

COUNCIL STATEMENT ON BIKE HARASSMENT ORDINANCE – JULY 6
Jerry Wade

I want to talk about my own actions on the bike harassment ordinance and what happened.

When I left the house on Monday evening, June 15 for the council meeting, it was my intention to not support the ordinance. My reasons were three-fold:

1. It is inappropriate to craft an ordinance concerning harassment for the relationship of just two specific groups. Harassment is unacceptable in any context. If a new ordinance was needed, it should be written to encompass harassment on our city streets between whoever was involved.
2. It is questionable if this ordinance will work or make any difference. It is based on proving intent. Furthermore, it may not even be necessary except to give symbolic recognition to the rights of bicyclists. That is not a justification for a new ordinance. Perhaps the bicyclists' harassment was already covered by existing ordinances or could be with a minor amendment.
3. There is a significant polarization going on between bicyclists and drivers. The ordinance will substantially contribute to that.

The polarization is part of a broader backlash that has been building for some time against the strong focus bicycle projects. The reaction to this ordinance is not just a few disgruntled folks, but a broad based response of people frustrated with the Council. There are many who feel the Council has pandered to the wishes of a special interest group with little consideration of others.

The important point is that I firmly believed the council should not pass a law until it is right. It was fully my intention to advocate that position and either support voting the ordinance down or tabling it until rewritten to be the ordinance it should be.

What happened? During discussion of Council, several things became clear. First, everyone opposed harassment. Second, many, perhaps a majority, felt there should not be an ordinance for a special group, but that an ordinance addressing harassment in general may be appropriate.

However, in the discussion, we got caught up in the emotions of the public hearing and doing good. If we passed the ordinance as it read, we could fix it later to apply to more than one group. There would be no harm in giving immediate protection to the bicyclists until the ordinance was as it should be. The momentum on the council shifted to passing the ordinance and amending it in a couple of weeks or a month.

We should have explored whether the ordinance was even necessary or if there were better options such as amending existing ordinances but didn't.

I believe we made a mistake.

Hank Waters, in his editorial in the June 26 Columbia Daily Tribune, came to the same conclusion and then made the following two observations. "Its (the ordinance) positive purpose is more than offset by the public scorn and derision it arouses, adding unnecessarily to the war" and "The rush of good feeling originally generated by the GetAbout program is wasting."

Why have we allowed that to happen?

I would venture two factors have been at work.

1. An action agenda has been advanced that has not become a commitment of a large number in the community. The agenda was never built into a broader community agenda.

2. Our community has been constantly told how Portland or Seattle or some other city does it. No one talked about the differences among the communities. Columbia has a very different community culture. The changes were imposed on the community.

Change is usually the product of a sincere, committed, small group of people who push the margins. However, the changes must be allowed to integrate into the dominant culture. If the changes become too numerous and/or extreme, there will be a reaction. If the reaction is strong enough, it will at the very least stop any further actions and may even reverse some that have occurred.

We are at that point now. If accepting a second stage grant were put to the vote of the citizenry, it would fail.

The ordinance does not make it better, it makes it worse. It is not good for bicyclists. It is not good for motorists. It does not contribute to the vision of creating a biking and walking friendly community.

What can be done to change the polarization and return to GetAboutColumbia being a positive part of a better Columbia?

Lets begin by suspending the bike harassment ordinance for 6 months. The working group proposed at the June 15 meeting will evaluate if amendments to the assault ordinance or other city ordinances can better serve the purpose of providing people protection from harassment. The group should also consider the additional concerns and suggestions that have been identified since the bike harassment ordinance was passed.

The working group should be large enough to include people with a variety of positions on the topic. This will give an opportunity for the broader civic discussion the topic needs but that hasn't yet taken place.

Lets change the rhetoric from blame and anger to calm discussions for problem solving.

What am I really asking? Lets pause for just a little while and listen, listen to a larger group of people who care about this.