



OFFICE OF THE GOVERNOR

OCT 08 2021

To the Members of the California State Assembly:

I am returning Assembly Bill 1238 without my signature.

This bill would authorize jaywalking and prohibit any related fines or criminal penalties for pedestrians entering a roadway when no cars are present, until January 1, 2029.

I want to thank the author for bringing this important issue forward. Unequal enforcement of jaywalking laws and the use of minor offenses like it as a pretext to stop people of color, especially in under-resourced communities, is unacceptable and must be addressed. While I am committed to tackling this issue as part of our continued work to reduce excessive use of force and bias, I cannot support this bill in its current form.

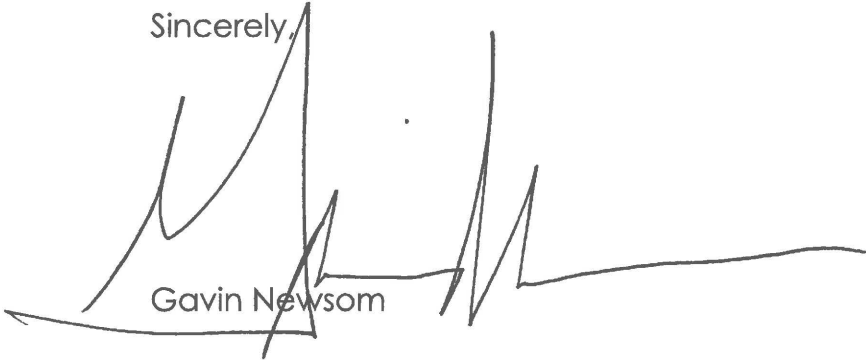
California has the highest total number of pedestrian fatalities in the nation and ranks 8th for pedestrian fatality rate per 100,000 in population. According to data collected in the Statewide Integrated Traffic Records System, there has been an average of 3,500 traffic fatalities per year over the past five years and approximately 30 percent of those were pedestrian fatalities. During that time period, 63 percent of the crashes resulting in pedestrian fatalities were the result of pedestrians taking actions against traffic controls or safety laws. I am concerned that AB 1238 will unintentionally reduce pedestrian safety and potentially increase fatalities or serious injuries caused by pedestrians that enter our roadways at inappropriate locations.



I am committed to working with the author, the Legislature, and stakeholders on legislation that addresses the unequal enforcement of jaywalking laws in a manner that does not risk worsening California's pedestrian safety.

In the meantime, I strongly encourage local governments to conduct a review of the demographics and enforcement levels of jaywalking in their communities and to identify and address concerns at the local level as appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line. The signature is stylized and somewhat abstract, with several sharp peaks and a long horizontal tail.

Gavin Newsom