

March 15, 2016

Re: Meg Schwarzman's accident & plea for a prevention-oriented City vision

Dear Members of the Berkeley City Council:

In the wake of the near-death of close friend and colleague Dr. Meg Schwarzman in a wholly avoidable auto-bike accident, I write to you in both my personal and UC Berkeley faculty capacities. I thank you in advance for what I expect will be a favorable Council vote in support of a fully protected bike lane along the western edge of campus. This bike route is used by hundreds of UC Berkeley students, staff, and faculty (among others), and has in the past dozen years seen an almost equal number of auto/bike collisions, and one fatality, without meaningful infrastructural response. Because I believe the present vote to be a foregone conclusion, however, I write with a larger ask: *Please let this be the beginning of a more courageous, holistic, prevention-oriented culture in the City's management of multi-modal transport.*

In my many experiences as Berkeley cyclist, pedestrian, and driver, I have lived the fear borne out by our local statistics: the most recent data from the state's Office of Traffic Safety show that Berkeley is #1 out of 56 similarly populous California cities in both bicycle and pedestrian injuries/fatalities. (OTS, 2013.) This, notwithstanding that Berkeley was once in the vanguard of efforts to promote non-polluting personal transportation. In my previous encounters with the Department of Public Works to improve multi-modal safety (and in particular, to obtain stop signs at perilous intersections), I have found that the Department operates through a combination of denial (there is no problem), paralysis by analysis (no problem is too simple not to need more study), the mythologizing of never-achieved comprehensive rationality (we can't fix that intersection because there are more dangerous intersections in Berkeley. . . even though we are still studying all of those), and a cultural aversion to planning for prevention. Like all systemic problems, I believe this is structural and cultural and funding-related, and not the fault of Department staff, whom I presume to be highly competent professionals.

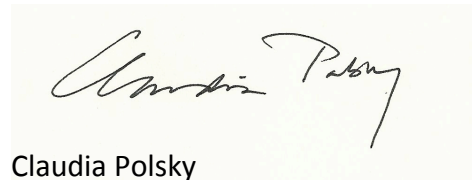
I hope that the City of Berkeley will use this occasion to redouble its commitment to prevention, and to work in close partnership with able advocacy groups like Bike East Bay, who can provide on-the-ground intelligence, strategic advice, resources, sweat equity, and good PR. The benefits of safer cycling redound to all of us, including those who drive:

- Cyclists decrease demand for parking spaces;
- Cyclists reduce vehicle congestion, reducing all drivers' accident risk;
- Cyclists help the City achieve Measure G climate goals;
- Cyclists reduce the need to fund oil wars; and
- No Berkeley resident wants to lose colleagues, students, or friends to auto/bike collisions.



Let me conclude by lauding the Berkeley Fire Department for its extraordinarily quick accident response time and heroic emergency medical conduct in literally saving Meg's life on the scene. Let me further laud City leaders for their foresight in providing the fire truck with a hydraulic jack — an expensive and uncommon piece of equipment that not all cities' fire trucks carry — which too was essential to extricating Meg from beneath the car that crushed her. We must all commit to doing more to praise government when it works. I am confident that if the City of Berkeley can bring the can-do attitude it has brought to emergency response into the arena of prevention-oriented transit planning, we can insure that this tragedy is not wasted.

Respectfully,

A handwritten signature in black ink on a light yellow background. The signature is cursive and reads "Claudia Polsky".

Claudia Polsky
Assistant Clinical Professor of Law
& Director, Environmental Law Clinic

cc: Berkeleyside newspaper