

Memorandum

May 22, 2020

To: Chief Matthew Murray
Chief of Police

From: Captain Shawn M. Boyle #4618
Patrol Division Commander

Subject: Cruising Ordinance Information

Introduction

The purpose of this memorandum is to detail the history of cruising and the department's efforts to enforce state laws and local ordinances associated with public safety concerns during cruising events. The Yakima Police Department does not have a position in favor or against cruising. According to police department records, officers have not issued a cruising citation in over ten years. This memorandum is for informational purposes to assist the council in making an informed decision regarding whether to repeal the cruising ordinance.

History

Cruising in the City of Yakima was a well-established pastime in decades past. Several generations of residents in the area speak of growing up and "Cruising the Ave." When speaking to people who grew up in the area, they often talk about spending Friday and Saturday on Yakima Avenue with their friends. This was somewhat of a right of passage for young adults in the Yakima Valley.

Throughout the years, cruising became an event marred with criminal activity and violence. In 1994 the City of Yakima banned cruising following a downtown shooting during a cruising event. Gang activity had increased throughout the years prior to the 1994 shooting.

A no cruising ordinance was enacted making it illegal to cruise in the City of Yakima. This ordinance (YMC 9.25.010) has been in effect since 1994. Special event cruising was allowed in 2005 and has been in effect since. There are permit requirements associated with the events that were allowed.

Under YMC 9.25.020 Cruising is permitted on Yakima Avenue: "(A) Cruising shall be permitted by the public on Yakima Avenue from six p.m. to ten p.m. on the second and third Saturday

evenings of the months of June, July, August and September of each year.” These cruising nights are designated as City of Yakima sanctioned events.

In addition to the city sanctioned events, there have been cruise nights that were held in conjunction with car shows that used to be hosted in the City of Yakima. These events occurred in the late 1990s and the years following the start of this millennium which drew large numbers of car enthusiasts to Yakima from around the northwest. Thousands of people would cruise Yakima Avenue. A large number of these people engaged in criminal behavior throughout the night.

Large numbers of gang members would congregate on street corners and in parking lots often leading to fights, stabbings and shootings in the City of Yakima. The events were not safe even though there was a large law enforcement presence.

Historical Police Enforcement

In order to adequately staff the cruising events held in conjunction with the car shows in the City of Yakima, the police department would request assistance from police agencies throughout the region. At that time, the Yakima Police Department did not have the resources to adequately deal with the criminal and traffic offenses associated with the cruise events. The amount of violence and unwillingness by participants to abide by traffic laws often overwhelmed the multi-agency approach to these events. Eventually, car shows were not held in the City of Yakima and these large-scale events tapered off.

When permitted cruising returned to the City of Yakima, there was a fear that criminal activity would return to these events. The majority of the events that required a permit were held without significant criminal or traffic related issues. In addition, the open cruise nights that were authorized by the City Council were also held with limited incidents.

The police department normally staffed the events with two motor or traffic enforcement officers. There would be occasional fights, collisions, alcohol offenses, DUI or other traffic related offenses. The events were mostly family friendly events and at 10:00 PM (2200 hours), the majority of people left Yakima Avenue and business downtown returned to normal. Officers who worked these events did not report any major issues.

In 2020, unsanctioned cruising of Yakima Avenue returned on May 8, 2020. A local business owner planned to have a small number of racers from the Speedway cruise Yakima Avenue. The Yakima Police Department reached out to the organizer and he estimated 20-25 people would attend. The original event was advertised on social media and the number of participants grew exponentially.

Social media posts by local businesses and Yakima residents drew unprecedented crowds to Yakima Avenue and other parts of the City of Yakima. The crowds were much larger than any City of Yakima sanctioned open cruise nights. Although some families attended, the majority of the attendees were not the usual, family-oriented participants observed by officers who had worked the events in the past.

A second unsanctioned cruise was held on May 9, 2020. This was advertised as a City of Yakima sanctioned event. The information that was disseminated on social media was incorrect and this date does not fall within the designated open cruise nights.

These two events drew thousands of participants to Yakima Avenue and other streets within the City of Yakima. The two patrol squads that were working that evening quickly became overwhelmed with calls for service related to this event and throughout the City of Yakima. The officers responded to over 30 calls for service related to participants of this unsanctioned cruise event. Large groups of vehicles and people congregated in parking lots at different locations in the city. There were social media posts of vehicles being driven recklessly in some of these parking lots.

Washington State Patrol Troopers, Yakima County Sheriff's Deputies and Union Gap Police Officers assisted Yakima Police Officers in dealing with the criminal and traffic related issues associated with these two unsanctioned cruising events.

Participants gathered in multiple parking lots throughout the city. While in parking lots, the groups of people caused damage at some locations and vandalized property at others. Patrol officers addressed the issues as they arose, but were left with being able to do nothing more than follow the groups of cars from location to location.

Officers addressed a number of traffic complaints and one pursuit ensued when a vehicle failed to stop for sheriff's deputies. A number of business and property owners complained about damaged property and garbage that was left on their property. At many locations, officers found themselves greatly outnumbered by the cruise participants creating officer safety issues. Had the crowd become unruly, the number of officers could not have safely or effectively addressed the criminal or traffic related issues.

After an unsanctioned cruise event was planned for May 16, 2020, the Yakima Police Department planned to address the numerous safety and nuisance issues associated with the unsanctioned cruising. Lieutenant Watts and Lieutenant Janis developed an operations plan for the deployment of police resources on May 16, 2020.

The following personnel were assigned to the detail on May 16, 2020:

Chief Murray
Captain Boyle
Lieutenant Watts
Sergeant Grant (Motor Enforcement)
Officer J. Yates (Motor Enforcement)
Sergeant Fowler (Bike Patrol)
Detective Pepper (Bike Patrol)
Detective R. Yates (Bike Patrol)
Officer Helms (Bike Patrol)
Detective Ward (Gang Enforcement)

Detective Garza (Gang Enforcement)
Officer D. Soptich (Uniform Patrol)
Officer Meyers (Uniform Patrol)
Sergeant Cavin (DUI Enforcement)
Detective M. Williams (DUI Enforcement)

Sergeant Cavin and Detective Williams were funded by traffic safety overtime grant funds. The remainder of the overtime was paid utilizing city funds. The total cost of the emphasis was approximately \$5,600.00. Approximately \$4,463.07 was paid from city funds.

Future Cruise Events and Anticipated Issues

The Yakima Police Department is currently faced with staffing issues throughout its ranks. A number of retirements and officers leaving for other agencies has left several vacancies in the commissioned ranks. Aggressive hiring efforts have yielded a number of newly hired police officers, but the inability to have officers attend the police academy have led to these staffing issues. Staffing issues in law enforcement agencies is an issue throughout the country and not unique to the Yakima Police Department. The COVID-19 pandemic has also slowed the department's ability to train newly hired officers.

The Yakima Police Department has an authorized strength of 143 Commissioned Police Officers. This number includes the Chief of Police to officer ranks. Currently the department has 131 commissioned employees (12 vacancies). There are 8 officers who are not deployable due to injuries or FMLA and 15 recruit officers that are at various stages of training. The officers in training are not able to perform the duties as a commissioned officer. The deployable strength of the Yakima Police Department on May 22, 2020 is 108 officers. The department is currently operating at 76% of its authorized strength.

There are currently 64 officers, 9 sergeants, 2 lieutenants and 1 captain assigned to the Patrol Division. These numbers reflect the officers who are deployable and able to perform the duties expected of a commissioned police officer. Of the 64 officers, 6 of them are temporarily assigned from the School Resource Officer program. The officers are assigned in the following manner:

Patrol Division

1 Captain

Gold Team

1 Lieutenant

4 Sergeants

31 Officers

Blue Team

1 Lieutenant

3 Sergeants

31 Officers

Green Team

1 Administrative Sergeant

1 Traffic Investigator

1 Special Projects Sergeant

1 Officer

In the event the City of Yakima decides to allow cruising without permits, the police response would need to address the additional issues related to the cruise. The public safety issues associated with the cruising will require the department to hire additional staffing on weekend nights regularly. The additional officers would address the following potential issues associated with cruising:

Trespassing

Vandalism

Assaultive behavior/fighting

Underage drinking and marijuana use

Driving Under the Influence

Reckless Driving

Racing

Other traffic related offenses

In addition to these listed state and municipal laws and ordinances, there is the potential for increased gang violence which could lead to shootings and stabbings either at the event or in the general vicinity of the event.

Once the participants of the cruise leave Yakima Avenue, it is likely their behavior will be the same as we saw on the weekend of May 8, 2020. Large groups of vehicles and people congregated in parking lots throughout our city and neighboring jurisdictions. These were also locations of various criminal activity and will need to be addressed by law enforcement.

The costs associated with enforcing the state laws and municipal codes will be extensive should unsanctioned cruising continue. By using the dollar figures associated with the department's response on May 16, 2020 the Yakima Police Department can expect to use approximately \$5,000.00 per cruise event.

It will be almost impossible to know what events will generate significant issues, so the department will be required to staff most weekend nights in anticipation of potential issues. Should the department choose to staff Friday and Saturday nights from May to September, this would be potentially \$10,000.00 per weekend for 20 weekends starting in May and ending in September, this would be an additional \$200,000.00 in overtime funds the department would utilize annually. At this time the Yakima Police Department does not have these additional funds to dedicate to enforcing these events.

If the unsanctioned cruise events are not staffed with additional officers, the officers assigned to patrol duties will need to address the public safety concerns that arise. The emergency police services to the residents of the City of Yakima will be negatively affected. There will be delays in the officers' ability to respond to emergency calls for service.

There are potential other fiscal issues associated with the event outside of the police department. Often an additional communications specialist is hired to provide radio communications to the emphasis officers. This will be an additional cost for SUNCOM. Streets and barricades may also

be affected should the department need to close streets due to public safety issues at with the cruise event.

In addition to the financial aspect of this event, there are officer safety issues with a small number of officers trying to manage large crowds that could potentially become unruly when asked to move along or vacate areas where they are trespassing. Damage to private property, litter and garbage are also concerns.

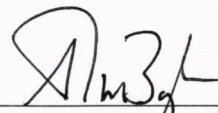
Conclusion

The Yakima Police Department is not against cruising. According to police records, the department has not issued a cruising citation in over ten years. The department is concerned with the public safety issues associated with these events and wants to make the council aware that it is not fiscally prepared to staff these events in order to insure public safety and maintain order.

The financial impacts of unsanctioned cruising are estimates. It is not possible for our department to provide this information without knowing how many participants will attend these events on a regular basis. Please feel free to contact me if you have any questions regarding the information contained in this memorandum.



Chief Matthew Murray



Captain Shawn Boyle #4618