

**Between City Hall and Municipal Court:  
How City Officials Can Promote Public Safety and Confidence in the Legal System  
Texas Municipal League Annual Conference  
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Public safety and quality of life are enhanced through the enforcement of traffic laws and local ordinances. The public increasingly depends on city officials and employees to understand underlying key issues. Public safety, community policing, and the fair administration of justice can be better promoted, not just on our streets, not just in the courtroom, but by the people who work at city hall. This session will introduce city officials and employees to the Texas Municipal Courts Education Center's new public information and education campaign, C3: Councils, Courts, and Cities. C3's purpose is to highlight issues and increase awareness and understanding of municipal courts in Texas for mayors, city council members, city attorneys, and other local officials.

## **I. Let's Recap**

### **A. Effects of Ferguson**

1. Ferguson's Focus
2. The Proper Role of Local Courts
3. The "Ferguson Effect"

### **B. Meanwhile Back in Texas**

1. How to Reconcile ACLU with ACLU Texas
2. *Rededicating Local Court to Procedural Fairness and Uphold the Rule of Law* (Texas Town and City) May 2017 at 18
  - a. The Important Distinction Between "Fines" and "Costs"
  - b. Needs Assessment
    - i. Call to Judicial Action
    - ii. Role of Public and Judicial Education
    - iii. Collaboration on Public Policy
  - c. The 85th Texas Legislature (2017)
    - i. OCA's Collection Improvement Program (HB 3167)
    - ii. Collin County Uncollectible Fee (SB 413)
    - iii. Fines, Fees, and Costs (HB 351/SB 1913)

### **C. Finding Balance**

*Procedural Fairness* balanced with *The Rule of Law*  
*Compassion* balanced with *Compliance*  
*Judicial Independence* balanced with *Judicial Accountability*

## **II. Data Download**

### **A. Gallup**

- Americans Divided on Priorities for Criminal Justice System (10/14/16)
- Americans' Views Shift on Toughness of Justice System (1/20/16)
- Confidence in Police Rebounds (7/10/17)
- "Do You Feel Safe Walking in Your Community" (July 2018)

### **B. Texas Ranks 13<sup>th</sup> Highest in Pedestrian Deaths**

#### **Road Infrastructure Problems:**

- Lack of Sidewalks,
- Traffic Signals,
- Street Lights,
- Crosswalks
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### **Dangerous Driver Behaviors**

- Speeding and going too fast for conditions;
- Distracted driving, such as using cell phones and texting while driving;
- Disregarding stop lights and other traffic signals;
- Driving under the influence of alcohol, drugs, prescription medication.

### **C. TxDOT Stats 2017**

- 52,251 - Deaths Involving Operation of Motor Vehicle since 2003
- 3,732 - Average Traffic Deaths Per Year (2003-2017)
- No Deathless Days in 2017
  - 1 person was killed every 2 hours 21 minutes
  - 1 person was injured every 2 minutes 4 seconds
  - 1 reportable crash occurred every 59 seconds
- \$38,400,720.00 - Estimated Economic Loss

### **D. Traffic Citations Have Decreased 37 Percent in the Last Decade**

There is no singular explanation. “One Decade Down: Possible Explanations for the Decrease of Traffic Citations in Texas” *The Recorder* (May 2018).

#### 1. Changes in Law Enforcement

##### a. Different Strategies and Focus

- More Traffic Warnings
- More Responsibilities
- Allocation of Resources

##### b. “On the Border”

##### c. Loss of Resources and Funding

#### 2. The Ferguson Effect

##### a. Chilling Effect on Law Enforcement

##### b. Changing Attitudes at City Hall

#### 3. Changes in Driving Behaviors

##### a. Changing Demographics

- Older Drivers
- Young Drivers

##### b. Changes in Speed Limits

##### b. Increased Public Awareness

## **III. City Hall : Promoting Public Safety and Confidence in the Legal System**

### **A. Procedural Fairness balanced with *The Rule of Law***

1. Procedural Fairness
2. Justice? Which One?
3. It Depends on Perception
4. Components: Voice, Respect, Neutrality and Understanding

### **B. Compassion balanced with *Compliance***

### **C. Judicial Independence balanced with *Judicial Accountability***

1. The Public Expects Judicial Independence
  - ❖ It’s Not Inconsistent with Judicial Accountability
2. The Public’s Trust Resides in City Hall
3. Public Perception (How Does it Look from the Outside?)
4. City Hall’s Duty of Loyalty