

Utah Homelessness Council (UHC)

Agenda Item 6.b. - Executive Summary

Purpose:

- Decision
 - Informational
-

Meeting Date: February 8, 2024

Subject: Pedestrian Safety Amendments Follow-up

Submitted by: Office of Homeless Services (OHS)

SUMMARY

In the November 9, 2023, Utah Homelessness Council meeting, Representative Steve Eliason requested follow-up information from the Homeless Shelter Cities Mitigation cities regarding the enforcement of Pedestrian Safety Amendments. OHS requested and received the following information from the participating cities who responded.

Pedestrian Safety Amendments Reporting - December 2023

Midvale:

The Midvale Precinct has a longstanding history of working closely with legislative partners in response to the common goal of creating safe communities along with empathetic response to the homelessness crisis along the Wasatch Front.

Representative Eliason collaborated with our "Shelter Resource Officers" in response to a significant issue regarding panhandling along roadways, commercial driveways and freeway offramps. Our Shelter Resource Officers as well as Patrol Officers are proactive in enforcement of individuals violating 41-6a-1009.

Though our enforcement is proactive it rarely results in issuance of a citation. The universal approach our officers use is contact with an offer of resources. Officers will document the contact as well as outcome of the interaction. Repeat offenders will be issued citations, consistent and frequent enforcement has been successful.

Ogden:

The Ogden Police Department is very progressive and aggressive in enforcing the Pedestrian Safety Amendments (41-6a-102 and 41-6a-1009). The first time an individual is found in violation of these codes they are typically contacted by the officer and verbally advised and educated about the violation. A field interview contact is filled out on them recording the date and time of their advisement and the individual is released. If they are again encountered violating the same law(s) they are issued a citation. Often these citations become warrants for their arrest and the individual is taken to jail when this occurs.

A variety of focused enforcement activities are also conducted annually in areas where violations frequently occur, or safety issues are identified.

The following are the Ogden PD statistics for each of the codes from 2018-2023. Also included are the Field Interview Contact numbers for the same time period from the areas where violations of these codes occur most frequently.

41-6a-1002 Pedestrian's right-of-way		41-6a-1009 Use of roadway by pedestrians	
2018	294	2018	26
2019	457	2019	13
2020	126	2020	7
2021	95	2021	16
2022	308	2022	46
2023	191	2023	30
Total	1471	Total	138

Field Interview Contacts at High Violation Locations	
2018	58
2019	98
2020	69
2021	66
2022	63
2023	74
Total	428

Salt Lake City:

H.B. 145 provides critical support to law enforcement to help enhance pedestrian safety, which remains a top priority for the Salt Lake City Police Department. This legislation gives officers a targeted approach to address specific challenges associated with people experiencing homelessness asking for money. Enforcing these insistences can, at times, be difficult due to various factors, such as officers responding to high-priority calls or the brief nature of these incidents. Often, officers may not be notified in time or may arrive after the individual has left the scene. While H.B. 145 provides law enforcement with an additional avenue for addressing these crimes, it's important to note that officers have various laws at their disposal, including trespassing, criminal mischief, and illegal camping, to maintain public safety. Officers work diligently to prioritize safety, and when they observe issues, they are expected to address them promptly and safely. The goal is to ensure a balanced and comprehensive approach that upholds both public safety and individual rights.

The Salt Lake City Police Department has made 43 arrests, which includes criminal citations, in 2023 under Utah Code 41-6A-1009.

South Salt Lake:

We appreciate the opportunity to address the query raised by State Representative Eliason during the recent Utah Homelessness Council meeting concerning the enforcement of Utah

Statute 41-6A-1009, as revised by HB145 – Pedestrian Safety Amendments.

The South Salt Lake Police Department is committed to upholding public safety laws while also being mindful of the challenges faced by our community, including those experienced by our homeless population. This response outlines our department's enforcement activities over the past year, highlighting our efforts to ensure pedestrian safety and legal compliance in key areas of the city.

In the past year, the South Salt Lake Police Department has recorded 92 contacts with pedestrians resulting in 55 citations being issued for violations of 41-6A-1009. This represented a significant increase over the year prior where 22 citations were issued. Total contacts for violations of this statute are most likely significantly higher and only represent recorded contacts with repeat offenders.

Homeless Resource Officer's (HRO) represent the majority of contacts (76%). HRO's have been directed to enforce pedestrian roadway violations when observed. Common practice is to issue a citation if an individual has a previously recorded warning; however, officers are given authority and responsibility to employ individual judgment and discretion when deciding to issue a citation.

Areas of common enforcement include the freeway intersections of I-15 & 3300 South, I-80 & State , U-201 & State and 3300 South State Street. Included is a map indicating locations where citations were issued this calendar year.

The South Salt Lake Police Department remains dedicated to ensuring the safety and well-being of all our community members, including the most vulnerable populations. We understand the importance of balancing strict enforcement of Utah Statute 41-6A-1009 with compassionate outreach and support. Our efforts, detailed above, reflect our commitment to ensuring our city's streets are safe for everyone.

