

# Unpacking Enforcement and Crosswalk Safety in Fort Bend County-20250211\_125925-Meeting Recording

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1h 4m 7s

● **Gignac, Soleil** started transcription

**LM** **Leonard, Micah** 3:45

Hi everyone.

Good afternoon.

We will start this session.

I appreciate everyone being here today and taking the time for this Texas crosswalk webinar.

We will be removing.

I apologize.

The AI assistance.

So Soleil are one of my team members will be removing it and I apologize for that.

But we would prefer not to have any AI assistance in these calls, but we will be posting this and are reporting it.

Currently, so I apologize in advance for booting you if you have AI, but the video will be available online.

That said, welcome, as many of you might know, I'm Michael Leonard.

I'm an associate transportation researcher at Texas A and M Transportation Institute in the Center for Transportation Safety and today online I'm joined by my colleagues Ben Edelman, Kim, Sailor and Janieak.

We all work on pedestrian safety initiatives.

With the Texas Pedestrian Safety Coalition and gratefully supported by Texas dot and today, we're really excited to be here to talk about the webinar of enforcement and crosswalk safety in Fort Bend County, particularly for those who don't know it or aren't familiar with it. Will the Lisa Tor.

Smith act.

And so with that, I'm gonna get started.

Please let us know in the chat if you are having any technical difficulties.

Or the volume I'm seeing in the chat is low. I'm getting also some messages that my volume is OK, so we might try to do that internally, but my team will be there to

assist you if there's any technical difficulties throughout the call. And once our presenters are.

Going I can also assist with that, but with that.

Today we will be taking a dive like I said into the Lisa Torry Smith Act and the Texas crosswalk. Applause With that.

We're gonna go over some of the key provisions of that law, the legal and practical implications for enforcement, and particularly that within Fort Bend County and all of the questions and answers that you are seeking, we will be happy to have answered.

We all audit a good amount of time because we know that this is a newer law for a lot and also the actual implications of it being enforced in Fort Bend County is a newer concept.

So luckily our.

For speakers today are gracious enough to share their time and ample opportunity for you to have those questions answered.

And with that, I just would love to say that we're honored to have the two distinguished speakers with us today.

We have both.

Gina Torry Smith. I'm sorry, Gina. Torry, who's with the citizens for Rd. safety? She's a passionate advocate for pedestrian safety. And.

The I'm so sorry. It looks like people are not seeing my slides.

Can you put a thumbs up?

I guess if you are seeing my slides.

**G** **Gina Torry - Citizens for Road Safety** 6:49

I can see her slide.

**LM** **Leonard, Micah** 6:50

OK.

Awesome. If there's a lag, it might be on the Internet side because I'm sharing it via Internet.

So just let me know and we can attend to that.

So gina's.

**DH** **DEXTER HANDY** 7:04

I.

I.

I don't see your slides.

This is Dexter handy.

I don't see your slides and I gotta message some other people aren't either.

**LM** Leonard, Micah 7:10

OK.

I think it's mixed reviews and I apologize.

**G** Gina Torry - Citizens for Road Safety 7:17

It might be the view, so if folks might want to to to press the view. Sometimes that will change the way that you are seeing you're seeing it.

**DH** DEXTER HANDY 7:30

OK.

**LM** Leonard, Micah 7:30

Thanks Gina.

**DH** DEXTER HANDY 7:32

OK.

**LM** Leonard, Micah 7:33

Awesome.

**G** Gina Torry - Citizens for Road Safety 7:35

That work.

**DH** DEXTER HANDY 7:38

Mm hmm.

**LM** Leonard, Micah 7:38

OK.

I'm saying lots of thumbs up mixed reviews.

**G** **Gina Torry - Citizens for Road Safety** 7:40  
Yep.

**RO** **Richard Oladimeji** 7:44  
Suggest you sign off and sign back in and see what happens.

**DH** **DEXTER HANDY** 7:48  
OK will do.

**G** **Gina Torry - Citizens for Road Safety** 7:49  
Yeah, it's easier to go through the browser rather than using the application.

**LM** **Leonard, Micah** 7:50  
Perfect.

**G** **Gina Torry - Citizens for Road Safety** 7:53  
So if you go take the option of the browser, sometimes that helps.

**LM** **Leonard, Micah** 7:58  
Thanks Gina.  
I always leave it. Gina knows everything.

**G** **Gina Torry - Citizens for Road Safety** 8:01  
Our virtual and we've done this for a while, but imperfect. It's imperfect.

**LM** **Leonard, Micah** 8:01  
There you go.  
Also, to add to her bio.  
And we're adding that to your bio.  
Gene is also a teams whiz, but just for everyone to know. Gina's journey began with pedestrian safety advocacy, with the tragic loss of her sister, Lisa Torry Smith, who was struck and killed while crossing a crosswalk in a marked crosswalk in a school zone, actually in Fort Bend county.

And this it has determined her to help with other similar tragedies.

Work on a bipartisan state with bipartisan state leaders to pass the Torry Smith Act, which she successfully did, which can.

Which makes it a crime to injure or kill a pedestrian or any other vulnerable Rd. user in a March crosswalk.

As the President of the Citizens for Rd. safety, Gina leads advocacy efforts to educate communities, support victims and families, and promote awareness of the Texas crosswalk law.

Beyond her work in pedestrian safety, Gina is an internationally recognized as a peace and security expert and specializes on international law and treating negotiations with the United Nations Member States, particularly in the protections of civilians in armed conflicts.

Today, Gina obviously will walk us through both the background and the significance as well as the impact of this law as it applies to advocacy and pedestrian safety out efforts.

Followed by her.

We are also very excited to have Allison Bainbridge with us, who is the chief prosecutor for vehicle crimes in the division of Fort Bend County District Attorney's Office.

Allison has over 18 years of experience in prosecuting vehicular crimes, beginning at Harris County's District Attorney's office in 2005.

She has handled high profile cases involving vehicular fatalities including intoxication, manslaughter of enforcement officers.

Since joining Fort Bend County in 2020, Allison has led the Vehicular crimes section and established a call out program for immediate response and serious crashes and developed a no refusal program to strengthen impaired driving enforcement. In addition to prosecuting serious vehicular cases.

Allison is a dedicated educator, frequently training prosecutors and attorneys, judges and law enforcement officers on the topics related to impaired driving crosswalk law. Crosswalk law enforcement.

And so today, luckily we have such an expert to talk about the key provisions of the crosswalk law and implications. The legal implications specifically for Fort Bend County and the prosecution of pedestrian related cases.

And so at this point I am leaving you both in and you all in capable hands of both of these prominent women, Gina and Allison.

So with that, the floor is yours and I will get your slides.  
Going.

**G** **Gina Torry - Citizens for Road Safety** 11:03

Thank you.

Thank you.

Mike and thanks for having us here.

Thanks to everybody who's joined us today.

We appreciate your time and everyone's work here who works on pedestrian and road safety. So as Micah has said the the Lisa Torry Smith Act came out of the death of my sister.

My sister was a mother, an entrepreneur who was simply walking her son to school. One sunny October morning.

When she was killed in a crosswalk, she was killed right in the middle of the crosswalk in a school zone on her way to Jan Ship Elementary School in Missouri City, TX, in 2017.

Ironically, she was on her way to an elementary school named after a community leader, Jan Schiff, who was also killed in crosswalk at the time of my sister's death. It was not a crime.

In Texas, to kill or injure someone in a crosswalk and you know.

In all of my conversations over these years, with every single person in Texas, everyone is surprised to know that.

And so with the help of the Fort Bend County District Attorney Brian Middleton, State Senator John Huffman, state Representative Ron Reynolds, Fort Bend County Sheriff Eric Fagan, and importantly, by Texas and Texas Forman City, perhaps Jay is here with us today. The Lisa Torry Smith Act was passed.

Next slide please.

So the Lisa Torry Smith Act was signed into law by Governor Abbott in September of 2021.

And this is important because sometimes governors can just let laws go into effect without signing them.

But Governor Abbott made a point to sign this law and to give it that kind of importance in terms of its implementation across Texas.

It's also important to note that this was a bipartisan effort.

And so, you know, we are in a climate where we are deeply divided, but the fact is

that we all.

At some point, no matter what, where we come from, what we believe in, we all cross the crosswalk at some point, whether to get to a store to cross the street, to be outside.

And so this law, the Lisa Torry Smith Act, the new Texas crosswalk law, makes killing or injuring a pedestrian or other vulnerable Rd. user a crime in Texas.

So drivers that kill a pedestrian.

Lawfully in a crosswalk may now be charged with a misdemeanor or a felony or face a fine.

As we say, you know, finer jail time and it requires drivers to importantly stop and yield to people lawfully in the crosswalk.

And we're here today because the implementation of this new law will require a statewide effort by local government, by law enforcement, and just, you know, every everyday people, civil society, and I'd like to talk a little bit.

I don't know if anyone from farming city is here, but I'd like to talk a little bit about.

About the importance of the simple word stop. So in the first draft of this law, the word stop was not there.

So if farm and City is is on, is online here.

Jay Crossley and his team, they suggested something. This one word that has completely transformed this specific statute, and this now Texas law.

And that is the word stop.

So the the Lisa Torry Smith Act amended sections 54400.

Seven. You can see it on the slides of the Texas Department, the Texas Transportation Code, and this requires drivers to stop and yield the right of way to pedestrians lawfully in the intersection or adjacent crosswalk.

Now the insertion of the word stop was extremely important because now under Texas law, drivers are required to stop before the crosswalk.

And this is different from the way it was before. And again, every single Texan that I've ever spoken to.

Was under the assumption that of course you had to stop.

And that was the law before crosswalk.

But the fact is that was not the case in Texas until this law was passed. And again, a farming city is on. Thanks to Jay, this edition of the word stop. The previous version of the law only required drivers to yield the right of way to other veh.

And pedestrians.

And so the the addition of the word stop was was extremely important.

Next slide.

Drivers shall stop and yield the right of way to pedestrians lawfully in the crosswalk.

Next slide.

So how does this work?

OK.

So in the case of just a plain old crosswalk, you're just in a plain old crosswalk. There are no lights.

There, it's just.

A place where you've got you see the crosswalk marked or unmarked, but it's a crosswalk.

So the operator of a vehicle shall stop and yield the right of way to a pedestrian crossing a road, a roadway in a crosswalk.

This is just a plain crosswalk.

No lights, no traffic control signal is in place or operation, and the pedestrian.

Is on the half of the roadway in which the vehicle is traveling or approaching so closely from the opposite half of the roadway as to be in danger.

So basics is you when you see a plank on crosswalk, you are under obligation as the driver to stop.

Next slide please.

All right, So what do drivers need to do under this new crosswalk law in Texas?

Now I've taken some photos here of of.

An intersection. It's very typical for for accidents to take place, but it also has a lot of great signage and in a minute I'm going to point to something that I'm very proud of in Fort Bend County, which is the installation of signs here, you can see it.

Here, turning vehicles must stop.

To pedestrians, these are located all over Fort Bend County.

And so I'm really proud of this addition, but how it works. All right, next slide here.

Now, here's here's a good example.

Because pedestrians are also under obligation to cross the street legally and often times we don't have good signage.

But here's an example of good signage where there are in specific instructions for pedestrians when crossing the street using a crosswalk where there is a light at an at an intersection next slide.

No. Can you go back?



Just one more. Thank you. So took me a while to get this shot here, but you'll see this is this is a crosswalk.

I delighted at a controlled intersection.

Where there's a light, but you can also see there is a there's a white line there, right?

Vehicles need to stop at this white line.

This is an excellent.

Crosswalk in this sense because you've got a white line, the vehicle has to stop there.

Not so close to the crosswalk where somebody crossing is in danger.

This white line ensures that those crossing legally within this crosswalk are safe from drivers safe from cars, from vehicles.

But again, how does it work?

When you're out of light at an intersection with a light, next slide, please.

All right, so here's the way the law reads. The operator of a vehicle shall stop and yield the right of way to a pedestrian crossing a roadway in a crosswalk. If the traffic control signal is in place or an operation, and the pedestrian is on the half of.

The roadway in which the vehicle is traveling or approaching so closely from the opposite half of the roadway to be in danger notwithstanding a pedestrian, may suddenly not leave.

The curb or other place of safety and proceed into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle of the operator to stop.

So there are is an onus on the pedestrian to be following the rules following the law in terms of safety within a crosswalk. Next slide.

So all right, crossing the street within a crosswalk with a light and signal, OK.

So how does that work so?

The operator of a vehicle facing a green circuit, a circular green signal may proceed straight or turn right or left unless a sign prohibits the turn.

The operator shall, while the signal is exhibited, yield the right of way to other vehicles lawfully in the intersection when the signal is exhibited.

And stop and yield the right of way to pedestrians lawfully in the intersection or an adjacent crosswalk.

An operator of a vehicle facing a green arrow signal, displayed alone or with another signal, may cautiously enter the intersection to move in the direction permitted by the arrow, or another indication shown simultaneously.

The operator shall stop and yield the right of way to a pedestrian lawfully in an adjacent crosswalk, and shall yield the right of way to other traffic.

Like lawfully using the intersection.

Now, this is particularly important because often times pedestrians are killed when there are when the driver is not only failing to stop before the crosswalk, but when making a turn, say left hand turn, failure to control speed and failure to stop in two instances in recently in in.

Harris County in Houston and in other parts of Texas, there have been pedestrians killed, dragged way out of the crosswalk by a driver who not only failed to yield and stop, but failed to control their speed, resulting in a death that nobody wants for their loved one or.

For their community. Next slide please.

OK, so crossing the street in a cross off of the light and signal so.

A traffic control signal displaying green, red and yellow lights, or lighted arrows.

Applies to pedestrian as provided by this section, unless the pedestrian is otherwise directed by a special pedestrian control signal. A pedestrian facing a green signal may proceed across a roadway within a marked or unmarked crosswalk unless the sole green signal is a turn arrow.

A pedestrian facing a steady red signal alone or a steady yellow signal may not enter a roadway.

Now this is going to take awareness raising across Texas for drivers for pedestrians, but also importantly for young people and children who are crossing the street.

We've had several incidences across Texas.

Before the law was passed, and since were children just aren't good at gauging how much time it's going to take to get them to cross the street safely.

And a lot of times those timers run down and before you know it, the child who has not estimated how much time it's going to take to cross through the crosswalk is suddenly facing cars that are coming at them.

And so there is a lot of awareness to be to be raised amongst young people in terms of crossing the street with safety. But for drivers as well, when there is a situation where child or young person or an ELD.

Person elderly people also can't cross the same speed as somebody who was more able bodied that we need to be looking out for people in the crosswalk because again the the legality that this law is only relevant to those legally within the crosswalk. If that light has Tim.

Out then the pedestrian is no longer legally within the crosswalk.

So there is awareness raising on the part of drivers and pedestrians of all ages.

To to be done across Texas.

This next slide.

So crossing the street in a crosswalk with a light and signal, a pedestrian facing a walk sign may proceed across a roadway in the direction of the signal, and the operator of a vehicle shall stop and yield the right away to the pedestrian.

This particular provision remains in effect. A pedestrian may not start to cross a roadway in the direction of a don't walk or wait signal.

A pedestrian who is partially crossed while the walk signal is displayed shall proceed to a sidewalk or safety island.

While the do not walk signal or wait signal is displayed now, this presumes that there is such a safety place. Again, the world is an imperfect place full of exceptions and so on. This law does does provide some coverage for pedestrians. It does not always.

Does not always give law enforcement what they might need. In the case that a child or someone was unable to get across a lighted intersection in time.

Next slide.

This law also, and this is important, for instance for bus drivers or for, for instance, so crossing in a crosswalk in an alley building or private road or driveway.

An operator, the operator of a vehicle emerging from or entering an alley, building or private road or driveway shall stop and yield the right of way to pedestrian approaching on a sidewalk extending across the alley, building entrance or exit road or driveway.

This is also very important in addition to to the provisions for force for crosswalks and other places.

Next slide.

So you know what happens.

What happens if a person commits so commits, fails to stop and yield, so a person commits an offence if the person with criminal negligence operates a motor vehicle within the area of a crosswalk.

And causes bodily injury to a pedestrian or a person person operating a bicycle, a motor assisted scooter, an electronic personal assistive assistive mobility device.

A neighborhood electric vehicle or golf cart.

So this law applies to people walking. But when we say other vulnerable road users, it also. It also relates to to bicycles. And this is new bicycles. Cyclists do not have to dismount under this new law, the cyclist can go right through the crosswalk, just like you wouldn.

Ask somebody in a wheelchair to dismount a wheelchair and cross the street.

The cyclist can go right through the crosswalk and so this requires a change in driver behaviour.

To be looking out not just to what's in front of them, but to the side.

Are there people coming from the sidewalk?

Is there someone on an approach to a crosswalk?

Do I need to slow down as the driver and so awareness has to be made on the part of drivers to be looking in all directions looking out for people who might be ready to enter a crosswalk from a sidewalk?

Next slide please.

So this is going to take again awareness raising on the part of law enforcement, the general public, young people. You might notice that behind me there's a picture of a man here.

This is Kailash Satyarthi, who won the Nobel Peace Prize in 2015 for saving, along with Malala Yousafzai for saving over 100,000 children from slave labor in India, and Kailash Satyarthi refused to accept.

That an internationally recognized crime was acceptable.

And so here we also have to refuse to accept that any death of somebody legally within the crosswalk.

Should be possible and it there should be justice for people who lose their life or become injured inside of a crosswalk.

We cannot accept the fact that people will continue to drive on the road so dangerously as to kill somebody simply trying to cross the street, simply trying to walk their child to school legally through a crosswalk. Next slide, please.

So, you know, I say that drivers, you know, when we get into a car, drivers should see themselves as the pilot of an airplane responsible for those on board and the safety and security of everyone and in their car. But everyone that they pass, people that you may.

Know may not know, may never see again. The fact is that we need to get into the driver's seat.

You know, we all have bad days, but.

Having a bad day taking out our frustrations of life behind the wheel because you won't see that.

Person ever again is not responsible and we need to exercise a culture of compassion when we get behind the wheel with compassion, with the idea that we are protecting

lives, that we're saving lives, that everyone on the street has the right to live. They have the right to not be in a vehicle to go and walk to their friend's house to be safe, to go to a neighbor's house to cross the street, to go to the store. To simply go for a walk in the evening and or for a run to go out cycling. And if they don't have a vehicle or their wheelchair bound to be able to get across that street safely, so you know, when we go out and talk to community groups, we we ask them to, you know, get into your car as a protector and not a kill. Nobody gets into their car with the intention, I believe, of murdering somebody on the road, but often times, especially in Texas, this is the way people are driving now. Texas ranks as the 12th most dangerous state in.

The United States.

To be on the road as a pedestrian, it's not the worst, but Texas can do a lot better. And with the new crosswalk law, the hope is that it will become a safer place for all next slide.

OK.

So here are just some tips that we give and for those of you who are working in in traffic pedestrian safety, nothing you haven't seen before, but, but we say, you know, tip especially for driving in school zones.

Be aware that traffic patterns around school zones may have changed since the last year. Stay alert.

Put your mobile phone away.

Always obey the school, the school zone speed limit signs, and that includes if it's. If it's three minutes to, you know, 4:00. And that's when the.

The 2020 mph starts.

Just just take your speed down.

You know, kids and parents and people are arriving to school even a few minutes before the official start of the time zone. So and again, so many traffic incidences happen around the getting into school and getting out of school times.

So also picking up and dropping your children off at the designated areas helps we tell parents this a lot to keep an eye on.

Children gather to bus stops.

Watch for children who might dart in front of vehicles.

Between vehicles, children are unpredictable.

They expect us to be the adults to be looking out for them and keeping them safe, and of course, staying away from any from ingesting anything that's going to impair

your driving, remaining alert at all times, next slide.

And of course, for children, it's and for young people, it's important that we're raising awareness for kids, biking or walking to school.

So many school districts you can't get on the bus if you live 2 miles within the the schools, the the school.

So always use sidewalks if there's not a sidewalk walking on the left side facing the street crossing the street at an intersection, or crosswalks looking left and right.

Before, before proceeding, obeying the crossing guards who have a tough time in the hottest and coldest times of the year, getting our children safe to school and, you know, importantly, making eye contact sometimes and this is this goes for, you know, for everybody.

It's important just to have that human connection if you can, to make eye contact, eye contact with the driver for drivers that that do stop, give a thank.

Give a wave because you know it makes you feel good.

It makes them feel good and it promotes the kind of culture.

Of of, of interacting with each other in a healthy and compassionate way.

And again, don't be distracted by electronic devices.

And I'm surprised how many children we see these days who don't wear helmets riding their bikes to school.

But it is safer to be biking with a helmet and you know to follow all traffic rules, signs and signals. And as I turn over to to the Forbidden County District Attorney's Office, I just like to bring up the fact that the Fort Bend County District Attor.

Brian Middleton.

Has been leading his office in the implementation across Texas of the Lisa Torrey Smith Act. There have been two indictments that have happened over the last. Year and a half.

For death in a crosswalk and.

This the the effective implementation extends not just to the way that the District Attorney has dealt with these cases, but also in how the law enforcement, the Sheriff's Office.

Fort Bend County, run by Eric Fagan, has arrested the driver on the spot in case of fatalities and has also impounded the vehicle.

So there is a lot to learn from the Fort Bend County District Attorney's office. The law came out of the D as office and they continue to lead in its enforcement today. And

with that, I would like to hand over to Alison Bainbridge to talk about Enforcement and to answer any specific questions you might have.

**BA** **Bainbridge, Alison** 32:19

Hey everybody.

I think Gina did a really good job of explaining kind of what the law covers on the law enforcement side. We've seen a pretty large increase, at least in our county of awareness by law enforcement agencies to make sure they're enforcing the law, whether it's a ticket or.

Charges are coming to our office for prosecution.

We've been having a lot of really good.

Reception with law enforcement.

It in our county with good questions.

They'll call us. I routinely with a couple of our larger agencies, have weekly kind of pow wows with them to go through the cases that they're investigating, to see whether they are able to be prosecuted under this new law or not. The night one of the nice things.

That this law had allowed us to do and when Mr. Middleton and Sheriff Fagan and some others were constructing the law was it allows for us to charge under multiple statutes.

So for example, we may have a case that very squarely fits inside of this particular statute, but is also an injury to a child, or a manslaughter or something else. The law is specifically written to allow us to charge both crimes.

We have done that here in our county on at least one occasion so far, but we are pretty regularly answering questions.

Across the state and outside of our state now with regards to the law, so it is becoming.

Bring a lot that is more.

Normal, so to speak, for law enforcement to use when they are looking at possible criminal offenses.

But it so far has been pretty well received.

Here we regularly answer questions and do training throughout our jurisdiction and others on the law, since it kind of started here. But I'm happy to answer any particular questions anybody has.

My DA or the founder of the law, so to speak.

Speak along with Lisa.

Dear Milton's on the call also, but well, he is much, much wiser than I am in most respects.

He will probably defer most questions to me. I would guess right, Boss.

He's muted himself. Brian, you're muted.

**G** **Gina Torry - Citizens for Road Safety** 34:44

Dave Middleton. If you're on there, you go.

**MB** **Middleton, Brian** 34:45

Yes, yeah, yeah, that is correct.

I will defer to our expert, Allison Bainbridge.

**BA** **Baimbridge, Alison** 34:54

Yeah.

**LM** **Leonard, Micah** 34:57

So it looks like we have a couple hands up, so I was just gonna go in order for you, Allison, and I appreciate you being here.

**BA** **Baimbridge, Alison** 35:01

OK.

**LM** **Leonard, Micah** 35:04

I first see a walk and roll Houston individual and I apologize.

I. Oh, it's Kevin.

There we go.

And so Kevin, if you'd like to ask your question, you will be first in line.

**W** **Walk and Roll Houston - Kevin** 35:13

Yes, thank you. Can you hear me?

**BA** **Baimbridge, Alison** 35:15

I can.



**LM Leonard, Micah** 35:16

Yes, Sir.

**W Walk and Roll Houston - Kevin** 35:17

Great. I've worked with Gina, and I thought I was fairly knowledgeable about LTS. Al was interested to learn when Gina said that if the light times out while the pedestrian is still in the crosswalk, then they've no longer got coverage.

So if you're well, first of all, has anybody has a prosecution not been done because of that?

And secondly, how do y'all? How would you handle that? It seems really.

Unfair to the an old person or child, somebody drops something in the roadway.

**BA Baimbridge, Alison** 35:54

Yeah. So those are really great questions. They every time we have a case of any criminal offense, not just one, underly Tory Smith review it on a fact by fact basis. So it's a.

It's a fact specific evaluation here.

But the the laws for pedestrians and and road users a lot of times don't ever work independently of each other.

A lot of times they are kind of.

A conglomeration of more than one law at a time.

And so it the Lisa Torry Smith.

Statute, the statutes that came out of Lisa Torry Smith.

Have a requirement that the that the crosswalk user is lawfully within the crosswalk, which is why Gina talked about some of the pedestrian, the duties of pedestrians have.

So it is completely dependent on how the intersection is constructed, whether there's a median, whether there's not a median where they are, when they start into the crosswalk.

What the crosswalk signals say when they start the crosswalk.

How far they're in the crosswalk, so there's a lot of. It's unfortunately not really something that we can say. It's a bright line, yes or no.

So we have not had that to answer your first question. We've not had that issue come up as a potential hindrance to any prosecutions here. So far. The cases that we

have charged have all been very clearly lawfully in the crosswalk at the time of the crash.

But it would be something that we certainly would look into. Is there another?

A law that Gina talked about a little bit with regards to pedestrians.

I've started affectionately calling the step off rule.

So if pedestrian steps off into the roadway straight off the curb and is struck by a motorist, that can be an affirmative defense to them just because there's very likely no way that they could have avoided the crash.

So the short answer your question is it depends.

But we have not had that come up in our prosecution here in Texas, nor have I really had any other jurisdictions reach out to me is that.

**G** **Gina Torry - Citizens for Road Safety** 37:53

And yeah, well, and Allison, if I could come in on that, there has been a case in Dallas County that the Dallas County District Attorney's Office has had to deal with where there was a child, a 14 year old who was on his bicycle.

On his bicycle and making his way through the crosswalk when the the the timer ran out and he was he was about 90% of the way through the crosswalk when everybody, all the all the other cars waited and the car that was at the very end.

Of the crosswalk, Gund it, and he saw the car coming and he swerved out of the crosswalk at that moment to avoid getting hit by the car.

Unfortunately, he was struck at high speed.

The person gunned it and ended up getting sort of ricocheted off the car, landing on his face, right out, right outside of the crosswalk. And and there have been challenges in the the implementation or, you know, or bringing any charges against? However, under existing Texas law, because technically the light had run out.

Technically, the child was not the crosswalk.

And so there are, you know, so we have families who are coming decisions for Rd. safety from all across Texas who've lost a loved one.

And sometimes they're legally within the crosswalk.

Sometimes they are not and there are exceptions. And as Alison said, you know it's it's a case by case situation and it's going to depend on, you know lots of things, but. But, but yes, there are.

This is why it's important that we are raising awareness of crosswalk safety, especially with our children, to make sure that, you know, if they think they can't make it all the

way through to stop at a median, if they can, to make sure that they've got, especially when.

They're at a crosswalk where there's a there's a traffic light.

This might mean you know the difference between life and death, so yeah.

**LM Leonard, Micah** 39:51

And I kind of wanted to defer kind of moving the conversation forward with that. Can you, Allison or Brian kind of outline what like that process for like the investigation is in respects to those situations and then Dexter, I'll, I'll let you open the floor, but I kind of wanted to just give that follow up question there.

**BA Baimbridge, Alison** 40:10

Sure. So every county is going to have a different kind of process of investigation in Fort Bend County are most of our larger jurisdictions have a traffic division. So they are the people that will investigate these crimes.

I am also on call for them 24/7 so when they are having a situation that they think may fit into one or more of the statutes under Lisa Torry Smith, they will call me.

They said this is what I have. I will go out there with them and help them kind of gather the information that we need and then once their investigation is completed, they will bring it to our office and we will review it with the investigator and also with. Other.

Here in our office to determine whether or not there are criminal charges that are going to be filed.

And like I said, we've also with some of our larger agencies kind of put together a weekly kind of POW out with them to go through other cases that, for example, our Sheriff's Office, sometimes their patrol deputies will initially work the pedestrian crash and so then it will.

Get forwarded to our traffic investigators.

Our traffic investigators will then.

Investigate it more thoroughly and bring it to us.

Yes.

**LM Leonard, Micah** 41:24

Sorry, just to follow up one more time and then how does the training occur with the officers? I guess 'cause that obviously is a new tactic.

However, the officers being I guess, trained to identify and enforce that and then later report it to both you and Brian.

**BA** **Baimbridge, Alison** 41:39

So it is kind of agency dependent, but we have been doing an increased number of trainings within the agencies. So we will go to roll calls for them and train them at their individual roll call.

Sometimes there are town halls that agencies are a part of.

Or it will be a part of another training that we already have put in place for some other kind of crash investigation or something like that.

But I think that will be most of the time.

At least right now it's an agency request will come in and we will then go set something up for them. Most agencies here are friendly to other agencies in our county, so they'll invite outside agencies to come in also.

But we try to make ourselves as available as we can for them.

So I've been to roll calls at 9:00 PM.

You know, it's just I don't want to take those guys off the street more than we have to, but it is becoming an increasingly more comfortable.

Law with them. Since since we've been able to train them a little bit more.

**LM** **Leonard, Micah** 42:40

Pass that as follow up 'cause. I know we have a lot of people in the room that do a lot of, like, law enforcement training with that, I'm gonna go to Dexter.

**BA** **Baimbridge, Alison** 42:44

Mm hmm.

**LM** **Leonard, Micah** 42:47

Dexter, you've got your hand up impatiently for a while, and then I'm gonna go through the chat.

I see that there's some people who would prefer to speak through the chat, so I'll follow up with them.

Theresa specifically saw yours.

So Dexter, and then I will handle Teresa's question.

**DH** **DEXTER HANDY** 42:59

OK.

Thank you. Thank you, Dexter.

Handy here with the Citizens Transportation Coalition and the Greater Houston Coalition for complete streets.

Gina, I'm sorry, Lisa. Thank you for this presentation.

I do need to make a few points. We've got to do a better job and I put this in the chat as well of maintaining our crosswalks. If a motorist can't see the crosswalk or there's other obstructions like trees or other things, we run into some really serious. Problems.

I I strongly recommend.

That our cities and municipalities make high visibility crosswalks available so that motorists don't have an excuse. OK.

And then of course, I also mentioned a good presentation.

Let's continue to promote this through text dot and everybody else to get the word out and educate everybody on this.

Those are my comments.

**LM** **Leonard, Micah** 43:48

Thank you. And that kind of leads to what Gina's role is, and I'm sure she'll be happy to share resources as I saw some of you were chatting.

So if you guys want to refer back to the chat and there's some communication of like how we can coordinate as a coalition, we'll be sure to also include that in the notes as well. The conversations that are having in the chat, I do think Theresa had an. Excellent question.

It, which is directed towards Brian and Allison, but as the DA, how would you handle a pedestrian crash in a parking lot?

And can we apply this to also private property or the same way that as a public right of way?

**BA** **Baimbridge, Alison** 44:31

Brian, you want me to do it?

**MB** **Middleton, Brian** 44:34

Yeah, I'm sorry.

**BA** **Baimbridge, Alison** 44:35

I think it's.

**MB** **Middleton, Brian** 44:35

Somebody walked in the office.

I only heard part of the question.

I think it had to do with private property. So if you heard the whole question and I apologize.

**LM** **Leonard, Micah** 44:44

No, you're fine. It was.

**MB** **Middleton, Brian** 44:45

That sounded OK.

**LM** **Leonard, Micah** 44:45

I can repeat it.

It's all good.

It's kind of a multi faceted question.

So one is parking lot specifically which could encapsulate obviously private property depending on where the parking lot is.

But I do know that there was an crash and fatality for one of our one of the advocates that's often frequently here and actually like a public park.

So that would obviously fall into a public entity.

And then that also was led up by the question of if we can apply the same law.

Do private property as well as the public right of way.

**MB** **Middleton, Brian** 45:20

Allison, I'll let you take that because there's a there's a Gray area as to what private property is, and I'll let her define that.

**BA** **Baimbridge, Alison** 45:29

Yeah. So it's at first, that was my gonna be my first point.

And remember, every case is case specific, so I hesitate to give anybody kind of a bright line rule when you're asking about what sounds like specific instances.

But you know private property is something that the public does not have access to.

So what some people think is private property isn't necessarily private property.

I have a case right now that is, I mean, it was an impaired driver, but it was in a part that public has access to.

To, but it's gated so people will commonly think that because there's a gate, it's private property, not the case.

So the short answer to the question is it depends on the facts. Without seeing the entire investigation or entire facts that hesitate to give you some an actual like definitive answer.

But it is possible.

A lot of parking lots that people might consider public or private property are actually public property, for example.

You have an HEB and a big center where there's a huge parking lot and lots of businesses, but people also drive through there on a regular occasion.

There's no restriction that might fall under something that you would consider public property.

It also probably has a crosswalk that are painted on the roadway, so in that instance it there is a possibility that we could apply this law to that situation, but it would be a situation where we have to see the entire investigation first. So I will, I will.

I said it earlier this morning when I was in court and never say never.

And I never say always. So it is something that is factored, but it's possible.

Well.

**LM** **Leonard, Micah** 47:11

Gray area is what I hear from both you and Brian. Appreciate it.

**BA** **Baimbridge, Alison** 47:14

Mm hmm.

**LM** **Leonard, Micah** 47:16

I do see a couple other questions in here.

I know one specifically that Gina has a lot of expertise on, which is then actually the number of charges brought forward and for successful across the across Texas.

Jurisdictions as well as Fort Bend, so that kind of encompasses all three of you to answer this question. But so do we have any data on the number of charges that's been brought forward?

Successfully for these prosecutions, both across the state of Texas and in Fort Bend County.

And what enforcement outcomes look like?

**G** **Gina Torry - Citizens for Road Safety** 47:48

Well.

Sure. I mean, in, in, in the, I let you know. Alison, speak to Fort Bend County who again is leading the way in bringing indictments home and and filing charges and implementing the law.

But you know, for instance, in the case of Harris County, Harris County is one of the most dangerous places in the United States in the entire United States to be a pedestrian.

And since the Lisa Torry Smith Act went into effect in 2021.

There have been over 20 pedestrian related fatalities.

And this is this is research that's been done by Axios through a poll of text dot crash reports and of I believe those those 20 something pedestrian fatalities, at least eight that we know of were legally inside of the crosswalk.

Again, this is where investigation makes a big difference.

And of those eight cases in Harris County.

Only one which has been recently as of last week, has been brought for an indictment.

A true bill Nobel.

Regrettably, it was returned with a Nobel, despite there being a specific statute under Texas law that, as in Fort Bend County's case, can return an indictment for somebody who was squarely and legally within a crosswalk.

In the case of and, but this is also where investigations are important.

So there was a death in Harris County, a woman who was 72 years old.

She had retired on a Thursday and on a Friday she was crossing.

Street.



Looking forward that weekend to celebrating with some dim sum with her sisters, her retirement and she was killed in the crosswalk.

She was dragged at least 60 feet from where the crosswalk was, and when the when the investigators pulled up to the scene, they assume that she was jaywalking.

Nobody bothered to go and canvas the neighbourhood for for video.

Instead, her three daughters that don't live in Texas.

One came from Paris, France. One came from California.

One came from Tennessee.

Went and canvassed the neighborhood and found video that shows her mother squarely within the crosswalk, so they were able to get the report.

The crash report amended showing that their mother was legally within the crosswalk so of the 8IN Harris County and this is this could be the same for other counties across Texas.

The investigation does matter.

It does matter whether there the evidence is being collected, including videos. If there's a question as to whether.

The pedestrian was dragged and flown 60 feet.

Yes it is possible.

Especially with 77% of new vehicles on the road being light trucks and SUVs.

So. So the investigation makes a difference, as does the arrest of the driver on the spot and the impoundment of the vehicle.

**LM** **Leonard, Micah** 50:40

Thank you.

I've seen Robert Davis had his hand up for quite a while, so Robert, I will.

I'll let you put your hand out, and luckily we can do it virtually these days, so our hands aren't getting exhausted, but feel free to jump in and ask your question.

**RD** **Robert Davis** 50:55

Sure. Thank you.

I work for text data 42 year engineer.

And my question is.

Since this time have has text, dot and other cities and other counties, have they been actively making or trying to make changes to intersection design to help improve the situation?

Are you aware of that?

Are you actively aware of the of those kind of things going on right now?

**BA** **Baimbridge, Alison** 51:29

Yeah. So.

**G** **Gina Torry - Citizens for Road Safety** 51:31

Sorry.

**MB** **Middleton, Brian** 51:36

What else?

**BA** **Baimbridge, Alison** 51:36

So I OK, I know, at least in Fort Bend County, when some are most of our jurisdictions, whether it's the city or text dot whoever's in control the roadway. If right now it's kind of reactive and not necessarily proactive.

But they're getting there.

They once they are aware of a potential intersection in their jurisdiction that is in need of something, whether it's a repaint of a crosswalk or.

Retiming of a light. They're pretty active in doing it.

We have had a good number of areas also increase the signage, so different pedestrian signs warning signs.

They've been changing the yield to pedestrians signs to stop to pedestrian signs.

But there are a couple.

I live not far from where Lisa's crash occurred.

And you know, we've got a pretty big state highway not far from there also and most of the intersections all along the state highways.

I don't know.

Six lanes, 7 lanes. It's huge.

Now at most of those intersections are there are additional signs on each light post that say stop.

Up here for pedestrians, we have had certain residential areas add stop lines for this cars to actually physically stop at before they get to the crosswalk.

So there has been a lot of, like I said, most of it's reactive right now just because it's new.

So they're becoming aware, but as soon as they become aware of it, they are out there doing what they can to make the.

Driver more aware?

I know that there there's been a lot of.

Different things added to a particular area kind of in Katie 'cause. I have a fatality crash under the crosswalk law that came out of there.

Is it also added these like?

Blinking lights, everything you could think of is at this particular intersection now.

Well, it's not an intersection, but the crosswalk.

So it is something that they are aware of and very willing to help with.

You know, we had another situation where some of the pedestrian cross signals were not.

Signaling consistent with the vehicular traffic signals. But once the once the municipality of jurisdiction was made aware of it, they fixed it very, very quickly.

This is probably the most quickly I've seen people work on roadway things.

In my adult life.

**RD** Robert Davis 54:10

Yeah, there's things like the that white bar you pointed out is called a stop bar 5 foot. In the old days, 5 foot was the minimum distance from the crosswalk, but you could put it back 10 feet if you wanted to.

So maybe more open area would help a situations, things like that. In terms of a study to be done of what things could be changed in terms of intersection design.

**G** Gina Torry - Citizens for Road Safety 54:24

Yeah.

**RD** Robert Davis 54:32

Basically, I know each each. Each intersection could have Special Situations.

You have to deal with.

But maybe some basic things through studies.

Very studies that could help provide some improvement in this or safety in this situation.

**G** Gina Torry - Citizens for Road Safety 54:46

Absolutely. Thanks for that. And I don't know.

I saw that Theresa Parma is on, but maybe Freddie Summer and other text dot colleagues are here, but certainly something that that I that I know text dot has been trying to work on at the state level and certainly this this suggestion is is really helpful but.

I don't know, Micah, if there are any tech stop folks on who might want to respond to to this comment about, you know, how.

How these kinds of intersections can be?

Can be modified.

**JK** **James Keener** 55:17

Micah, this is James Keener.

Do you mind if I I speak up?

**LM** **Leonard, Micah** 55:21

I would love for you to speak up 'cause. I'm clueless of who on text dot team could speak to it specifically, so thank you.

**JK** **James Keener** 55:22

Alrighty.

We have done several things.

Lately that have been.

That we have implemented to try and improve Traffic Safety, you know, especially pedestrian safety, one of the biggest ones is is having a leading pedestrian interval.

So what that is is it gives.

Extra time for the pedestrian.

So during the all red. So at a traffic signal.

There is always an all red.

So what it will do is if a pedestrian activates the push button, it will give them an additional 5 seconds. So the pedestrian is able to get out into the intersection, establish themselves in the intersection before the light changes green, which of course allows you know better VIS.

For the cars prevents a lot of the the hook crashes where somebody's just making a quick right.

And what not? Not you know, as they're looking.

Downstream for a car not looking upstream for a pedestrian. We also have switched out our crosswalk standards from just the two parallel bars to now the continental crosswalks, which is the 24 inch.

Large dashes that go along the road. They're much more visible to the driver.

Really does help a lot, especially at night.

Additionally, as there's so much more and the way that.

They are supposed to be placed is so that they're not in the wheel path of the vehicle.

I understand that there are plenty examples out that sometimes we we're we're working on it, but nonetheless those have made a a much more visual impact additionally for the driver we have installed reflective back plates.

Around town, we're continuing that as another new standard for TxDOT, and those reflective back plates really kind of help, you know, just again, heighten the awareness of the drivers.

Looking at the signal so they know they're coming to a signal, we've we've got it.

Yes. And we've been adding more illumination at all of our intersections.

So again, enhancing the driver's visibility, enhancing the pedestrian's visibility.

So we really are working a lot to try and help additionally with with all the you know, stop for pedestrian and crosswalk. We've been installing those at a lot of the.

I guess you would.

The sweeping rights that we have at the large diamond intersections.

Where you have a right turn that doesn't, it's not controlled by the signal, it's a yield condition for the driver as they are making a right.

We've gone ahead and installed those.

You know, stop for pedestrian in the crosswalk.

We've added the stop bars.

Additionally, we've been putting, you know, stop for pedestrians in crosswalks at signals that are just straight up ordinary signals without that sweeping right.

So again.

Reminding the drivers to look out for pedestrians.

So we've been doing a lot and we will continue to.

James is out.

 **Leonard, Micah** 58:42

Thank you, James. I appreciate it.

**MB** **Middleton, Brian** 58:43

What? What?

**BA** **Baimbridge, Alison** 58:43

Mm hmm.

**MB** **Middleton, Brian** 58:44

What I like to add to that is that I've seen the increased usage of the signage watch, you know, stop.

State law for pedestrians in the crosswalk.

I've seen an increase also in, you know, in reference to the question earlier in retail parking lots like some of the major retailers have been using that signage, I've seen increased usage at our airport.

So it's starting to pick up and I think that the.

Greatest thing probably in transportation is done is the awareness campaign with the commercials. I get questions about that frequently.

So there's this effort.

I mean, of course we can always do more.

But what I've seen is very responsive.

And and in particular, keeping in mind that this you know this law was passed only recently.

So I think we're making pretty good progress and doing a lot better than we were before, the Lisa Torry Smith Act.

So I I'm very optimistic and and thankful for everything that's been done by tech start so far.

**LM** **Leonard, Micah** 59:53

I I really greatly appreciate it.

Which it takes a whole team and from all sides and so having an advocacy perspective and implementation, engineering perspective, a legal perspective, it really is I think, emblematic of our safe systems approach.

So thank you guys for being here today to represent a critical component, which is the actual law enforcement side of it. And Gina, of course.

Thank you for being that advocate to get the laws passed so that we can have them

enforced so as.

We're kind of showing on this call.

This is like again I saw someone put up a heart.

Yes, it is the heart of what we can do as a team effort to prevent more fatality or create less fatalities on the streets.

So with that, I don't want to hold everybody over.

I don't want to be.

The not cognizant though, that there are some questions in the chat. If your question was not able to be answered, I can definitely convey those to our speakers team today and we can get answers back to you.

And dependent on if you guys would wish you were more than welcome to also share your contacts in the chat.

I don't want to do that without your permission, but if you wish for people to reach out to you, I'm sure there's a lot of people in this chat.

Are strong advocates, engineers and just community members that are very interested.

We have a large amount of people on the call today, so it clearly means that this is a topic that is definitely heading home for a lot of people and it definitely very passionate about.

So thank you, speakers, for taking your time today to share your time with us.

We will post this online like I mentioned and then.

All questions will have in the notes so we can refer back to them and hopefully get answers for you.

But with that, thank you guys.

Yes, go for it, Gina.

**G** **Gina Torry - Citizens for Road Safety** 1:01:41

For anybody who'd like to take this, you know, on a road show, the presentation that I gave is free to download from the citizens for Rd. safety site.

So please this material is yours to use if you'd like. If you'd like us to come out to, to engage in a in a awareness raising.

Training or session?

We're happy to do it.

So, so thanks everyone.

**LM** **Leonard, Micah** 1:02:07

Thank you everybody for being here today.

Appreciate everybody's participation and then we will keep you updated when we have everything posted.

And questions answered, but thank you guys and thank you speakers for your time.

I know you guys are all busy, so we appreciate y'all have a good one.

**BA** **Baimbridge, Alison** 1:02:22

Bye.

**LM** **Leonard, Micah** 1:02:23

Thank you.

● **Gignac, Soleil** stopped transcription