



City of Dallas

Update on Street Racing Enforcement Efforts

December 2, 2020

Jesse Reyes, Deputy Chief
Dallas Police Department
City of Dallas

Presentation Overview



- Background/History
- Purpose
- Issues/Operational Concerns
- Enforcement Results
- Ordinance
- Current Behavior of Racers/Spectators
- Statewide Collaboration
- Citywide Collaboration
- Utilization of Additional Enforcement Tools
- Proposed State Legislative Assistance
- Next Steps



Background/History



- Illegal street races, reckless driving, and “take over” events are a nationwide problem for law enforcement and this community
- Beyond the quality of life disruption, illegal street races result in crashes, property damage, injuries, and deaths



Purpose



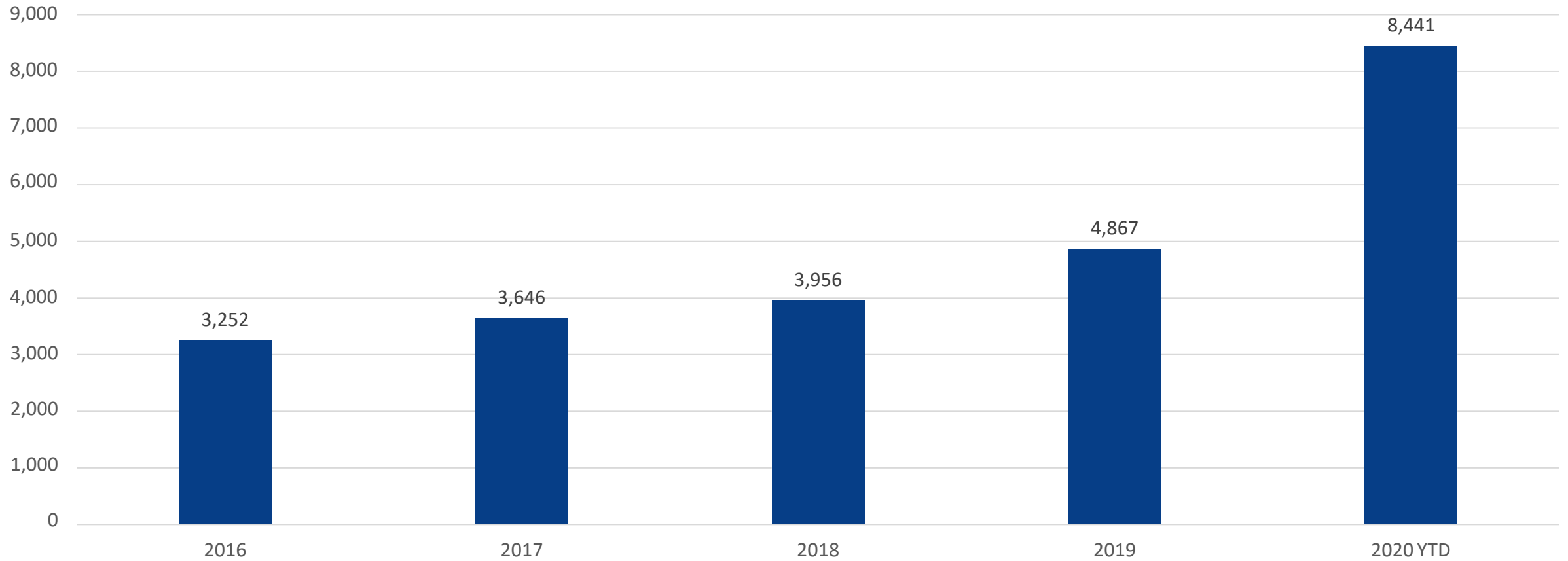
- To address street racing concerns many divisions dedicate personnel to deter and enforce speeding and racing violations
- In 2019, a patrol speed task force was created to uniformly address street racing in the South Patrol Bureau
- These street racing events average 100 participants



Issues/Operational Concerns



Racing and Speeding Calls for Service



Issues/Operational Concerns



- Street racing in Dallas thrives on the attendance of spectators from across the metroplex
- A “spectator” is defined as any person who is present at a street race, reckless driving exhibition, or the site of the preparations for either of these events, for the purpose of viewing, observing, watching, betting, gambling, recording, transmitting, or witnessing the event as it progresses.
- In May 2020, a street racing spectator ordinance was approved by City Council.



Enforcement Results



In 2020 (YTD) speeding/racing activity includes:

- Citations issued
- 3,888 hazardous*
- 10,121 regulatory*
- 612 spectator
- 1,196 arrests
- 184 felonies
- Seized 48 guns
- 72 incidents of narcotics seized
- Towed 659 vehicles
- Recovered 34 stolen vehicles

*Hazardous – safety violations such as running a red light or stop sign

*Regulatory – administrative violations such as registration, insurance, driver's license



Ordinance



- Spectators Prohibited
 - At a street race or reckless driving exhibition conducted on a public street, highway, or off-street parking area.
 - Where preparations are being made for a street race or reckless driving exhibition conducted on a public street, highway, or off-street parking area.
 - A person is present at a street race or reckless driving exhibition if they are within 200 feet of the location, or within 200 feet of the site of the preparations.



Ordinance



A motor vehicle shall be declared a nuisance and abated subject to this division if:

The motor vehicle is used in a street race or exhibition of reckless driving	<i>AND</i>				
The driver or passenger, at the time of the violation, (<u>one</u> of the following):	Is the registered owner of the vehicle	Is a member of the registered owner's immediate family	Lives at the same address as the registered owner	<i>AND</i>	
The driver or passenger has (<u>one</u> of the following):	Used the motor vehicle in a previous incident for a street race or reckless driving exhibition	Used the motor vehicle in a street race or reckless driving exhibition that resulted in property damage or bodily injury to another	A previous misdemeanor conviction for fleeing or attempting to elude a police officer (TTC 545.421)	A previous conviction for reckless driving (TTC 545.40)	A previous misdemeanor or felony conviction for racing on highway (TTC 545.420)



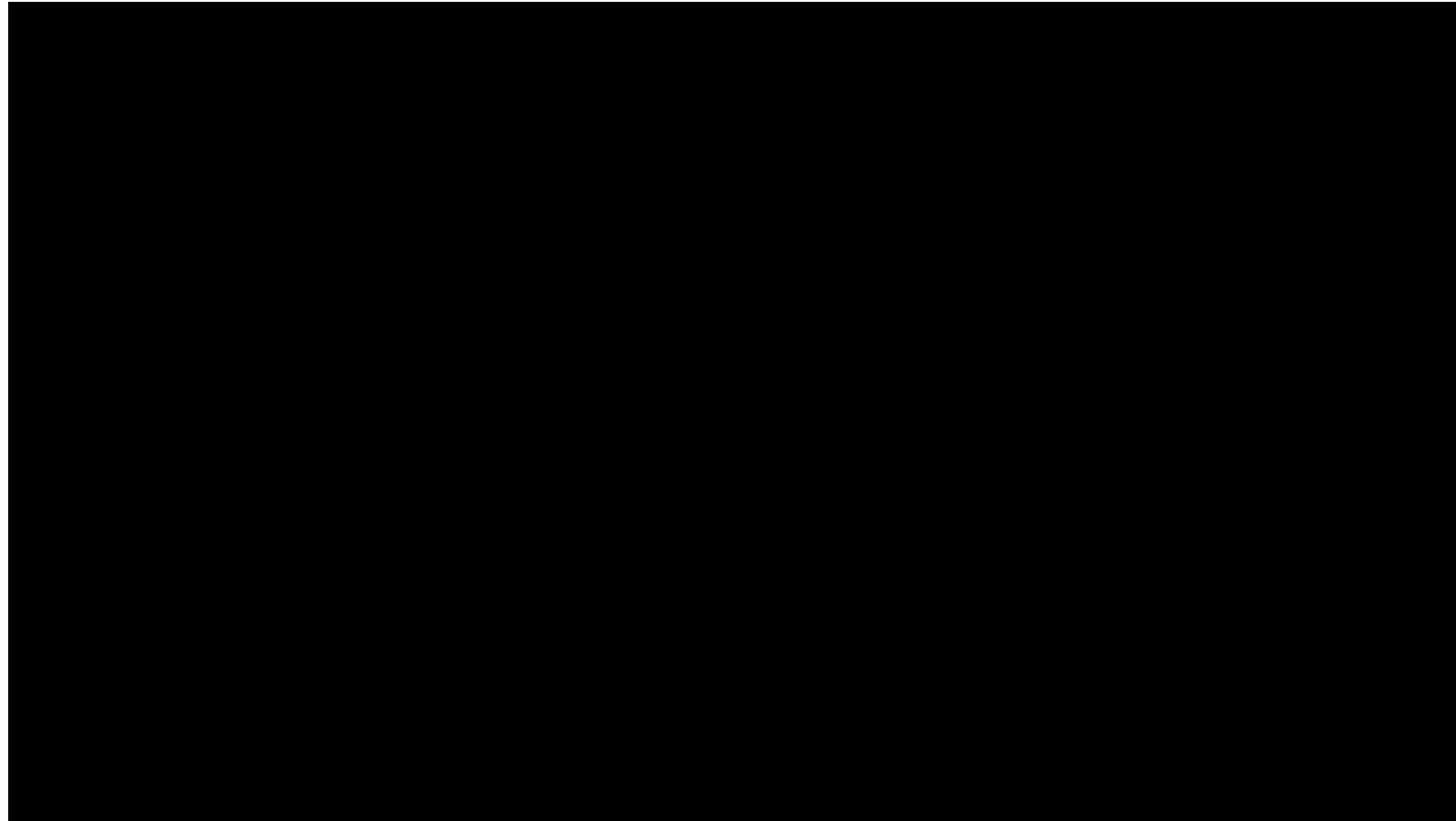
Current Behavior of Racers/Spectators



- In the past 60 days, several participants in speeding/racing exhibitions have assaulted or attempted to assault DPD officers.
 - 9/27/20 – Two officers were struck in the back with bottles and sustained minor injuries. One officer's hand was struck by a vehicle as he was directing traffic while racers were obstructing a highway.
 - 10/4/20 – A street racer threw a mortar firework at an officer.
 - 11/1/20 – Several officers had bottles thrown at them and their squad cars.



Current Behavior of Racers/Spectators



<https://youtu.be/Fdj2NKohcDg>

Statewide Collaboration



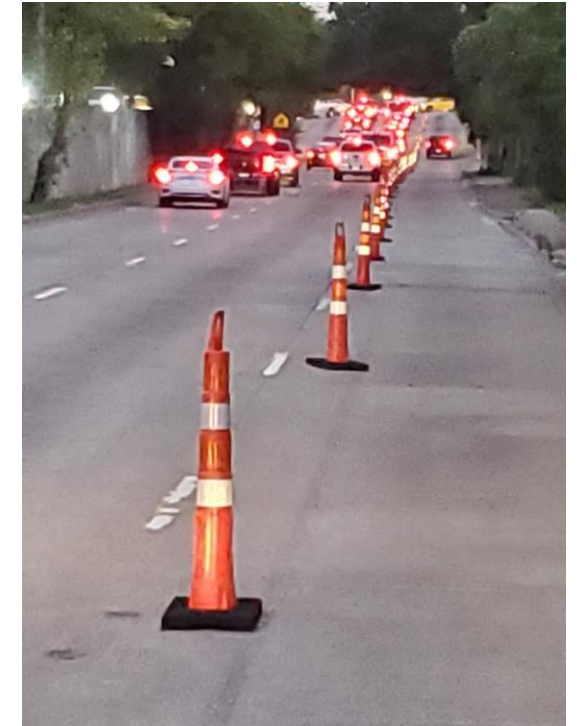
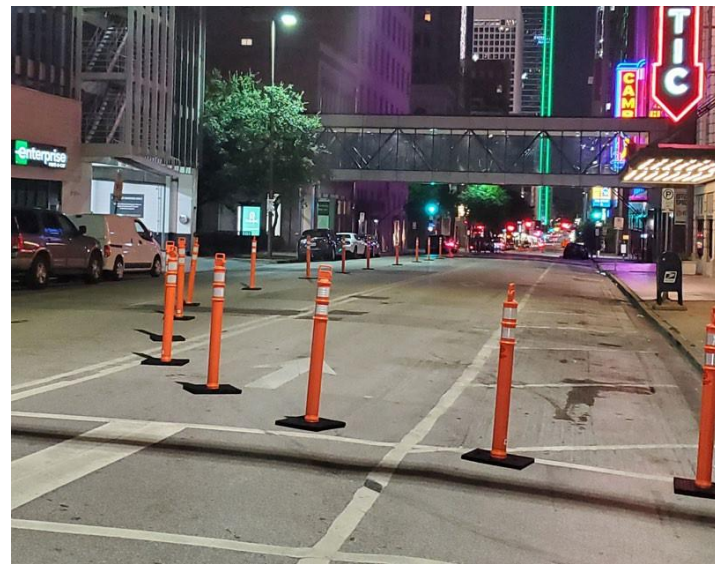
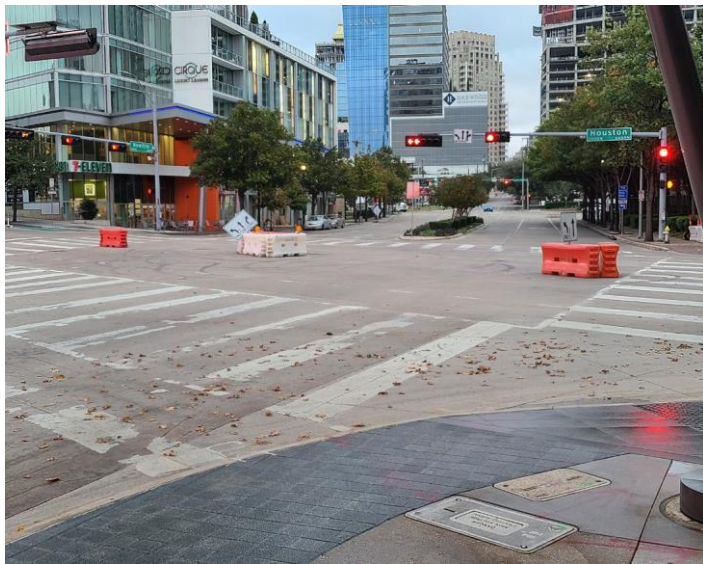
- DPD is holding monthly dialogue sessions with other large urban cities experiencing similar issues, and is currently:
 - Discussing subject-related matters
 - Sharing intelligence and information
 - Discussing tactics to further abate this behavior



Citywide Collaboration



- Public Works
- Transportation
- City Attorney's Office



Operation Road Diet



Utilization of Additional Enforcement Tools



- Riot Statute – PC 42.02
 - Assemblage of 7 or more persons which creates an immediate danger to persons or property, obstructs law enforcement functions or services, or by force, threat, or physical action deprives or disturbs any person of a legal right
- Clean Air Act – HSC 382
 - Outdoor burning – Waste can not be burned in an area that does not meet the national ambient air quality standards (Dallas does not) and is not burned on the property on which it was generated and by the owner of the property.



Utilization of Additional Enforcement Tools



- Search warrants to seize vehicles (CCP 18.02)
 - A search warrant may be issued to search for and seize implements or instruments used in the commission of a crime.
 - A magistrate will review DPD's facts alleged in a sworn affidavit and determine if probable cause exists.
 - After seizure, DPD can hold the vehicle until ordered by a court to return it, or until the disposition of the criminal case.
 - Criteria is set out in Dallas City Code 28-206 – “Declaration and Abatement of Nuisance Vehicles”



Proposed State Legislative Assistance



Code of Criminal Procedure 18.18

- Add the definition of “street racing/speeding exhibition/reckless driving equipment” to include any vehicle or equipment used for the commission of racing on highway/reckless driving; add the ability to dispose of the vehicle used in the offense (must be after a conviction, per the statute).

Code of Criminal Procedure 59.01, 59.02

- 59.01 Add to the definition of “contraband” – motor vehicles used in the subsequent commission of racing on highway or a reckless driving offense and the driver or passenger, being the registered owner of the vehicle, has a previous conviction for fleeing or attempting to elude a police officer, reckless driving, or racing on highway.
- 59.02 Give the municipal court the authority to forfeit contraband seized in a racing on highway or reckless driving offense.

Health and Safety Code 343.011

- Add vehicles used in a racing/speeding exhibition/reckless driving event into the definition of “public nuisance.”
- Include the presumption that the registered owner was engaged in the commission of the offense.

Transportation Code 545.420

- Include the presumption that the registered owner was engaged in the commission of the offense.
- Add that a vehicle involved in this offense is subject to seizure, pursuant to Articles 18.18 or 59.02 of the CCP.



Next Steps



- Continue enforcement efforts
- Seek legislative assistance
- Utilize additional enforcement tools





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