



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
November 15, 2022

TOPIC: Anti-Cruising Ordinance Informational Report

AGENDA TITLE:

Informational Report Relating to the City's Anti-Cruising Ordinance

RECOMMENDED ACTION

It is recommended that the City Council accept the informational report and consider one of the following options:

1. Direct staff to return to the City Council with additional information.
2. Leave the anti-cruising ordinance as is (i.e., make no changes to the Santa Ana Municipal Code relating to cruising).'
3. Direct staff to prepare an ordinance to repeal the anti-cruising ordinance.
4. Take no action.

DISCUSSION

At the July 19, 2022 meeting, Councilmembers Mendoza and Hernandez added the following councilmember requested item: Discuss and Consider Directing the City Manager to Direct Staff to Prepare an Ordinance Repealing the Anti-Cruising Ordinance and Establishing a Cruising Policy for Consideration by the City Council. There was consensus among the City Council to have the Police Department prepare an informational report relating to the City's anti-cruising ordinance, including options and a recommendation whether or not to repeal the City's regulations pertaining to motor vehicle cruising ("anti-cruising ordinance").

Overview of the City's Cruising Ordinance

The City's anti-cruising ordinance (Exhibit 1) has been in place since 1989. Santa Ana has long been considered one of the most popular locations for cruising, attracting car clubs and enthusiasts from all over California. While cruising has been part of Santa Ana's rich history and culture, its effects have resulted in quality-of-life issues for residents and business owners alike—such as traffic congestion, noise, fighting, vandalism, damaging/defacing public streets, drinking, drug use, and violent crime. These issues are evidenced by complaints received by residents and businesses.

Staff has observed that cruising escalates on major holidays, such as Easter Sunday, Cinco de Mayo, and other special days, such as days following major sporting events. The intensity of cruising and accompanying activities during major holidays and other special days exacerbate the adverse effects that accompany cruising. In response, the Santa Ana Police Department has historically staffed additional uniformed personnel on weekends for decades to keep cruising and related issues under control.

Although the City's anti-cruising ordinance has been in place since 1989, cruising is still prevalent. Cruising and street takeovers share many characteristics and similarities. For example, cruising and takeovers often begin with meet-ups, also referred to as "park and chills" ("P/Cs"), at predetermined locations where the organizers might believe they will be met with the least amount of police presence and enforcement. At these P/Cs, attendees and spectators may take over parking lots and may often deface the surface with "burnouts", costing business owners repair costs and lost profits. The Police Department continues to experience problems with lowrider clubs that occupy shopping centers and parking lots where participants do "burnouts." In addition, it is common for participants to consume alcohol, litter, and loudly rev their engines to show off their exhaust systems, creating various problems for the area residents. These new types of events are typically promoted by social media platforms and the entertainment industry. Oftentimes, these events draw car enthusiasts and organizers from out of town. These effects are evidenced by observations by the Police Department and informed by complaints received by the public.

During Intersection/Street Takeovers ("ITOs"), Street Racing ("S/R"), and Park and Chills ("P/Cs"), it is not uncommon to have significant intersections blocked by two to three hundred spectators watching vehicles doing "donuts." The spectators, often with violent behavior, serve as "blockers" to protect the drivers from the police while doing "donuts". These events often can have up to 500 vehicles that take over shopping centers and business complexes, with little to no benefit to surrounding businesses. These events often result in defaced surfaces with tire marks, along with numerous noise complaints from those activities. To the community's detriment, the transformation from cruising to the latest trend has intensified the same problems that communities have been experiencing for decades.

To illustrate the effects of cruising and related activities, below is a sample list of recent, significant incidents that have occurred in Southern California:

1. "Two people were shot dead and five others wounded by gunfire at Los Angeles park on Sunday after shooting broke out at an informal car show in the community of San Pedro...." – Reuters
2. "Orange County Register editor killed in Santa Ana crash – Eugene Harbrecht was making a turn in his truck when a racing car slammed into it...." – Orange County Register

3. "Driver gets one year in jail for Costa Mesa street takeover crash that killed cousin" – Orange County Register
4. "Woman injured in takeover crash on Anaheim Plaza Marketplace [Anaheim, CA]" – ABC7.com
5. "Teenager shot and killed during street takeover in Willowbrook" – Los Angeles Times
6. "Traffic deaths on the rise as pandemic eases; aggressive and distracted drivers on the road." – NHTSA Report

For more information, these articles are attached to the staff report (Exhibits 2-7).

Law Enforcement's Response to Cruising and Related Activities: STEARRD

In response to this multi-faceted problem, Orange County's law enforcement agencies developed a comprehensive program, dubbed Strategic Traffic Enforcement Against Racing and Reckless Driving (or "STEARRD" for short). The Orange County District Attorney's Office has supported the program by being deeply involved and aggressively prosecuting violators engaged in this trend. As a result, these activities have reduced drastically.

Since its inception in 2020, the STEARRD program has culminated in over 6,000 citations (2,575 issued by SAPD), nearly 300 vehicles impounded, 225 reckless driving and racing-related arrests, and 140 other arrests (10 gun arrests and 20 DUI arrests). These statistical data are not exclusive to intersections takeovers; they are extremely common at P/Cs as well. In addition, Police Department resources are often stretched to the limit to address a high volume of calls for service (CFS) for noise complaints, disturbance complaints, fighting, drug use, and other illegal-related acts attributable to ITOs, P/C, and S/R.

Repeal of Cruising Laws in Other Cities: National City, CA

Other municipalities that have similar anti-cruising ordinances have considered repealing the ordinance as well. In the case of National City in San Diego County, which also has an ordinance that bans cruising, their city recently implemented a pilot program to sanction cruising events for three months at the urging of lowrider groups. Below is an excerpt from the email response from a National City Police Department sergeant to the Police Department's request for feedback regarding their recent attempt to begin the repeal process (Exhibit 9):

"The end result was the cruise was put on as planned and over 250 cars showed up to the event with more than 500 spectators. Businesses complained that spectators took over their parking lots without contributing to the business. Numerous vandalisms occurred to surrounding businesses, fights broke out, calls of 417 [firearms violations] came in and traffic was severely impacted well into 11 pm which was over 2 hours past the agreed upon time.

The city council went back to the negotiation table with the low rider coalition and laid out a plan that would use police resources to provide extra security. There was a significant cost associated with the new permit rules up in the area of \$15k. The coalition claimed the cost to put on a monthly cruise was too astronomical and went as far as reaching out to the media and making a statement that the City and the police department were trying to gouge the low rider coalition."

As observed in National City, the pilot program was not successful.

Conclusion

Legitimate and enjoyable social events, such as car shows, should be conducted in a permitted, lawful, and safe way. The Police Department's past experience, as informed by complaints from residents and businesses, has shown that cruising transforms into activities that adversely affect the quality-of-life of the community. The City's current anti-cruising ordinance, though infrequently used, has served as a policy that helps keep our streets safe. The Santa Ana Police Department advises strongly against the proposition to repeal the anti-cruising ordinance.

ENVIRONMENTAL IMPACT

There is no environmental impact associated with this action.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. [Santa Ana Ordinance Repealing SAMC Provisions regarding Cruising](#)
2. ABC7.com article, dated July 24, 2022
3. Orange County Register article, dated July 30, 2020
4. Orange County Register article, dated August 10, 2021
5. Sweet Lawyers, Attorney at Law, dated October 22, 2020
6. LA Times article, dated August 16, 2022
7. NHTSA report dated 2021
8. Email from National City Police Department Sergeant
9. Draft Ordinance Repealing the anti-cruising ordinance for discussion only

Submitted By: David Valentin, Police Chief

Approved By: Kristine Ridge, City Manager