bike lanes and sidewalks – it requires laws and systems that enable people to move joyfully throughout their communities in their full expressions of self without threat of harm, harassment, or intimidation.

What's in the Guide?

In [Section I](#), the authors lay out the case for decriminalization within the context of active transportation. It provides research on the racialized enforcement of traffic laws related to active transportation. [Section II](#) details the steps BikeWalkKC took in their campaign to decriminalize three traffic laws related to active transportation in Kansas City and offers actionable steps you can take in your community. This section addresses collecting data, building a coalition, making the legislative case for decriminalization, and evaluating your process and impact. Within this section, BikeWalkKC provides their experience working to decriminalize three traffic violations in Kansas City, Missouri followed by clear action steps for advocates, organizations, and cities to take as you endeavor to decriminalize traffic violations related to walking and biking. [Section III](#) invites you to take action in your community. The authors close the guide with an appendix of resources including statutes, articles, and presentations to guide you in your local efforts.

Now the "Jay Walker."
To The Star: As a great improvement has been recently made in regard to drivers of vehicles keeping to the right and now only occasionally a "jay driver" is apprehended, would it not be of great advantage and convenience as well if pedestrians would make it a rule to keep to the right as much as possible? This custom is generally observed in all large cities and as Kansas City is becoming quite a metropolitan and growing city and, consequently, many of our downtown sidewalks are at times crowded with people, much annoyance would be obviated if people when meeting others going in the opposite direction would keep to the right and avoid collisions and being called a "jay walker." There is room for much reform in this direction here in Kansas City.
B. H. B.

A JAY DRIVER FINED \$5.
George Pool Drove on the Wrong Side and Overturned a Buggy.
George Pool, a jay driver for the Byrne Lumber company, arrested yesterday for colliding with a buggy while on the wrong side of the street, was fined \$5 in police court this morning.
"I am going to fine you \$5 for 'jay' driving," Judge Brady told Pool to-day. "The damage to the buggy must also be paid for, and that may be settled by you or your employers."
Instead of cutting a square corner when turning from Grand avenue to East Eleventh street yesterday, Poole cut across and collided with a buggy driven by Max Eppstein. Mr. Eppstein's vehicle was overturned, and he was thrown out and badly bruised.

Newspaper Article from The Kansas City Star

Section I: Why the Need to Repeal Laws Leading to Racialized Traffic Enforcement?



A. The Research is Clear: Traffic Enforcement of Laws Related to Walking and Biking is Racialized

In too many situations, enforcing traffic laws harms people rather than keeps communities safe. Research bears out that the enforcement of traffic laws is racialized: Black people are disproportionately stopped and cited for traffic violations compared to white people, even when Black people comprise smaller percentages of a community's population. And this is not an isolated occurrence.

"Biking [and Walking] While Black"

In March 2017, the Chicago Tribune published an article exposing that Chicago police overwhelmingly cited Black people for bicycle-related violations. In one year alone, 321 citations were issued in Austin, a predominantly Black, low-income neighborhood, compared to only five in a majority white, wealthy neighborhood, Lincoln Park. Through analyzing police statistics related to bike stops, the Tribune found that the top ten neighborhoods receiving bicycle-related citations were majority Black (seven neighborhoods) and Latino (three neighborhoods).

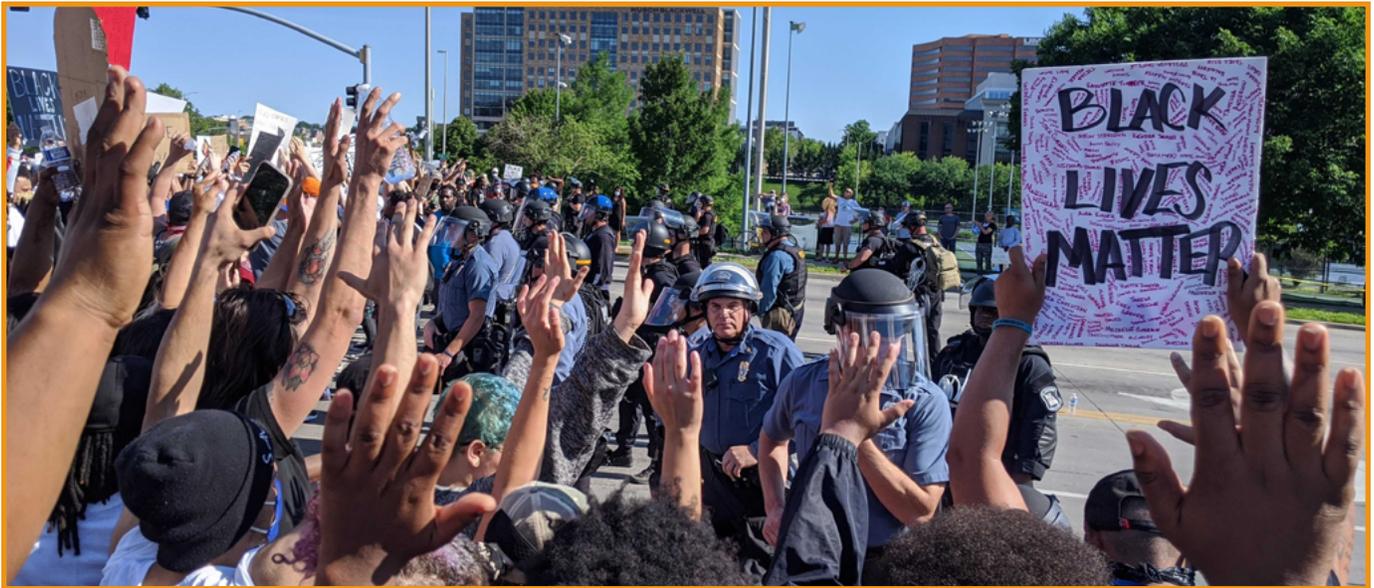
Later in 2017, ProPublica and The Florida Times-Union issued the seminal report [“Walking While Black”](#) analyzing the enforcement of traffic laws related to walking in Jacksonville, Florida. In Jacksonville, fatal crashes involving people walking increased each year from 2012 to 2016, making it one of the deadliest communities in the country for pedestrians. The sheriff’s office touted enforcement of laws related to pedestrians as a tool for reversing that trend, but the ProPublica/Florida Times-Union report found no relationship between increased safety and issuing of traffic tickets for pedestrian violations. The most salient finding was that although Black people comprise only 29 percent of the city’s population, Black people received 55 percent of all the tickets for pedestrian violations. For some violations related to walking, Black people received 78 percent of tickets. The disproportionate representation of Black people receiving tickets is not a result of those areas being less “safe”; census tracts where the population is mostly Black had similar numbers of deadly crashes compared to other neighborhoods. The ProPublica/Florida Times-Union report highlighted that in addition to failing to meet the intended safety outcome, issuing traffic violations to people walking causes harm beyond the ticket. The analysis also found that fines and fees from the tickets can be sent to collection agencies, which can damage an individual’s credit rating. What’s more, the tickets can lead to the suspension, or full revocation, of a person’s driver’s license.

A [Streetsblog analysis of jaywalking tickets in New York City](#) confirmed once again traffic enforcement related to walking and biking is racialized. The analysis found that in 2019, there were a total of 397 tickets issued for illegal or unsafe crossing. Of those, a staggering 89.8 percent went to Black and Hispanic people, although combined, Black and Hispanic people comprise 55 percent of the city’s population. The analysis found that, “just three out of the city’s 77 precincts (less than four percent) accounted for nearly 40 percent of all illegal crossing tickets last year.”¹



Traffic Stops Can Escalate to Criminal Charges, Officer-Initiated Violence, and even Death

Research out of Minneapolis, Minnesota reinforced the harmful trend of over-policing Black people moving around their communities. A report by the Minneapolis Bicycle Coalition found that Black bike riders were stopped more often than white bike riders. Despite making up only 18 percent of the population of Minneapolis in 2014, Black people were stopped in 48 percent of bicycle-related citations.² This research found that negative perceptions were more likely to be assigned to people of color in the narrative section of the police reports. For example, of the 33 reports coded with the police perceiving the arrestee as “confrontational,” 22 were Black, eight were white, one was other/mixed, and two were unknown.



The Minneapolis research brought to the fore one of the most dangerous implications of racialized enforcement of traffic laws: pretextual stops. Police can stop someone for a bike-related offense, and then use that as an opportunity to run background checks and probe for further potential crimes, even if they are completely unrelated to why the person was initially stopped. This research found that although each stop started with a bike-related offense, the final charges in the police reports included a wide variety of offenses. While white cyclists were about as likely as Black cyclists to wind up in the county jail, Black cyclists were more likely to have their bicycle inventoried (collected and put into police custody) or to be taken to the Juvenile Suspension Center.

The Relationship Between Infrastructure and Bike Tickets

The original [“Biking While Black”](#) report in Chicago led some to posit whether there were higher rates of ticketing in majority Black neighborhoods due to less supportive infrastructure for biking, which could then lead people to ride bikes on sidewalks even though it is not legal.³ A study released in October 2021 examined that potential relationship between bicycle infrastructure and biking citations. The research found that as the number of

tickets for bicycle-related offenses decreased, a disproportionate amount of those tickets were given out in Black and Latino neighborhoods. Compared to majority white census tracts, “tickets were issued eight times more often per capita in majority Black tracts and 3 times more often in majority Latino tracts.” The study also found that police were less likely to issue citations on streets with bike lanes, and streets with bicycle lanes were less prevalent in majority Black and Latino neighborhoods.⁴

A central issue is that decades of transportation funding decisions, such as where to install bike lanes and sidewalks – or not – have left primarily Black and low-income communities without the safe infrastructure for biking and walking. The research out of Chicago bears this out, suggesting that people are engaging in behavior like biking on sidewalks because it doesn’t feel safe to bike in the street. When it isn’t safe to bike in the street, people bike on the sidewalks; if there is no crosswalk or safe place to cross, people cross where they can. An individual person is not responsible for the unsafe conditions, a city is. Through policy, planning, and funding decisions, cities create the conditions that force people to make the very choices that cities then deem illegal. Individuals are being cited and fined for the public sector’s failure to create safe places for people to move throughout their communities.



The responses and actions taken by these cities as a result of the research findings have varied.

- In Jacksonville, the City Council President and other local lawmakers called for the suspension of issuing pedestrian tickets in the community. This followed the release of a bulletin by the Jacksonville Assistant State Attorney detailing the proper enforcement of those statutes. Beyond this, however, it doesn't appear that much has changed.
- In Minneapolis, the city council voted to repeal the measures they had on the books against spitting and lurking.
- In New York City, several members of the city council announced that it would launch an investigation into the racially biased harassment of pedestrians in the city.
- While the response was different from place to place, the fact remains that exposing these disparities forced leaders in these communities to consider alternatives to over-policing of walking and biking.

Racialized Traffic Enforcement Impacts People Across all Travel Modes

Based on an analysis of over 200 million traffic stop records from across the country, the Stanford Open Policing Project has shown that officers generally stop Black drivers more frequently than white drivers, and that they search Black and Brown drivers more frequently as well.⁵

ABC News conducted an analysis on traffic stops over several years with local affiliates across the nation and examined the disparities in stops involving drivers and pedestrians. In Chicago, Illinois, Black pedestrians were nine times more likely to be stopped by police than their white counterparts. In New York City, Black pedestrians were eight times as likely, and in San Francisco, California – seven times as likely to be stopped by police as white people walking.⁶

A 2020 review of police stops of people biking in three communities found that Black people cycling carried a heightened risk of being stopped, searched, ticketed, and arrested. In Oakland, California, Black people comprised 60 percent of bike stops by police even though they represent less than a quarter of the population.⁷

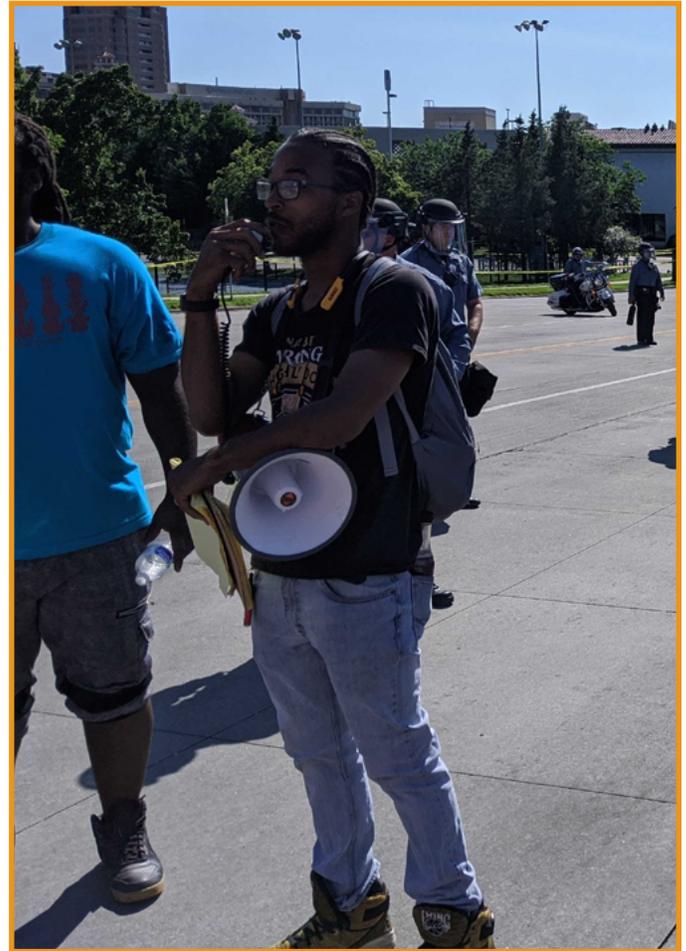
Section II: What BikeWalkKC Did in Kansas City

A. A Moment in the Movement: A Clarion Call for Decriminalizing Black Peoples' Mobility

BikeWalkKC has worked to center equity since its founding. Like many communities across the country, Kansas City has built a transportation system primarily focused on vehicle throughput. This has not only excluded members of the community without access to a car, but has often exposed them to a built environment that increases their chance for injury in a traffic crash or disease from environmental pollutants found in vehicle exhaust. These effects have been acutely felt in the city's Black, Brown, disabled, and low-income communities. BikeWalkKC works to make physical changes to support people's safe, healthy mobility, but they know that infrastructure changes alone are not enough. Through policy efforts, BikeWalkKC has also sought to lower the additional barriers to safe, connected mobility, including over-policing that keep Black and Brown people from using multimodal transportation.

When the country had a national moment of reckoning following the murder of George Floyd by police officer Derek Chauvin, BikeWalkKC saw the opportunity to pursue decriminalization of walking and biking, and build on a history of work to improve equitable active transportation in Kansas City.

The images of George Floyd being murdered were a blatant example of how the policing of Black movement in the streets can be shameful, unflinching, and destructive. But the truth is that Floyd was not the first or last individual to needlessly die at the hands of law enforcement for a minor offense. Two months after George Floyd was murdered, the nation turned its gaze to Los Angeles, California for another example of how the over-policing of Black and Brown people as



they walk or bike can lead to deadly outcomes. Dijon Kizzee was riding his bike in Los Angeles on August 31, 2020 when several officers tried to stop him for a minor traffic violation. Kizzee dropped his bike and ran on foot before a scuffle ensued. Officers ultimately shot him multiple times, and he died as a result.

These cases have occurred close to home, too. In Kansas City, there have been a number of high-profile cases where officers used excessive force against members of the community. Cameron Lamb was shot while sitting inside of his truck.⁸ Ryan Stokes was chased and gunned down after being falsely accused of stealing an iPhone.⁹ Brianna Hill was assaulted on the sidewalk after a dispute at a beauty supply store.¹⁰

Following the death of George Floyd and others, the Kansas City City Council adopted [Resolution #200450](#),¹¹ which directed city staff to review the full municipal code to identify elements of racist language as well as statutes that could disproportionately harm Black and Brown residents.¹²

BikeWalkKC staff had already been considering ways to try to shift traffic safety away from relying on enforcement. They used the passage of the resolution as an opportunity to review the municipal code and search for laws that could be used to over-police Black and Brown people while walking or biking. When they finished their review and identified legislation, BikeWalkKC sent a letter to Mayor Quinton Lucas sharing their findings and calling for the city council to take action.¹³



Timeline: How Decriminalizing Walking and Biking Came to Pass

June 2020 – Kansas City City Council passes a resolution directing city staff to review the full municipal code to identify elements of racist language as well as statutes that could disproportionately harm Black and Brown residents.

July 2020 - Following a review of the municipal code of ordinances, BikeWalkKC identifies three portions of the municipal code which could lead to over-policing of walking and biking: dirty wheels, bike inspections, and jaywalking.

January 2021 - Mayor Lucas indicates he will introduce legislation to address the portions of the municipal code identified by BikeWalkKC.

February 2021 - Mayor Lucas proceeds with initial legislation, with feedback from BikeWalkKC that it does not go far enough to address over-policing concerns.

March 2021 - Decriminalization legislation placed on hold in the City Council's transportation committee to address concerns on data, language, and outreach.

May 2021 - Following [data release and modifications to language](#), the City Council of Kansas City votes to fully eliminate jaywalking and bike inspection violations; significantly modifies penalties for dirty wheels.

Summer 2021 - Other communities inquire about how they can decriminalize walking and biking. BikeWalkKC partners with the Safe Routes Partnership to explore decriminalization further.

This section details the steps BikeWalkKC staff took to make changes in Kansas City. Section III draws upon their experience and lays out steps advocates can take in their own communities.

Phase 1: Information Gathering

As is the case with most policy campaigns, the first step is to understand the landscape related to criminal traffic violations in your community: what traffic violations are on the books in your community, how are they being enforced, and who is being impacted?

A. Conducting a legal scan to analyze what traffic laws are on the books

When BikeWalkKC decided to push for the decriminalization of walking and biking in Kansas City, they determined that the best place to start was the Kansas City Code of Ordinances, the city's municipal code. Over the course of a month, BikeWalkKC staff looked through the code for language and provisions that criminalized people's movement throughout the city and thus could be an ideal target for decriminalization.

With the code review, they wanted to cast a wide net to try to capture as many elements of the code that could lead to over-policing and criminalization of people moving throughout the community. To that end, BikeWalkKC staff created a list of search terms related to active transportation.

KEY TERM

Municipal Codes: Municipal codes are the collection of laws passed by a city.



The search terms BikeWalkKC used when reviewing the Kansas City municipal code included:

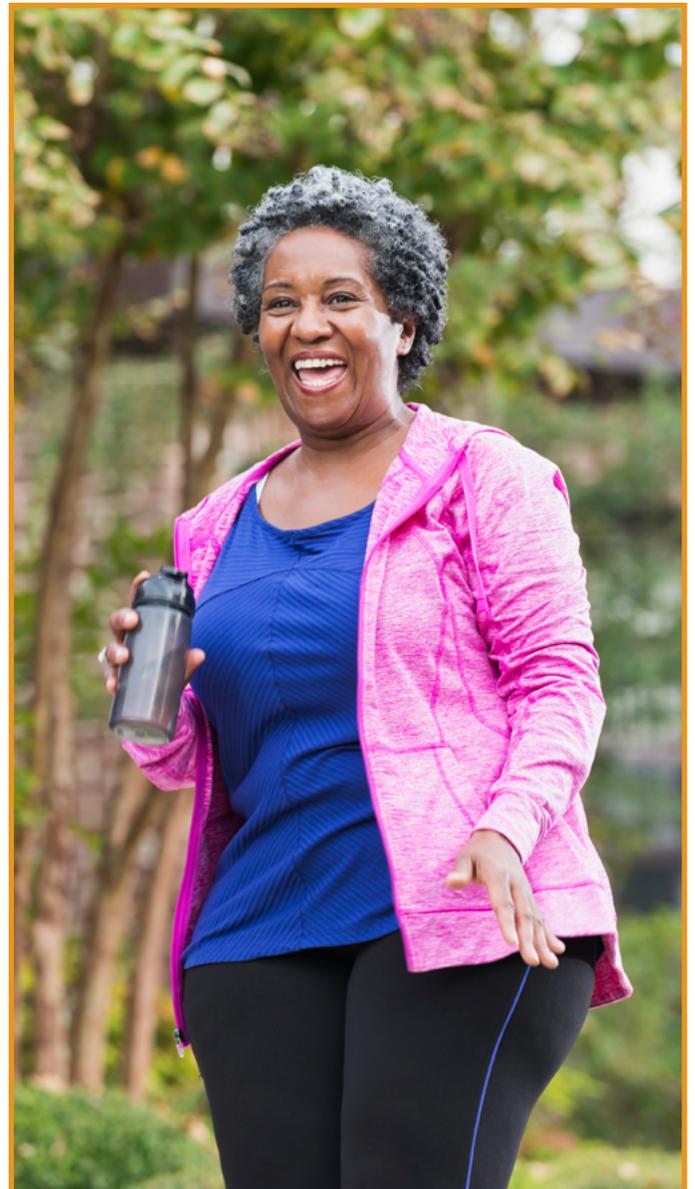
- Bicycle
- Bus
- Cyclist
- Disability
- Disabled
- Helmet
- Pedestrian
- Right of Way
- Sidewalk
- Spitting
- Transit
- Walk
- Wheelchair

The review of the Kansas City municipal code included analysis across nine chapters and yielded 26 statutes that BikeWalkKC determined needed a closer look. To narrow down which of these statutes would be most impactful to repeal or modify, staff considered the following two criteria:

1. It was clear that it would be impossible to enforce a given statute in an equitable manner; and
2. There was a reason to doubt that the laws were effective at making streets safer for vulnerable road users.

Once BikeWalkKC defined the search terms, staff took three steps to review the municipal code:

1. Identified chapters of the municipal code that may have language related to active transportation and flagged them for closer inspection.
2. Read through the identified chapters and looked for legislation that may warrant a closer look using the aforementioned terms as a guide.
3. If they found a portion of the code that criminalizes walking or biking and thus likely needs to be modified or repealed, document the legislation title and legislation number along with a brief explanation for why it is problematic.



Reviewing the 26 statutes through these two filters generated three statutes that BikeWalkKC selected to focus on:

1. **Sec. 70-268. - Wheels and tires to be clean.** Wheels and tires to be clean. No person shall operate any vehicle within this city, the wheels or tires of which carry onto or deposit in any street, highway, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.
2. **Sec. 70-706. - Inspection of bicycles.** A uniformed police officer may at any time, upon reasonable cause to believe that a bicycle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the person riding the bicycle to stop and submit the bicycle to an inspection and such test with reference thereto as may be appropriate.
3. **Sec. 70-783. - Crossing at points other than crosswalks.**
 - (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
 - (b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
 - (c) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.
 - (d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movement.

While it is possible that other portions of the municipal code may make sense to modify or repeal, the three measures BikeWalkKC ultimately pushed for were the most blatant examples of laws that contributed to or created the opportunity for the over-policing of people walking and biking in Kansas City, Missouri. It is also possible that a future campaign may include a push to make other changes with these portions of the municipal code.

B. Gathering data on enforcement of traffic laws - both quantitative and qualitative

Once BikeWalkKC staff identified the laws they wanted the city to repeal or modify, the next step was to research whether and how there was racialized enforcement of these laws.

Quantitative Data Collection

In Kansas City, the quest to analyze the impact of enforcement of traffic laws proved to be quite complex because the city does not have local control of its police department. In fact, it is one of the only cities of its size that does not have local control of its police department. Understanding the relationship between city officials and the police department in Kansas City helps explain the challenges BikeWalkKC faced with gathering data related to the enforcement of jaywalking, bike inspections, and dirty wheels laws.





A Quick History Lesson on Police in Kansas City, Missouri

Kansas City's lack of control of its police department dates back to the department's founding. When it was first created in 1874, it was overseen by a board of commissioners appointed by the governor. In 1932, the police department came under local control, and corruption quickly emerged as a problem because of the political influence of a man named Tom Pendergast. Pendergast used his financial and political connections to force many police officers to do what he wanted, which hobbled the effectiveness and the reputation of the police department as a whole. After several years, the state took control back and gave it to the governor, who now appoints four of the five members on the city's Board of Police Commissioners (the mayor of Kansas City serves as the fifth member).¹⁵ The Board controls key elements of the police department, including internal policies, employment status of the police chief, and the police department's budget.

Because the city doesn't have local control over the police department, the department has often brushed aside requests for documents and data from members of the public, the press, other city departments,¹⁴ and sometimes even the City Council. BikeWalkKC recognized that they would not be able to get data on traffic enforcement on their own, and worked with city council to request this information.

A request for data on traffic stops was made in committee by City Councilmember Melissa Robinson, but it took several weeks to return the data. The Court Administrator for the city released relevant court data that had been filed by the City Prosecutor. This data included a number of fields, including violation date and location; defendant race, sex, and age; balance due; and if they were represented by an attorney. However, this data only extended to jaywalking violations.

As expected, the data bore out the same pattern seen in communities across the country: traffic enforcement of people walking is racialized, and Black residents are overwhelmingly policed as they move around Kansas City. From 2018 through 2020, court administrative data showed that 123 jaywalking tickets had been issued. Of these, 65 percent were issued to Black people, even though Black people make up less than 30 percent of the city's population. Staff noted that the breakdown of jaywalking ticket recipients by sex was 83 percent men and 16 percent women.

Qualitative Data Collection

As an organization focused on redefining streets as places for people, BikeWalkKC knew that collecting stories from real people impacted by traffic enforcement would be essential to building the campaign. To that end, staff made a conscious effort to collect testimony and stories from people related to over-policing or from people impacted by the three laws they were working to decriminalize. Staff also sought to gather information from members of the general public about their interactions with police while they were walking or biking.

To collect these stories, BikeWalkKC created a web form where people could confidentially share their experiences. If people were willing to share their contact information, staff followed up with those individuals to learn more about what they described, if they'd be willing to share their experiences with local media or elected officials, and if they knew of others who might be willing to share their stories.

BikeWalkKC struggled with this element of the campaign. While they tried to gather stories and follow up with folks who might know others willing to share their stories, they ended with fewer narratives than anticipated. However, from challenge, comes growth. BikeWalkKC learned a lot through this process and have listed key lessons below:

- Connect with defense attorneys and public defenders: the lawyers who represent people stopped/cited for traffic violations may be willing to connect you with their clients.
- Work with partners to ask their networks: cast a wide net; recognize that you might not be the trusted messenger, but a partner organization may be.
- Appreciate whatever stories are submitted.

BikeWalkKC used these stories to put a human face to the issue. They shared the stories in blog posts and other publications so folks could read for themselves how the law was being applied (or not) to individuals in the community.

Public defenders and attorneys are often working with individuals who encounter a slew of violations which may have begun with a traffic stop. This presents an opportunity to not only describe the issues created by jaywalking, but the broader judicial and financial spiral it can create for people over time.

“...I can re-call 2-3 times where I would be walking home from the library and KCPD would stalk me weaving through 52nd, 53rd and 54th streets as I made my way South on Main Street, never speaking with me like a human being with something like “hey we’ve had break-ins in the area and we’re out patrolling” not a word...”

- Devin Burton

“...I am a middle-aged white woman...I have crossed against the light, crossed in the middle of the street, broken all kinds of pedestrian laws right in front of police officers probably hundreds of times. I have not once been stopped for jaywalking or ‘walking in the street where a sidewalk is provided’...”

- Winifred Jamieson

“...I’ve had clients arrested for having one foot over the white line in a downtown crosswalk. For simply crossing the street between houses in a neighborhood. Anytime a foot is even a fraction off the curb when there is also a sidewalk. Simply being in the street is cause to arrest for many officers. I know I have seen it dozens of times in the last two decades.”

- Rick Johnson, criminal defense attorney

Phase 2: Building A Coalition

Concurrently with information gathering, BikeWalkKC began building a coalition of support to make the case that this was a public issue and that the public wanted the City Council to take action. They knew that for this campaign to be successful, they would need to activate grass tops and institutional partners, as well as everyday Kansas Citians. This section describes the different groups of partners BikeWalkKC sought support from as they pushed for decriminalization in Kansas City. They also explain how they enabled people to get involved and use their voice and resources to push for change.

The coalition was comprised of three main sectors: **transportation, livability, and civil rights.**



A. Transportation Advocates

It was easiest to begin with other transportation advocates because this directly impacted many of their missions. Especially for nascent or smaller organizations that don't have dedicated staff, telling them about this issue provided a good opportunity for them to lend their voice in a way which ultimately helped the campaign to succeed.

In Kansas City, the groups that joined BikeWalkKC's coalition included:

- Major Taylor Cycling Club of Kansas City
- Black Men Run KC
- Riff Raff (biking group)
- KC 4 Safe Streets
- KC Regional Transit Alliance

This sector was by far the easiest group to get support from, in large part because of their proximity to the issue. It was also important to get the support from these organizations early on because it helped BikeWalkKC show a united front geared towards decriminalizing walking and biking. In that way, it also meant more positive exposure for these groups as well. Additionally, it makes it easier to collaborate with these organizations on related efforts later.



B. Livability Advocates Focused on the Related Issues of Housing, Neighborhoods, Sustainability, and More

It was important to show that this issue extended beyond the narrow sector of transportation-focused organizations and affected a wide swath of the community. BikeWalkKC determined that decriminalization of walking and biking could closely align with these groups in a number of ways, including:

- **Housing** – Decriminalization of walking and biking intersects with housing along class lines as well as racial lines. The most vulnerable tenants and renters also tend to be the most vulnerable road users. While decriminalization of walking and biking doesn't solve the issues these people may face in housing, it does help to lessen the overall burden they face by reducing the threat of over-policing.
- **Neighborhoods** - This is a matter of livability. Neighborhoods are not truly livable if people struggle with fears of being ticketed or worse for everyday activities. Neighborhood organizations have an obligation to involve themselves in the work of, among other things, creating safe streets for everyone.
- **Sustainability** - With regards to sustainability, it's important to recognize that multimodal transportation is essential to lowering a community's collective carbon footprint. However, it's wrong to ask Black and Brown people to engage in those modes without also working to remove the barriers and potential harms which will arise from over-policing those spaces.



The coalition grew to include:

- Blue Hills Neighborhood Association
- Environment Missouri
- Healing House KC (organization serving the homeless)
- Health Forward Foundation
- Hoxie Collective (planning organization)
- Ivanhoe Neighborhood Council
- KC Healthy Kids
- KC Tenants
- Marlborough Community Coalition
- Sierra Club (Thomas Hart Benton Chapter)
- West Plaza Neighborhood Association
- The Whole Person (disability advocates)

BikeWalkKC learned a lot from reaching outside of transportation-focused organizations. Making the ask simple is important for all of your partners, but it's especially true when working with organizations that don't work consistently in the realm of active transportation. Letters of support and public testimony (discussed further below) are helpful ways to request support and build a coalition.



It can be especially helpful to use the push for decriminalization as a means to build bridges with these organizations, especially organizations working in the housing space. In Kansas City, there have been instances in the past where issues, like gentrification, have been framed in a way which may pit housing and transportation advocates against one another. Decriminalization can create a space where advocates can draw clear overlap and parallels in the struggle for dignified housing and safe streets for multimodal transportation.

C. Civil Rights Organizations

The issue of decriminalization is directly linked to the criminal justice system and how it unfairly targets and perpetuates violence against Black and Brown individuals. Involving these groups would not only broaden the insights of the coalition from a legal or social justice standpoint, but also had the potential to bring additional positive attention to the cause.

In Kansas City, this meant reaching out to and including the following groups in the coalition:

- Urban League of Greater Kansas City
- NAACP Kansas City
- Southern Christian Leadership Conference of Greater Kansas City
- The Midwest Innocence Project

One of the biggest mistakes with this campaign was not reaching out to these organizations earlier, especially the American Civil Liberties Union (ACLU). When BikeWalkKC first pursued decriminalization, a key goal was the full repeal of jaywalking. The language that was crafted and put forth by the mayor's office was only a modification of jaywalking. BikeWalkKC should have worked with organizations like the ACLU to push for the full repeal from the beginning. Instead, by sticking with the modified language, the ACLU threatened to openly oppose the legislation. While BikeWalkKC was able to get the jaywalking statute fully repealed in the end, they lost a potentially strong ally in the process.



Phase 3: Speaking Up and Seeking Change

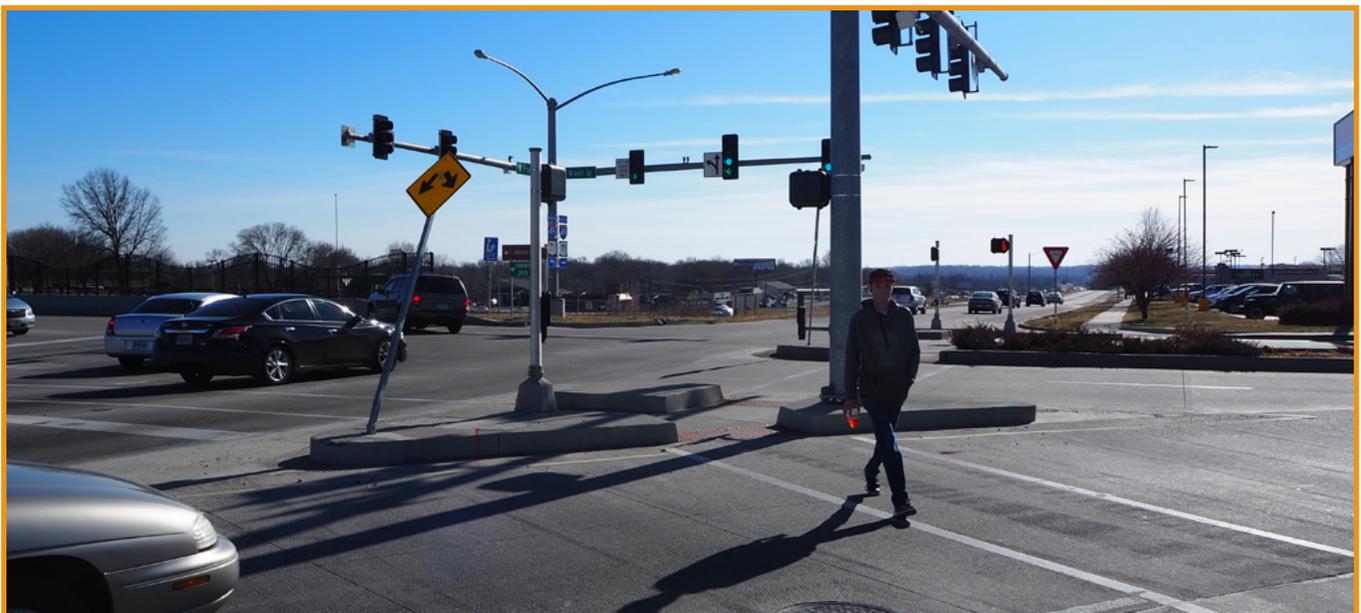
Beginning in July 2020, BikeWalkKC worked with the mayor’s office and city council transportation committee to repeal and modify the three laws identified. In March 2021, the legislation was placed on hold in the city council transportation committee in order to address issues related to data, language, and community outreach. BikeWalkKC recognized the need to develop strategic messaging as the issue gained greater prominence among the public and elected officials. This section conveys some of the language BikeWalkKC used to make the case to the people and elected officials of Kansas City.

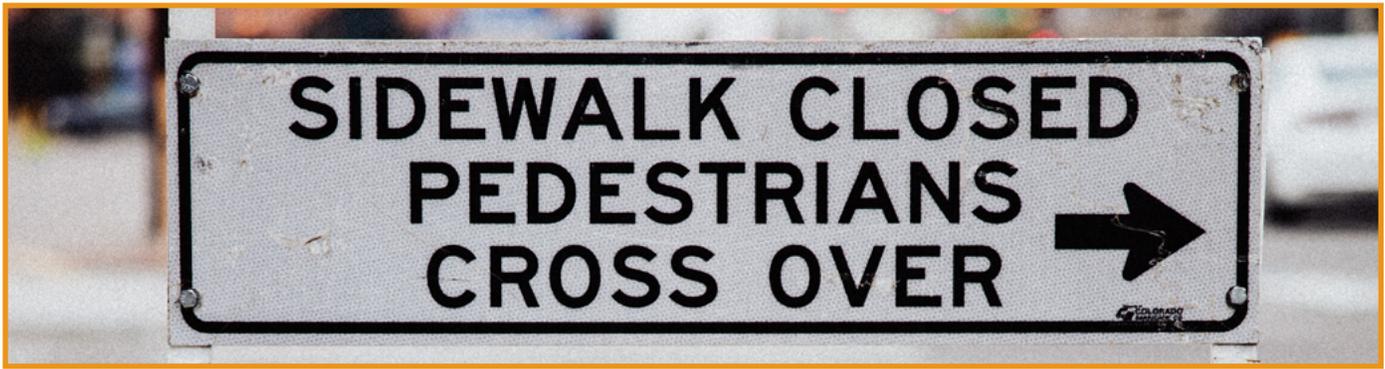
Talking about racialized enforcement of traffic laws and repealing laws can be inflammatory. BikeWalkKC understood that to be successful in this campaign, they would need to develop messages and talking points that would enable people to lower their defenses and actually hear what their coalition was saying. Here are a few examples that worked well.

- ***“Taking this step will enable police to focus on other issues.”***
 - Enforcing jaywalking and related laws can be a time-consuming and resource-intensive process, one which does little to actually prevent the activities in question or make streets safer for vulnerable road users. Removing the statutes in question makes sense because it means that the police can be used for other pressing issues in the city.
 - Including language about “enabling the police to focus elsewhere” is a deliberate choice. You have to remember that your audience likely includes elected officials who often work with police officers whether they like to or not.



- ***“Decriminalization is about making communities safer for everyone.”***
 - Many people are already somewhat familiar with the term “decriminalizaion” because of how it has been used in issues related to marijauna legislation. They also recognize that, like efforts on marijuana legislation, decriminalization is an important first step towards broader necessary changes on a systemic level.
 - The issue of safety comes up often with multimodal transportation discussions. BikeWalkKC alludes to the safety element here to acknowledge that creating safe streets, especially for Black and Brown people, is not just about building safer infrastructure; it also involves breaking down the additional barriers which pose a risk to individuals in those spaces.
 - This also creates an opportunity to question the efficacy of these laws and why they should be repealed or modified. If these laws have been on the books for decades, and your community has still had to adopt Complete Streets and/or Vision Zero legislation because of traffic violence, doesn't that in and of itself show these laws aren't working?
- ***“We simply don't want someone else to die because of this.”***
 - Recall that in Kansas City, there were other local cases which have upset the community on top of the nationally-known cases of George Floyd, Breonna Taylor, Ahmaud Arbery, and others. This includes the case of Brianna Hill, a trans woman assaulted on a sidewalk. In this line of messaging, the focus is on referencing local cases as a means of demonstrating that the pain of George Floyd's death is reverberating because of similar events which happened locally.
 - There's also a theme here which speaks to traffic safety itself. Decriminalization isn't meant to just happen in isolation; it's supposed to be part of a broader effort to make streets safe, especially for the most vulnerable road users. This legislative push is also meant to guide communities to build those safer streets as well, so no one has to experience discomfort or death for traveling through their community.





Phase 4: Mobilizing Support: How They Did It In Kansas City

With the legislation on hold, BikeWalkKC knew that in order to raise awareness of the issue and shape the narrative around the legislation, it would have to mobilize support using a variety of tactics. BikeWalkKC worked to earn media attention to inform and engage everyday Kansas Citians, amplify the issue through national groups and other outlets, and spur residents and organizations to provide vocal support for the repeal and modification of these traffic laws.

Media Advocacy

Both local media and the attention of national organizations with broad reach were part of the campaign media strategy. Locally, The Pitch KC, KSHB 41, and WDAF 4 helped shine a spotlight on the issue, and on a national scale, The League of American Bicyclists promoted BikeWalkKC's [blog post about the campaign](#) and racialized enforcement of traffic laws in Kansas City.

BikeWalkKC learned a number of lessons working with media. One lesson is to have the data on tickets and the stories of individuals impacted on hand before you approach media outlets. For BikeWalkKC, the few stories they had gathered were powerful, and the media sharing these stories complemented efforts to release data on traffic tickets for jaywalking, dirty tires, and bike maintenance. Yet it was not until that data became public that more of the local news organizations expressed a greater interest in the issue.

Another lesson is the importance of cultivating relationships with members of the media. This can be accomplished through conversations with journalists researching other stories related to active transportation, inviting them to events, and offering them opportunities to understand the issue more deeply. BikeWalkKC was intentional about inviting members of the media to webinars and panels early on to not only hear insights from BikeWalkKC staff, but questions and remarks from attendees as well. This created an opportunity to observe the interpersonal elements of this issue, which made the data even more compelling when it was released.

Letters of Support

The initial request for any coalition member or organization expressing interest in our efforts to decriminalize walking and biking was a letter of support. A letter of support was a relatively simple ask for many of these organizations, and it helped them demonstrate the broad impact of these harmful laws and the urgency to repeal them.

The common theme in many letters of support was that this legislation would serve as a crucial step to limit the over-policing of Black and Brown people in Kansas City. From there, organizations typically used the rest of the letter to explain why such legislation mattered for their organization and its constituents. See the [Appendix](#) for letters of support used in BikeWalkKC's campaign.

Public Testimony

After a letter of support, the next request for members of the coalition, and the initial request for interested members of the public, was to submit testimony in support of the legislation. This helped to get city councilmembers to pay attention to the legislation, and to see that everyday Kansas Citians wanted to see the legislation passed. There were three methods for people and organizations to submit testimony: group email, via the city's website, and Capitol Canary.

- **Group Email:** Initially, eleven organizations reached out to provide letters of support, and BikeWalkKC sent those to the mayor, council members and their aides to demonstrate early, broad support for the legislation.
- **City Website:** As a result of the Covid-19 pandemic, the City of Kansas City set up an official email address for public testimony where anyone can submit testimony supporting or opposing a piece of legislation. A small number of partners and members of the public chose to use this form of communication that involved submitting testimony through the official public testimony channels.



- **Capitol Canary** is an online tool that enables users to directly connect with legislators without having to search for who their legislator is. BikeWalkKC was able to set up a campaign that enabled Kansas City residents to send customized messages directly to the mayor and their district council members to ask for their support for the decriminalization legislation. In the end, advocates from across the city sent over 300 emails in support of decriminalization. Some of the submissions from the public are shared below:

“...It is important for Kansas City to adopt this measure and begin to decriminalize walking and biking. It does not help support community. It doesn't make sense for us to allow these measures to remain in place, especially if there is no evidence they protect the people who fall under their scope and could promote profiling.” – Katie S.

“...The current law has been shown to disproportionately affect people of color. Rectifying this is one way to begin to equalize societal issues.” – Leslie S.

“I was today years old when I realized such criminalization of walking and mostly biking even existed in the city I love and LOVE to bike in. It's criminal to have dirty bike tires!!?? I guess i should be locked up instead of advocating for more people to ride bikes in KC. Based on the statistics, these types of ordinances are racist and unnecessary. Stand up to the systematic racism ingrained in our laws and policies!...” – Dede P.

“Laws criminalizing active transit are overwhelmingly weaponized against poor people and people of color, with effectively zero improvement on public safety...” – David D.

Answering Questions from the Public, the Media, and Elected Officials

Once BikeWalkKC publicly endeavored to repeal the three laws that led to racialized policing of people walking and biking, they received countless questions from residents, elected officials, organizations, and the media. They sought to answer questions openly to build trust and demonstrate that they were working to build a more transparent and just community. The questions BikeWalkKC received were wide-reaching, but a few general themes arose. This section provides frequently asked questions that BikeWalkKC received and how BikeWalkKC strategically responded to those questions.

- ***If we get rid of jaywalking, won't that make streets in the community less safe?***

- People will navigate spaces, and cross the street (jaywalk) based on their immediate needs as pedestrians, not based on laws such as jaywalking. Instances of crossing the street outside of a crosswalk speak more to a need to create infrastructure which better responds to the needs of pedestrians and other vulnerable road users than enforcement of street crossing. The jaywalking law had been on the books for decades (plenty long enough to prove itself) and failed to make streets safer, providing yet another reason for the measure to be struck.

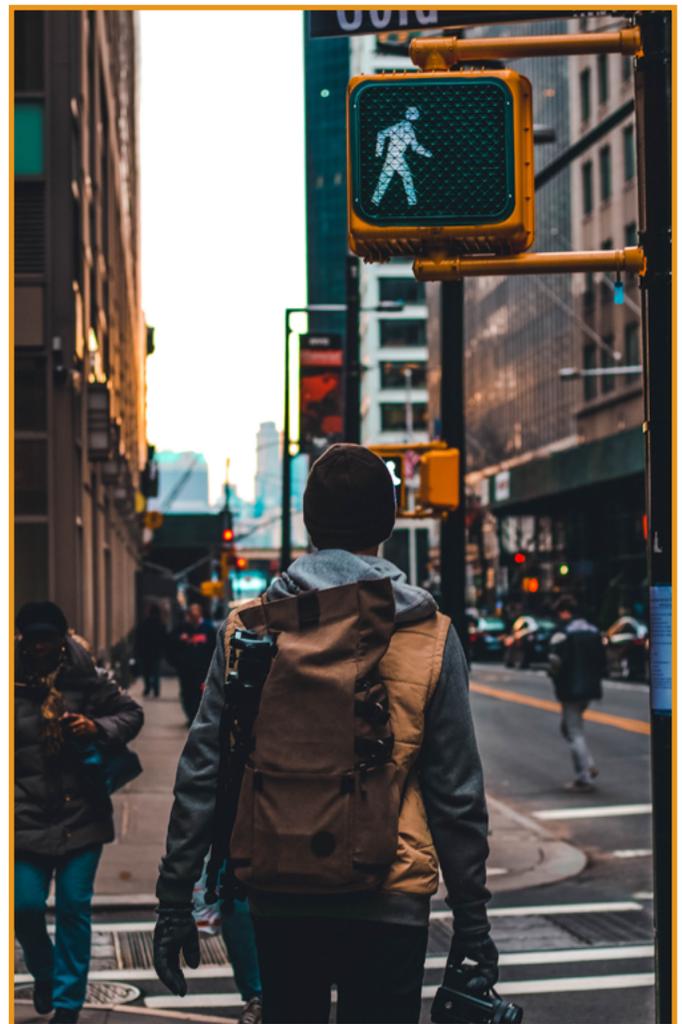
- ***Isn't enforcement a necessary part of keeping streets safe?***

- Enforcement is a mechanism that typically works after the infraction has occurred. In enforcement, especially with jaywalking laws, there is too much of an opportunity for over-policing. Communities can still consider methods of enforcement while acknowledging their shortcomings and looking for ways to place a greater emphasis on prevention in the form

of better public engagement or more equitable investments and improvements to the built environment.

- ***What examples exist from other communities?***

- At the state level, Virginia became the first state in the nation to repeal its jaywalking law in January 2021.
- The California legislature passed AB 1238/The Freedom To Walk Act in the 2021 session, however it was vetoed by Governor Gavin Newsom.



Phase 5: Celebrating Success and Looking to the Future

In May 2021, following the [data release and modifications to language](#), the City Council of Kansas City voted to fully eliminate jaywalking and bike inspections violations and significantly modify penalties for dirty wheels. BikeWalkKC and the coalition of supporters celebrated this victory and looked to the future.

All of the work done by BikeWalkKC and partners in the community led to an important change in traffic enforcement in Kansas City, Missouri – one that is hopefully a spark for other communities to identify and repeal traffic laws that lead to racialized enforcement and overpolicing of Black, Brown, Indigenous, and other people of color. This section addresses opportunities for growth and improvement in this campaign so that other communities can take on these laws equipped with the lessons learned as part of this campaign.

Two shortcomings of this campaign include:

- *Limited outreach* – This campaign moved quickly to take advantage of the Mayor and council’s interest and national attention on overpolicing of Black people. As a result of this urgency, BikeWalkKC did not do as much outreach with partners as they had initially intended. Even when the legislation stalled in March 2021, it was not quite enough time to broaden the outreach. For communities taking this on, consider building in adequate time for outreach and engagement.
- *Not having the data on tickets upfront* - It would have been more helpful to have gathered data on tickets beforehand in order to conduct outreach, inform the public, and develop strategic and persuasive messages. While the eventual reveal was powerful, having the information beforehand could have helped to get more attention (and likely more support) from the beginning.



As BikeWalkKC and others look to the future, they have identified the following as next steps to reduce the over-reliance on traffic enforcement and to pursue additional opportunities to repeal racialized traffic laws elsewhere.

- *Additional changes on traffic enforcement in Kansas City* - Repealing portions of the municipal code related to jaywalking and bike inspections aren't the only places where change is possible in traffic enforcement. BikeWalkKC has also begun to look at parking enforcement as a potential next step on rolling back over-policing as it relates to traffic safety. It is also important to note that there may be additional legislative opportunities among the list of statutes originally identified by BikeWalkKC in their analysis.
- *Greater transparency* - BikeWalkKC is exploring a push for legislation that would require the Kansas City Police Department to annually report ticketing data with a breakdown by the statute used to issue the ticket. BikeWalkKC sees this as an opportunity to proactively identify trends in ticket disbursement and work to address the statutes leading to more tickets.
- *Decriminalization in other communities* - BikeWalkKC is eager to use this experience repealing and modifying traffic laws leading to racialized enforcement in Kansas City as a catalyst for further efforts in the Kansas City region. The group has begun to pursue action in large communities on both the Kansas and Missouri sides of the Kansas City metro region. While research is ongoing on the Missouri side, it appears that preemption¹⁶ will necessitate action at the state level in Kansas.



Section III: A Call to Action

The work to repeal and reform unjust traffic laws is daunting, but BikeWalkKC shows that it is possible. Having detailed what they did to successfully advocate for the removal of these measures, the responsibility now falls to advocates in other communities to chart their own path forward on this issue. In this section, learn more about what to look for before you begin, how to mobilize support among the public and partners, and ultimately how to repeal these unjust laws. Rather than providing an in-depth guide on how to run a public policy campaign, these steps focus on gathering information, building a coalition, and mobilizing support to repeal or modify laws that lead to racialized enforcement. If you would like a strategic and thoughtful policy campaign planning tool, use this [campaign planning tool](#) developed by Voices for Healthy Kids in conjunction with the content-focused steps below. Note: the following are not in chronological order, and you will need to do many of these things concurrently.



A. Assess the Opportunity

Conduct a legal scan to analyze what traffic laws are on the books.

1. Look up your city's municipal code
 - a. Visit your municipality's website, and look for a link to its code
 - b. Search online for your city's name + municipal code
 - c. Search public databases of municipal codes. A few starting places include:
 - i. <https://library.municode.com>
 - ii. <https://codelibrary.amlegal.com/>
2. Define your list of search terms. For ideas, review the search terms BikeWalkKC used on page [13](#).
3. Identify chapters of the code that may include laws related to active transportation. Suggestions include:
 - a. Parks, Recreation, and Boulevards
 - b. Streets, Sidewalks, and Public Spaces
 - c. Traffic and Vehicles
4. Identify selection criteria for further refinement. Consider whether it is reasonable to suspect that the intent of this law was to control Black, Brown, Indigenous, or other people of color. Consider whether it is reasonable to believe that there is an opportunity for racialized enforcement of these laws.
5. Connect with a lawyer or policy specialist to verify your interpretation of the law. Get creative - are any members of your organization lawyers? Board members?

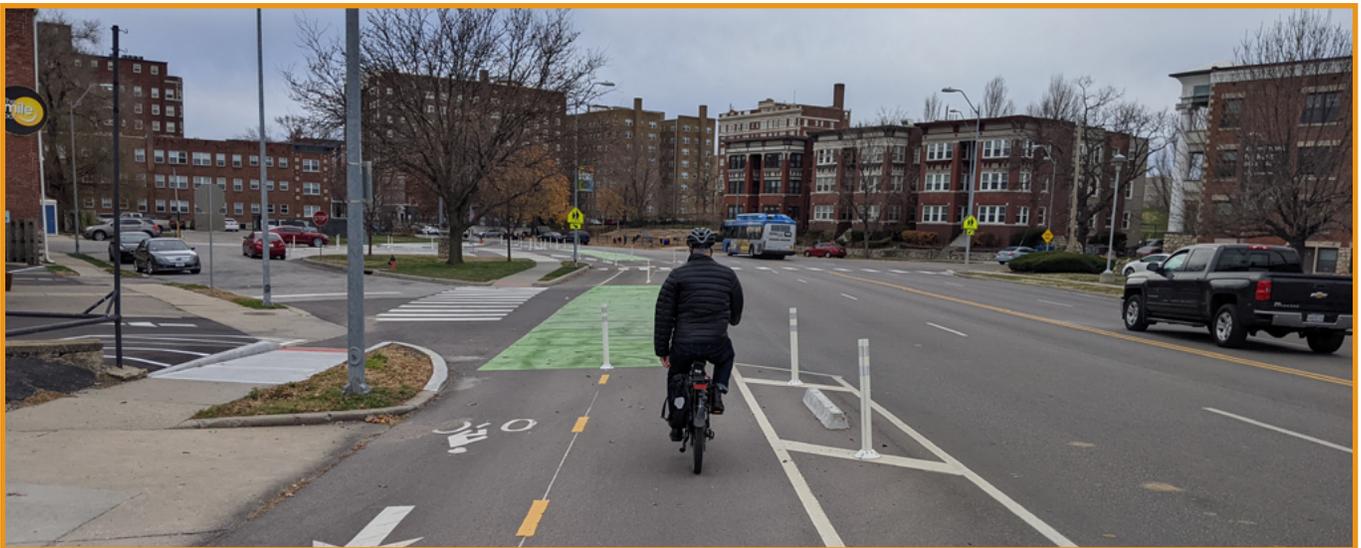
Gather data on enforcement of traffic laws - both quantitative and qualitative.

Quantitative Data Collection

1. Determine the agency responsible for enforcing traffic laws in your community. In most cities, this will be a police department. Consider contacting the municipal court or public defender's office and request data related to the traffic laws of interest. Request that they provide data on all tickets and traffic stops related to the infractions of interest with as much demographic data as possible.
2. Disaggregate data based on a variety of demographic factors, for example: race, ethnicity, age, (assumed) sex/gender, etc.
3. Compare the representation of violations by demographic group with the population of your city.
4. If tickets/stops are geolocated, overlay the sites of these stops with a map of your community. What does this tell you about where people are being stopped and cited for traffic violations? What do you know about the environment and supportive facilities, or lack thereof, for people walking and biking?

Qualitative Data Collection

1. Develop an intake form for people to share their stories about being stopped/cited for traffic violations and/or interactions with police while walking or biking. Bear in mind that written testimony may not be the preferred option for some people; provide alternatives like a voicemail for people to leave a spoken description of their story.
2. Ask your partners to share the call for stories/experiences with their networks. Posing the request as just another advocate may not be as effective as if the question comes from someone an individual knows and trusts.
3. Connect with local defense attorneys and public defenders to share your campaign and ask if they would be willing to connect you with any of their clients who have been ticketed for relevant traffic violations.
4. Use the stories as part of your campaign. Data and numbers are compelling, but stories change hearts and minds. Use the stories to encourage others to speak up; share stories from different parts of the community with the elected officials in question. Especially in the absence of hard-to-obtain data, stories help to make it clear what is happening even when clear patterns may not be available at the moment.



B. Build a Coalition of Supporters

Draw upon existing relationships and broaden your network to incorporate more voices. Transportation advocates may be the first obvious partners, but consider connecting with organizations and individuals involved with public health, housing, neighborhoods, sustainability, and civil rights. Expand to other community institutions that people know and trust such as houses of worship. Every community is different, so take time to brainstorm a broad range of partners and ask your partners to suggest further connections. The broader support you can find, the better. As you build your coalition, be sure to consider organizations with relationships with elected officials as well as community members. Authentic relationships are a key ingredient to policy change.

C. Assess the Decision-making Landscape and Chart a Path Forward

1. Find the Decision Makers - Determine whether this policy change can take place at the local level or if it must occur at the state-level. Some states may preempt local governments from repealing jaywalking and related laws, which means a local government cannot pass a law that conflicts with a state law.

For detailed guidance and tools to understand preemption and take steps to address it in your state, visit the [Voices for Healthy Kids Preemption Campaign resources](#).

2. Identify a Champion(s) - Having a strong champion to provide support from within the government can add credibility, attention, and momentum to your initiative.

Identify one or more elected officials who may be willing to lead the legislative changes you seek. As an advocate, you typically cannot introduce legislation on our own, so you will need a city councilperson or legislator to do so. Your champion can help build support among their colleagues, bring attention to the issues using their platform, and help demystify the legislative process.

Identify legislators who have expressed support for active transportation, public health, and equity. Your legislation may need to go through a specific committee, such as the transportation committee. Look for a legislator who is currently on that committee. Elected officials are typically more interested in an issue if their constituents are interested. Work with your network of partners and other individuals in your potential champion's district to express their desire for your proposed changes. This can be done through traditional methods such as letter writing, social media, and testifying during public comments. For examples from BikeWalkKC's campaign, review the [Appendix](#).

3. Work with your legislative champion to introduce legislation - Work closely with your champion to draft and introduce legislation. Make sure that they can access you for questions as they come up.

4. Count the votes - At each step of the legislative process, it is critical to know the number of votes a piece of legislation needs to advance. By knowing the count, you can determine where to focus your efforts. Consider public statements and past votes to break elected officials down into one of three categories: 1) Support, 2) Oppose, 3) Unsure. While you may be able to discern all of this before any real contact, it is important to remember that you shouldn't take any vote for granted. Activate constituents, trusted messengers, and locally influential people to persuade the "unsure" votes and work to change the minds of the "oppose" votes.

D. Mobilize Support

- 1. Build a coalition of supporters.** Draw upon existing relationships and broaden your network to incorporate more voices. Transportation advocates may be the first obvious partners, but consider connecting with organizations and individuals involved with public health, housing, neighborhoods, sustainability, and civil rights. Expand past that to other community institutions that people know and trust such as houses of worship. Every community is different, so take time to brainstorm a broad range of partners and ask your partners to suggest further connections. The broader support you can find, the better.
- 2. Develop a draft letter of support for organizations to sign on to.** Create an easily sharable template that organizations can sign on to as is or edit to better fit their perspective. Consider the various groups you are working with and consider developing several drafts focused on different aspects of the issue such as racial justice, mobility justice, and public health. Connect with established partners to understand what would make it easiest for them to sign on and then use the materials you develop to approach additional organizations that may need more convincing.
- 3. Request that organizations and individuals submit public testimony.** Develop a few talking points to share with organizations and individuals, and remind people submitting testimony that personal stories are the most powerful way to connect with decision-makers. Consider sharing an example along with a simple template for people to structure their personal story: describe the context, what happened, how you reacted/felt, what happened as a result, and how that connects with this advocacy effort. Build on your efforts from step two by reaching out directly to different groups that you may have missed before.
- 4. Use technology.** There are countless tools available to connect constituents to their decisionmakers. Check out Capitol Canary to make it easy for residents to connect with their local elected officials on behalf of this campaign. Social media platforms like Twitter are also a useful place for constituents to directly communicate with decision-makers. Consider sharing some sample tweets and photos for people to share in support of the campaign along with a hashtag.
- 5. Host a media roundtable.** Invite journalists from local media to learn about your campaign. Provide a one-page summary of what you are doing, why this is needed, compelling data to support that need, and contact information for spokespersons willing to go on the record to share their stories. Build relationships with members of the media and invite them to panels and events so that they can gain a deeper understanding of the issue area.



E. Evaluate and Look to the Future

1. *Say thank you.* Once the law passes, thank your bill sponsor, coalition members, and community residents who helped make this a reality. (To avoid the bill from failing, try to avoid it coming to a full vote if you don't think you have the votes.) If the law does not pass, huddle with your legislative champion and coalition to determine next steps.
2. *Stay on top of implementation.* Follow up with elected officials and city staff to make sure the change actually happens. Help identify gaps and specific opportunities that could help support this change. Are there opportunities to augment current training protocols so that all staff and personnel are aware of these changes? Is there any additional data that should be collected day to day to help track progress such as race or other demographic information?
3. *Measure short-term impacts.* Compare ticketing data to prior years to measure impact of the change and make sure law enforcement actions reflect current city law. Consider what process changes could make data tracking easier. Look into opportunities to collaborate with the necessary institutions to consistently get all of the data you need. Pay attention to whether the data illuminates other harmful laws or practices that need to be addressed with future work.
4. *Connect with community members to hear their perspective on the change.* Do they feel safer? What else could make them feel safer? You can do this informally with an open call for comments like you did during the campaign. You can also use other methods to get feedback on these changes such as surveys (paper or online), interviews, and focus groups.
5. *Share about impact.* Use the quantitative data on ticketing and any new qualitative data that you have collected to illustrate what has and has not changed since your campaign. Follow up with members of local media to highlight the progress made or lack thereof. Share images and videos with them as well as contacts who they can interview.
6. *Keep pushing forward.* Continue to monitor and identify future opportunities to make mobility more equitable and truly safe in your community.



CHOOSE AND GUARD YOUR VULNERABILITY

Advocacy often requires people to be publicly vulnerable and share deeply personal stories. It is an effective strategy to humanize the policy issue, however sharing and facing the questions and criticism that may come isn't easy. This burden is especially heavy for people of color who are made to repeatedly advocate for the acknowledgment of their full humanity – for the law to treat them the way it treats white counterparts. As you work toward change, practice self-care and recognize that you have a choice about how much of your personal story you are willing and able to share.

Wrapping Up

Historical and ongoing policy and infrastructure decisions that deemphasize walking and biking have caused many physical challenges to safely walking and biking in the United States. Jaywalking and related offenses penalize people for trying to safely use streets that have not been designed to accommodate those users. This is a particular burden for those who use walking and biking as a means of daily transportation, especially Black and Brown people who bear the additional burden of over-policing.

These unnecessary and sometimes fatal interactions with law enforcement are often built on questionable evidence, exemplified by extrajudicial violence, and far too often, end in minimal accountability for those who harm members of the community they are sworn to protect. However, this does not have to continue. There are opportunities to chip away at the justifications for unnecessary interactions with police on the street. Decriminalizing mobility is one very promising policy area to do so. The successful effort to decriminalize mobility in Kansas City, as outlined in this guide, can be just one in a nationwide campaign towards safer streets for all.



Appendix

[Decriminalization Webpage](#)

[Decriminalization Research Outline](#)

Virtual Presentation

- [Let's Talk: Decriminalizing Mobility in KCMO](#)
- [Decriminalizing Walking and Biking in KCMO - An Overview](#)

Key Local Articles

- [*"Advocacy Group Applauds Proposed Bill That Would Decriminalize Biking, Walking"*](#)
- [*"Jaywalking has Been Erased From KC - the Place Where the Term was Born"*](#)

Examples of Letters of Support

- [Environment Missouri](#)
- [Health Forward Foundation](#)
- [KC Tenants](#)
- [Major Taylor Cycling Club of Kansas City](#)
- [Memo from Ruth Anne French-Hodson](#)

Endnotes

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- 16 Preemption refers to a state law that limits and invalidates a local law. In this situation, BikeWalkKC’s early research shows that Kansas state law related to transportation prevents municipalities from repealing jaywalking portions from their municipal codes.



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