

Hello Traffic Stop Task Force Members,

During September's regular meeting, Sgt. Andrew Charles's gave three reasons why an UPD officer might initiate a traffic stop. His comments are noteworthy and require a much closer examination by the Task Force. In summary, he stated traffic stops are initiated for public safety, to further an investigation, and because something draws attention to the car. He called the second type of stop an "investigative stop". Two examples he gave included a neighborhood house that appeared to be drug dealing or a suspiciously large or rancorous party. As individuals come and go from these locations they may be stopped for a traffic violation but the real purpose is to question them – thus the term "investigative stop". His third reason, that "something draws attention to the car" clearly infers something other than a traffic violation. It was not clear, but it suggests such things as race and occupants of the car, make and model of car as compared to the driver, tinted windows, low profile wheels, car and occupants in the wrong neighborhood, etc. Clearly the second and third reasons for justifying a traffic stop go well beyond what the public commonly assumes is occurring when a traffic stop is made. These two types of stops may help explain why racial disparities exist in our local data.

Most people believe a traffic stop is made simply because the driver violated the traffic code and nothing else. They believe the intent of the officer making the stop is to warn or cite the driver for his "driving behavior", nothing more. If this were truly the case, one would expect very little racial disparity in the actual number of stops because there is no study or claim that has documented racial groups drive significantly differently from each other. That is the fundamental and foundational belief grounding the traffic stop data collection approved by the state legislature in 2004. That is why the legislation excluded traffic stop data involving accidents, stops as part of active crime pursuits, warrants, etc. from being included in the data. Theoretically the annual IDOT data collected and reported to the public was to represent ONLY those stops where the motivation of the officer to stop the driver was because a traffic violation occurred, nothing more or less.

Clearly there are additional reasons why cars are stopped in Urbana. When the enforcement of traffic laws is used to achieve other policing purposes as suggested by Sgt. Charles, then the initiation of the traffic stop becomes a PRETEXT to enable other policing goals. Initiating a stop to correct driving behavior becomes secondary to the primary purpose of the stop which now has become to investigate or question the driver/occupants of the car for information, to search for contraband, or just check-out something that looks suspicious. Drivers being stopped for reasons beyond just violating the traffic code should be a concern to the community.

It is important to have an open public discussion about whether the community wants or if it's even appropriate for the local police department to use traffic stops as a tool for other policing purposes, especially if these practices are determined to be racially biased and/or negatively impacting a certain population.

Since the reason why an officer stops a car are not identified on the ticket, the Task Force must think carefully about what type of data it might need to determine if such a practice

contributes to the racial disparities in traffic stops. In addition to conducting a “veil of darkness” analysis to determine if racial profiling is occurring, the Task Force might also consider collecting the following data.

1. A list of officers and the number of stops each conducted during the last five years. The stops should be broken down by race. (This may show if certain officers are more prone to stop drivers and if race plays a roll in those stops.)
2. A list of repeat offenders, stopped multiple times, in the last five years. The numbers should be broken out by race. (This may show if certain individuals/races are being targeted for stops.)
3. Number of routine traffic stops reported to IDOT the past five years that resulted in additional criminal charges to the driver or occupants unrelated to a traffic code violation. Data should be broken down by race. (This may show if the intent of the stop had a secondary purpose and if race is a factor.)
4. A list of officers and the number of stops each conducted during the last five years, separated into categories of years of UPD service, (0-6 years, 7-14 years, 15 or more years). (This may show if age or years of service influences traffic stops, which may be a reflection of past training vs current training.)
5. A separate list of officers with previous versus no military background and the number of stops each conducted during the last five years. The stops should be broken out by race. (This may show if previous military experience influences traffic stops.)

This certainly is not an exhaustive list, but possibly just a starting point for additional data searches the Task Force may wish to request.

Note: The traffic stop analysis conducted by the city in 2010 already sheds some useful light on this topic. It may be that the Task Force will not want to replicate the same type of data analysis since it has this information in-hand, but rather look for newer and additional data analysis not contained in the 2010 report to help delve a little deeper and answer new questions.

Conclusions from the Traffic Stop Data Analysis conducted by Tom Christoff in 2010:

1. Blacks account for approximately 33.5% of all stops in the city.
2. Of the five beats, Beat 61 had the highest percentage of stops, 26.6%.
3. In Beat 61, 45% of the stops were White and 42.3% were Black.
4. There is no relationship between stops and calls for service in Beat 61.
5. There is no relationship between stops and the number of crime reports in Beat 61.
6. Beat 65 had the lowest percentage of stops, 16.4%.
7. Beats 61 and 65 have the highest citation rates, 64%.
8. Beats 63 and 64 have the lowest citation rates, 56%.
9. Younger drivers are stopped more than older drivers.
10. Minorities are significantly more likely to receive a ticket than a warning.
11. Males are stopped more than female drivers, 57% vs. 42%..
12. One third of all stops occur between 8:00 PM and 11:59 PM.

13. Stops occur fairly consistently throughout the week, 15% each day, except 9.7% on Sundays.

Task Force is most likely to find the answer to the “why” of racial disparities by focusing on Urbana’s data and drilling down internally in new ways. It is unlikely comparing or studying another community’s traffic data will shed light on understanding the unique situation and circumstances of traffic stop policing specific to Urbana.

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Another helpful tool to help understand what might be occurring is simply to ask the UPD to respond to some very specific questions. Nobody is in a better position to help the community understand what is occurring than the officers themselves. The Task Force should access this resource frequently.

Listening carefully to what the UPD has to say will very likely help the Task Force more effectively frame its work, organize its subcommittees, be more targeted in its data collection and analysis, and build a positive working relationship with the UPD.

Minimally the following questions should be asked of the UPD. It would be most beneficial if responses were made publically so that the community could also listen and learn. Openness and transparency are critical to insuring community acceptance of the Task Force’s final report and recommendations.

1. From a daily observation of Urbana streets, what would the UPD estimate the percentage/percentage range of cars driven by African-American to be? Would it be reasonable to assume it would be in the range of 14% to 18%?
2. Only one racial driving group during the ten years of data collection, (African-American drivers), has been stopped at rates significantly greater (sometimes twice as high) than their percentage of the driving public. Why do you think African-American drivers are stopped at such a higher percentage? Is the department comfortable with these recurring percentages of stops? Would you like to see this racial disparity reduced? Without sacrificing public safety, what might the UPD do differently regarding traffic law enforcement to reduce this racial disparity?
3. African-American drivers were subjected to 48% of all consent searches and 55% of all dog sniffs conducted during traffic stop. How do you explain/justify these figures? Are you comfortable with these percentages?
4. Tom Christoff statistically concluded there was no relation to the number of stops to the calls for service or crime rates in Beat 61. Do you concur there is no relationship between traffic stops and calls for service or crime rates in Beat 61? If not, please explain.
5. 2007 to 2010 data shows over 25% of the stops occur in Beat 61, more than in any other beat. Why?
6. Over the past ten years all three minority-driving groups regularly received tickets at higher percentage rates than Caucasian drivers. Average: Caucasians – 57%,

Afro-American – 60%, Asian–Pacific – 60%, and Hispanic – 75%. How do you explain this?

7. The number of traffic stops varies greatly from year to year, from a high of 4294 stops in 2013 to a low of 2830 stops in 2011, a difference of 34%. Why? Is there an emphasis placed on traffic stops some years and not others? Are stops totally up to the discretion of the officers? Have there been or are there monthly traffic stop quotas expected of officers? Is there a department policy governing traffic law enforcement?
8. Are traffic stops ever used in certain neighborhoods as a means to show a more visible police presence to fight perceived crime?

I am certain the Task Force will have many of its own questions to ask of the UPD. I hope the discussion and work of the Task Force can begin moving in a direction, although it may be uncomfortable, to more direct and pointed questions of the UPD to help the community understand WHY racial disparities in traffic stops exist in our community and how they can be reduced.

Thank you for your important work on this subject,  
Durl Kruse