



## Legislation Details (With Text)

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### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Receive the report on strategies and actions being taken and evaluated regarding loud and/or fleeing vehicles

**DEPARTMENT:** Police Department

**SUBMITTED BY:** Chief Robert Marshall, Police Chief

**BOARD/COMMISSION REVIEW:**

NA

**BACKGROUND:**

During public forum and the new business segment of the April 7, 2021 City Council meeting, concerns were raised by residents and Council members regarding drag racing, speeding, loud mufflers, and disruptive vehicle behavior both downtown and citywide. Specific concerns were expressed about disruptive driving behaviors in and around the parking garages, as well as the downtown business area and along Aurora Avenue and other City arterial streets.

During the discussion, data was shared with the purpose of demonstrating the pro-active approach the Police Department has implemented since Spring of 2020. The data consisted of the number of traffic stops, citations, warnings along with preventative measures. Police staffing for enforcement efforts was also discussed. For the past three weekends, extra police officers have been assigned to police the downtown. The annual downtown policing plan which is implemented every summer season is in the final stages of being updated and will be distributed upon completion.

One disturbing trend noted and discussed, has been the dramatic increase in the number of fleeing and eluding police cases that are occurring, both locally and nationally. The Police Department saw

an increase in the number of vehicles fleeing and eluding traffic stops in 2020 climb to 48, while in comparison in 2016-2019 an average of 19 occurred per year. In 2021, the Police Department has already recorded 17 cases of fleeing and eluding.

Despite the actions taken by the Police Department, it has become evident that presence and strict enforcement alone has not been effective at curtailing the driving behavior and the traffic offenses. It seems violators do not fear the consequences currently in place.

To make a positive impact on the quality of life issues which have surfaced from residents and businesses, a collaborative approach is necessary to mitigate the effects created by the operators of loud vehicles, motorcycles, ATV's and dirt bikes.

**DISCUSSION:**

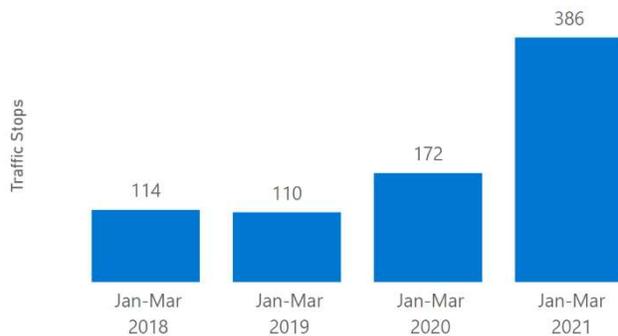
A team from CMO, Legal, TED, DPW, Communications and the Police Department met to discuss current methods/strategies, as well as other potential ideas to assist in addressing the concerns discussed. The actions underway and being evaluated are summarized below.

**Efforts Underway**

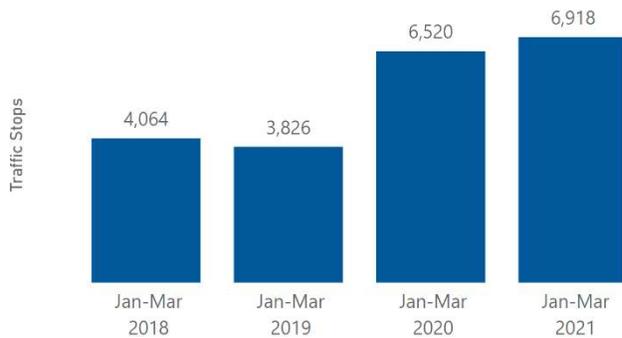
*Increased Police Presence and Enforcement*

- Since early 2020, the Police Department has provided increased proactive traffic enforcement for all violations, including speeding and loud mufflers, as evidenced in the charts below. Specifically, 280 citations have been issued for loud exhaust with the vast majority resulting in a guilty plea and fines and fees assessed. This increased enforcement continues and is constantly being refined.

Traffic stops are increasing in the downtown area



Traffic stops are increasing across the City



- The Police Department continues to provide an increased presence in known violation areas and based upon citizen complaints.
- The Police Department and TED are collecting speed data in problem and complaint areas to further define the scope of problem areas and target enforcement.
- The Police Department monitors various outlets and intelligence sources to identify any organized events in the downtown area or citywide and adjusts enforcement accordingly.
- The Police Department is coordinating with neighboring jurisdictions and regional partners on enforcement.
- The prosecution team of the Legal Department will continue to advocate for convictions and fines associated with muffler violations.
- A recommendation to increase the administrative tow fee is also included on this agenda to more accurately reflect the costs of administration.

#### *Closure of the Upper Levels of the Water Street and Van Buren Parking Facilities*

- The upper level of the Water Street deck was closed in September 2020 due to continued vandalism and gatherings at that location. The upper level of the deck remains closed today.
- DPW and TED staff have coordinated with DNA and are installing gates and fencing to temporarily close the upper level of the Van Buren deck to mitigate recent damage and gathering at that location.

#### **Under Evaluation - Near Term Potential Implementation**

- TED is working with the Downtown Naperville Alliance on the potential to install speed bumps on select downtown streets as well as the potential closure of select downtown streets.
- The Police Department and Legal team are exploring the use and legality of stop sticks for fleeing vehicles.
- The Police Department and Legal team are evaluating the use of the tow ordinance for vehicles that have committed the offense of fleeing and eluding from traffic stops.

#### **Medium Term (3-6 months)**

- Explore a possible ordinance to allow for the towing of vehicles with loud mufflers.
- Install license plate reader technology in the downtown and other strategic city areas.
- Evaluate the installation of gates for the upper levels of the parking decks to restrict use to certain users (employees, etc.).

#### **Longer Term (>6 months)**

- Explore the possibility of charging disorderly conduct violations for loud vehicles.

- Evaluate the possibility of lobbying for legislative changes at the state level to reclassify loud muffler violations from an equipment violation to a moving violation.
- Explore state legislation changes to allow for speed cameras to be installed in the city (currently only allowed for the City of Chicago).

**Staff Recommendation**

Staff recommends providing the above information to the City Council for feedback.

**FISCAL IMPACT:**

Fiscal impact will be dependent on the options implemented.