

URBANA POLICE DEPARTMENT: PEDESTRIAN STOPS

URBANA POLICE DEPARTMENT | CRIME ANALYSIS

PRESENTERS:

Melissa Haynes

Crime Analyst, Urbana Police Department

Bryant Seraphin

Interim Chief, Urbana Police Department



Pedestrian Stop Data | Overview

- 1. Background**
- 2. Statistics**
- 3. Summary**



Reportable Pedestrian Stops

“Whenever a law enforcement officer subjects a pedestrian to detention in a public place, he or she shall complete a uniform pedestrian stop card...”

“For purposes of this subsection (b-5), ‘detention’ means all frisks, searches, summons, and arrests.” [625 ILCS 5/11-212]

Urbana Police Department:

For a pedestrian stop to be **reportable to IDOT**, there must be:

- an investigative stop
- of a pedestrian
- in a *public* place
 - accessible to the public, irrespective of whether the property is publicly or privately owned
- involving a frisk, search, summons (NTAs), or arrest.



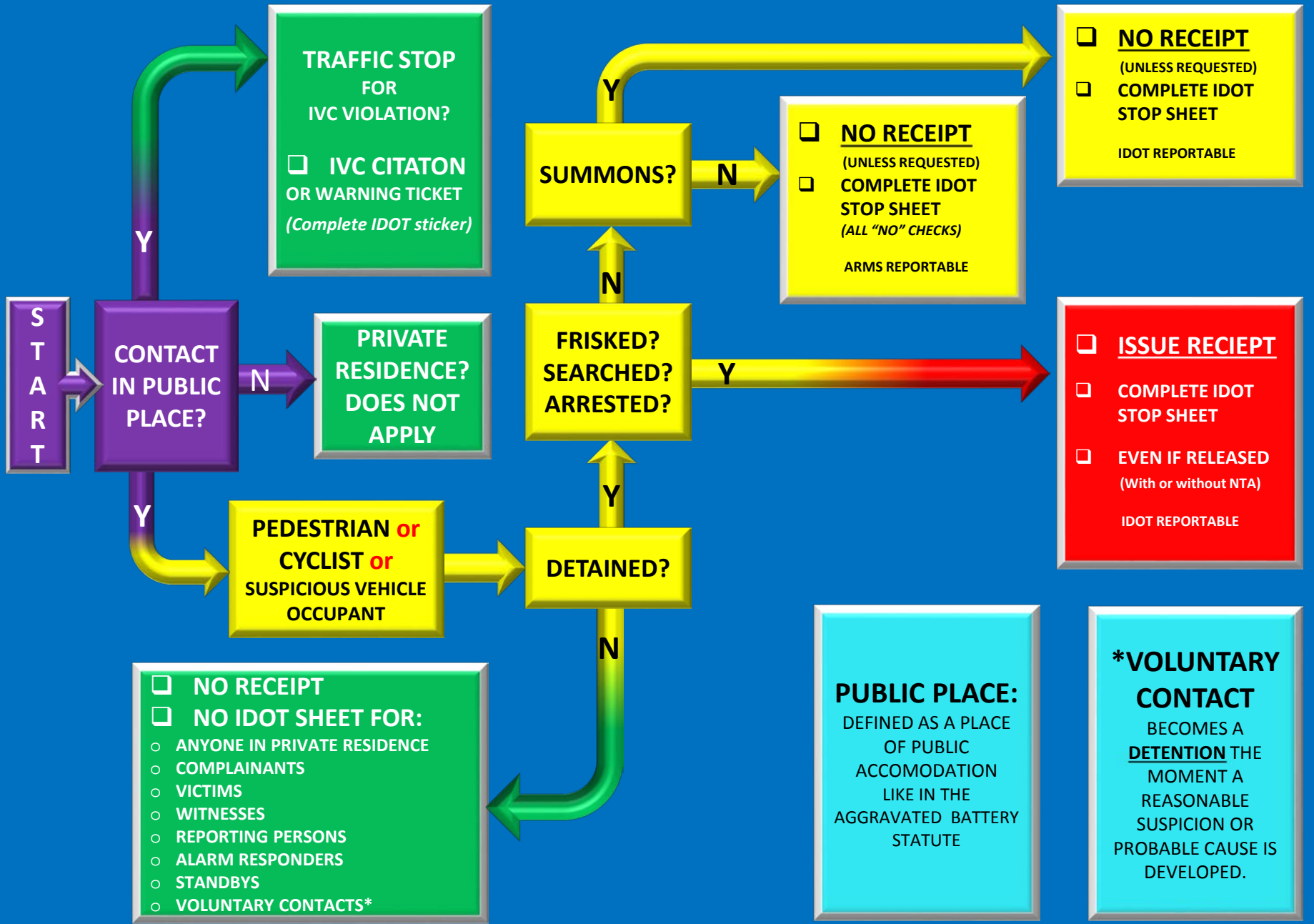
Non-Reportable Pedestrian Stops

Urbana Police Department:

We collect *more* information than is required that is not reported to the state

- A detention
- Of a *PERSON*
 - Pedestrian, motor vehicle occupant not covered by IDOT sticker, bicyclist, other
- In a public place





TRAFFIC STOP FOR IVC VIOLATION?

IVC CITATION OR WARNING TICKET
(Complete IDOT sticker)

START

CONTACT IN PUBLIC PLACE?

PRIVATE RESIDENCE? DOES NOT APPLY

PEDESTRIAN or CYCLIST or SUSPICIOUS VEHICLE OCCUPANT

NO RECEIPT

NO IDOT SHEET FOR:

- ANYONE IN PRIVATE RESIDENCE
- COMPLAINANTS
- VICTIMS
- WITNESSES
- REPORTING PERSONS
- ALARM RESPONDERS
- STANDBYS
- VOLUNTARY CONTACTS*

SUMMONS?

NO RECEIPT (UNLESS REQUESTED) COMPLETE IDOT STOP SHEET (ALL "NO" CHECKS) ARMS REPORTABLE

NO RECEIPT (UNLESS REQUESTED) COMPLETE IDOT STOP SHEET IDOT REPORTABLE

FRISKED? SEARCHED? ARRESTED?

ISSUE RECEIPT COMPLETE IDOT STOP SHEET EVEN IF RELEASED (With or without NTA) IDOT REPORTABLE

DETAINED?

PUBLIC PLACE: DEFINED AS A PLACE OF PUBLIC ACCOMMODATION LIKE IN THE AGGRAVATED BATTERY STATUTE

***VOLUNTARY CONTACT** BECOMES A DETENTION THE MOMENT A REASONABLE SUSPICION OR PROBABLE CAUSE IS DEVELOPED.



Stop Sheet

Case #

Event #

Subject Name

Date of Stop (MM/DD/YYYY)

Time of Stop (Military Time)

Officer Name

Officer Badge #

Location of Stop

Geo-Code

Gender

1 Male 2 Female

Select One:

1 Pedestrian 2 Vehicle Occupant 3 Bicyclist 4 Other
(No IDOT Sticker)

Race

1 White 2 Black or African American 3 American Indian or Alaska Native 4 Hispanic or Latino
5 Asian 6 Native Hawaiian or Other Pacific Islander

Reason for Stop

Reason for Stop (Check all that apply)

- 1 Actions indicative of engaging in drug transaction
- 2 Fits description from radio broadcast / Call for service
- 3 Fits description of an offender as described by victim or witness
- 4 Actions indicative of "casing" victim or location
- 5 Proximity to the reported crime location
- 6 Gang related enforcement
- 7 Suspicious Activity
- 8 Other (Specify)

Pat Down/Frisk

Pat Down/Frisk Conducted? 1 Yes 2 No Pat Down/Frisk Conducted by 1 Consent 2 Reasonable Suspicion

Reason for Pat Down/Frisk (Check all that apply)

- 1 Verbal threats of violence by suspect
- 2 Knowledge of suspect's prior criminal violent behavior/use of force/use of weapon
- 3 Actions indicative of engaging in violent behavior
- 4 Violent crime suspected
- 5 Suspicious bulge/object
- 6 Evasive, false or inconsistent response to officer's questions
- 7 Other reasonable suspicion of weapon (Specify)
- 8 Administrative (Escort, ride, etc.)

If a Pat Down/Frisk was conducted, did it lead to a search beyond the pat down/frisk? 1 Yes 2 No

Search Beyond

Search Beyond Pat Down/Frisk Conducted?

1 Yes 2 No

Search Beyond Conducted by

1 Consent 2 Probable Cause 3 Search Incident to Arrest

Reason for Search Beyond (Check all that apply)

- 1 Drugs or drug paraphernalia found
- 2 Hard object felt during pat down
- 3 Firearm found during pat down
- 4 Other weapon found during pat down
- 5 Other probable cause(Specify)
- 6 Administrative (Escort, ride, etc.)

If a Search Beyond a Pat Down/Frisk was conducted, was contraband found? 1 Yes 2 No

If yes, what was found?

1 Drugs 2 Drug Paraphernalia 3 Alcohol 4 Weapon 5 Stolen Property 6 Other

If the contraband found was drugs, what was the amount?

1 <2 grams 2 2-10 grams 3 11-50 grams 4 51-100 grams 5 >100 grams

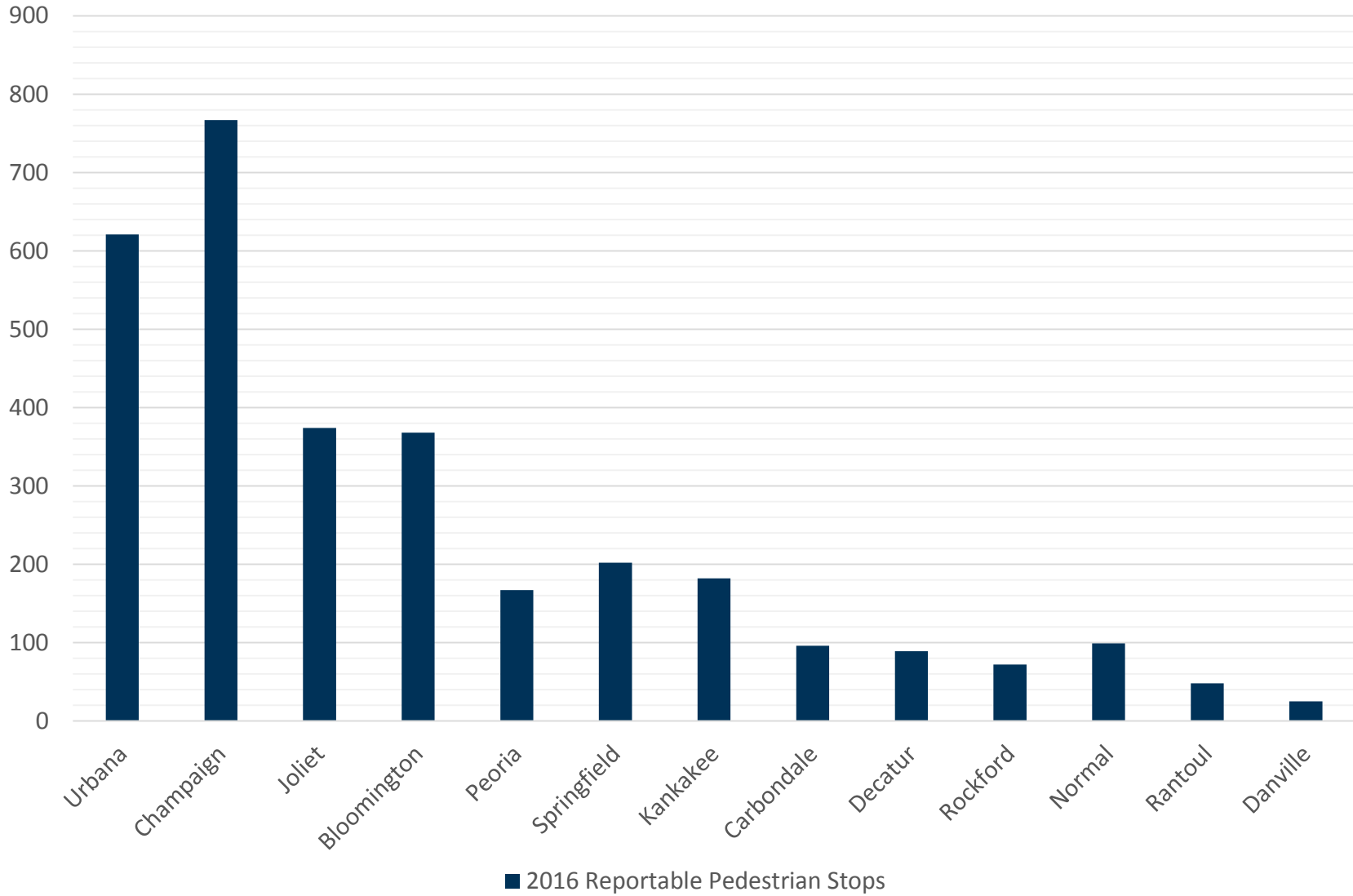
Outcome of Stop

NTA / Citation Issued 1 Yes 2 No Arrest? (Person taken into custody) 1 Yes 2 No

Violations/Charges



Agency Comparisons

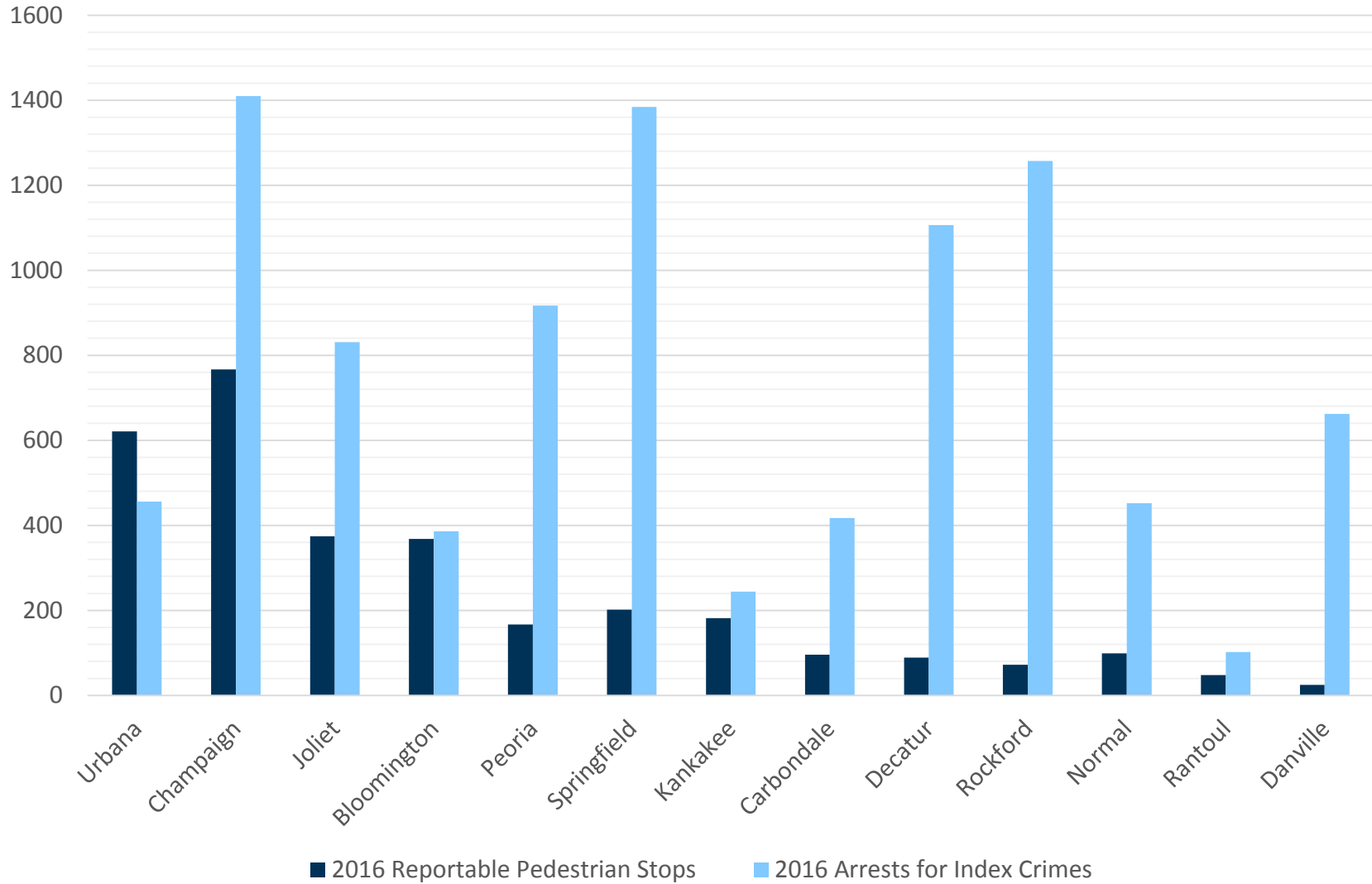


Source: <http://www.idot.illinois.gov/transportation-system/local-transportation-partners/law-enforcement/illinois-traffic-stop-study>

Note: Urbana data was over-reported for the first 3 months of 2016. The above figure is correct.



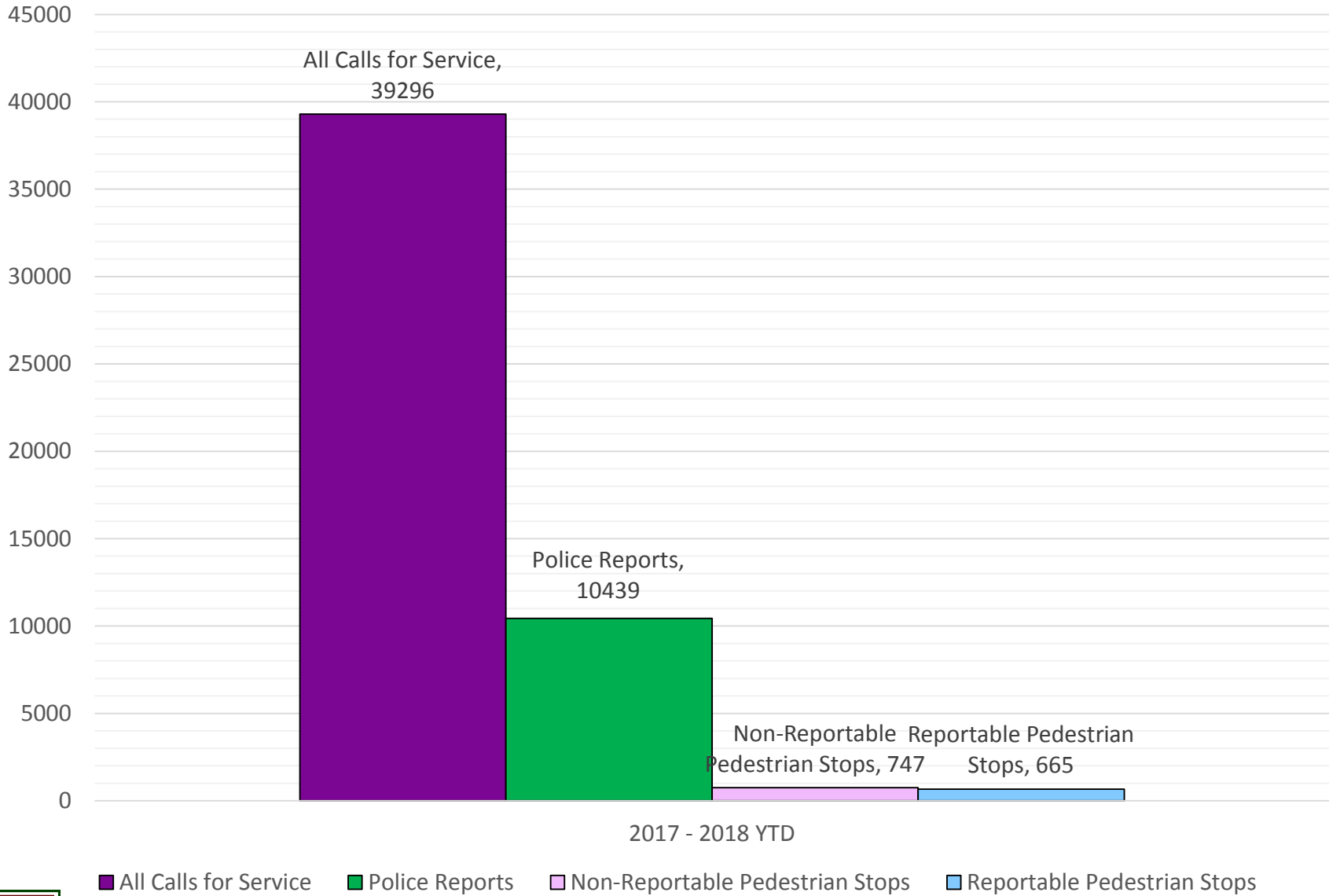
Agency Comparisons



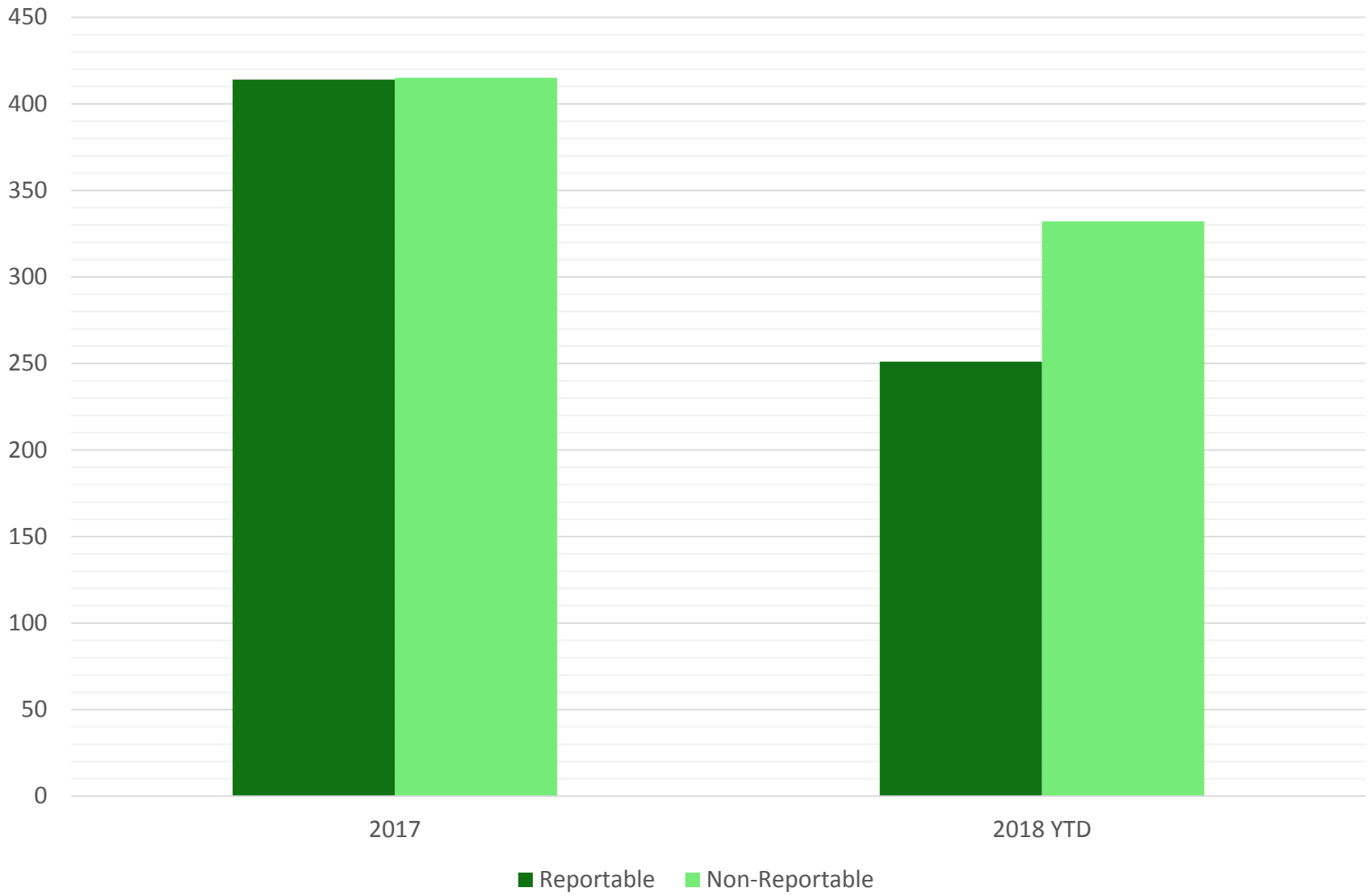
Source: <http://www.isp.state.il.us/crime/cii2016.cfm>



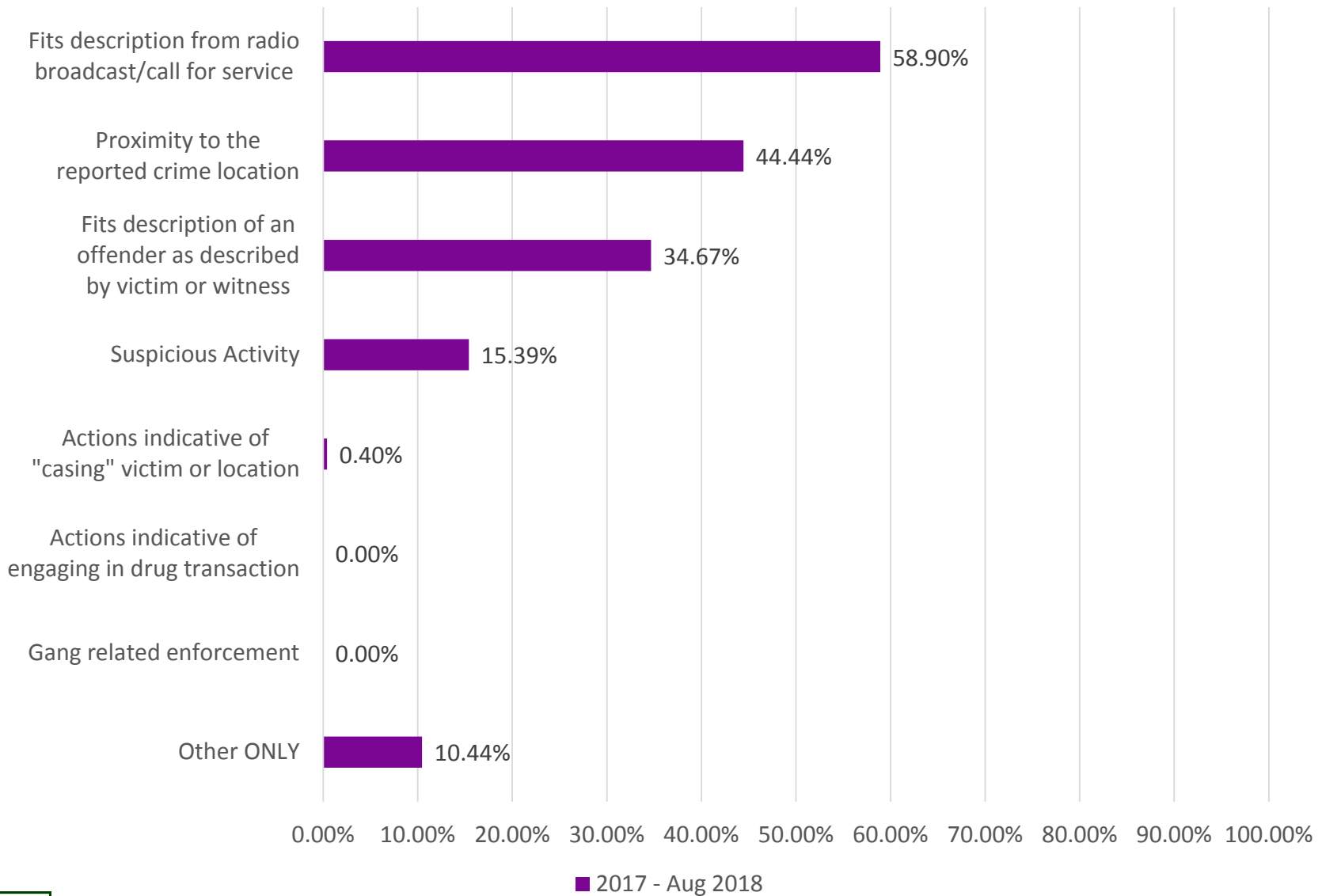
All Police Contacts: January 1, 2017 – August 31, 2018



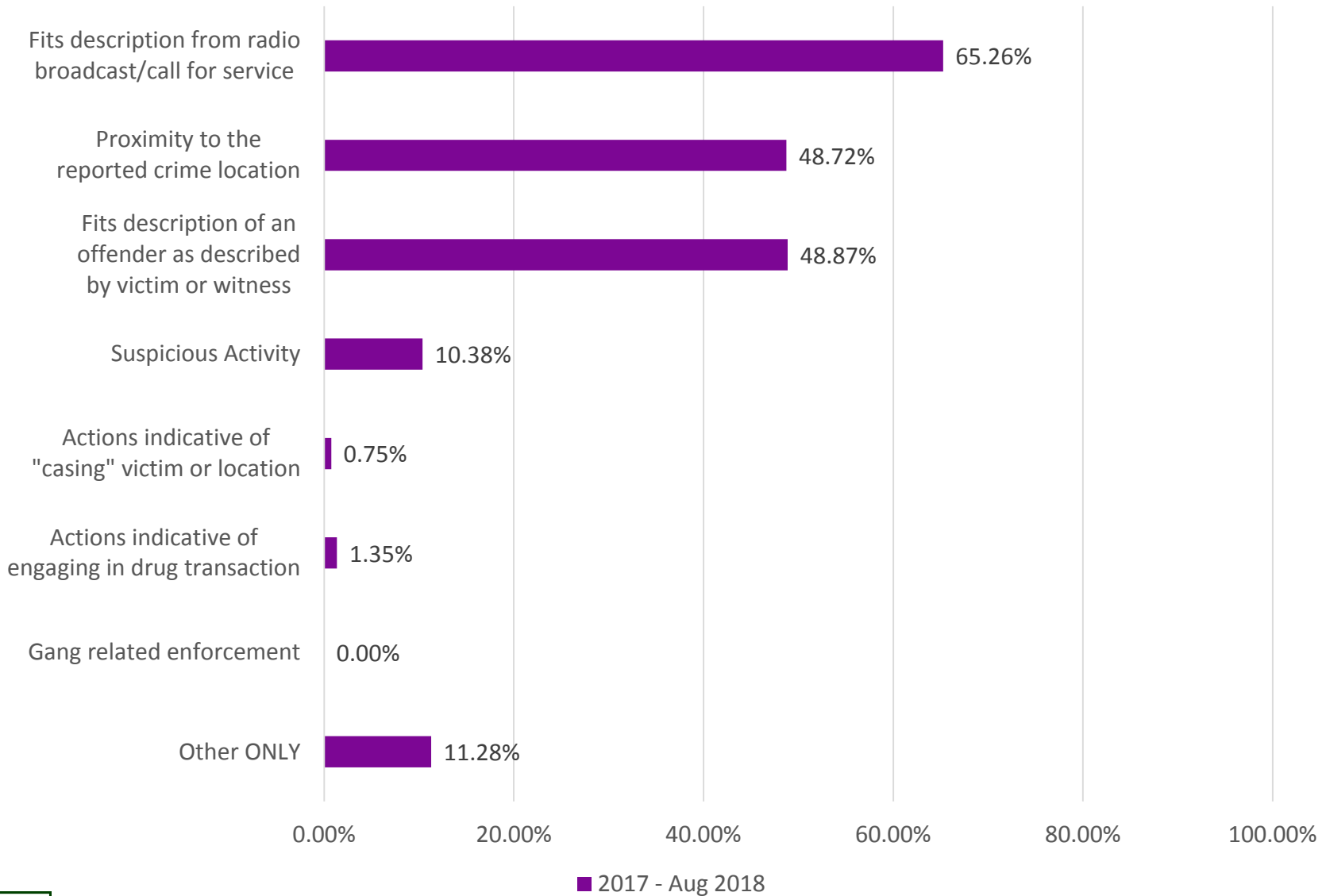
Pedestrian Stops: January 1, 2017 – August 31, 2018



Non-Reportable Pedestrian Stops: January 1, 2017 – August 31, 2018

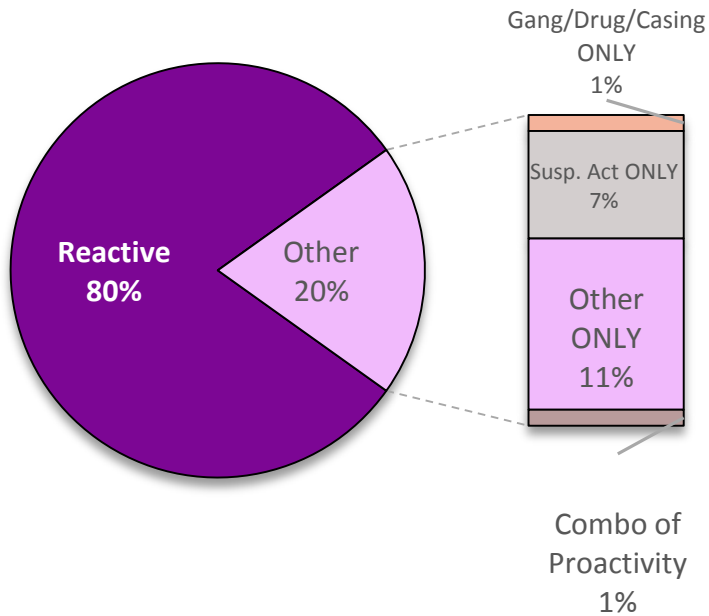


Reportable Pedestrian Stops: January 1, 2017 – August 31, 2018

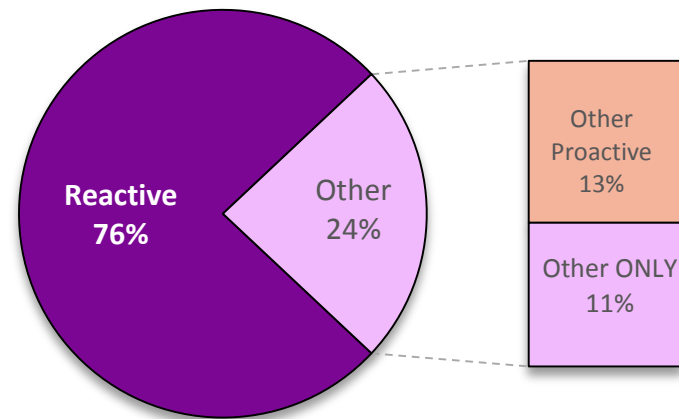


Non-Reportable Pedestrian Stops: January 1, 2017 – August 31, 2018

REPORTABLE PEDESTRIAN STOPS



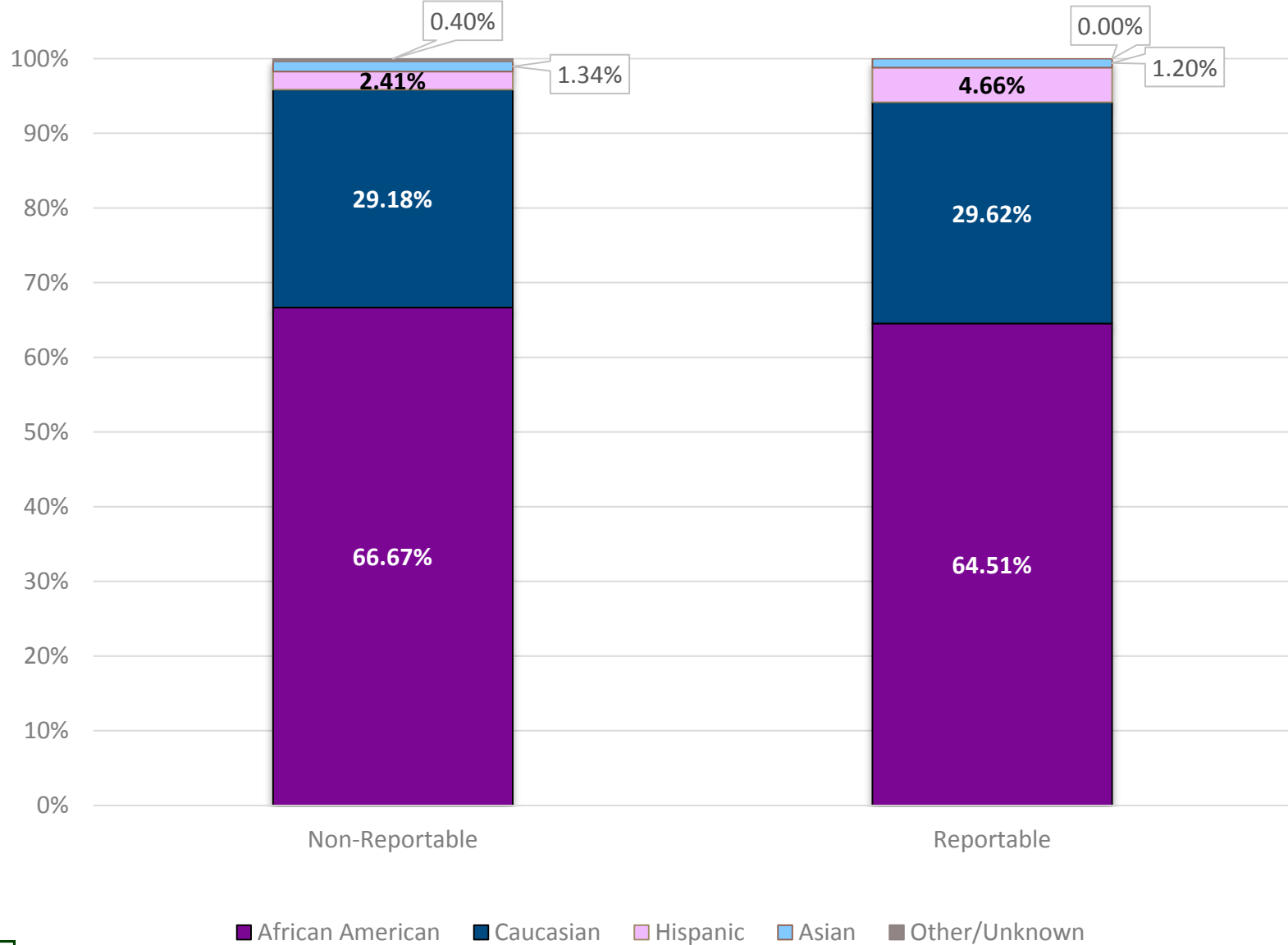
NON-REPORTABLE PEDESTRIAN STOPS



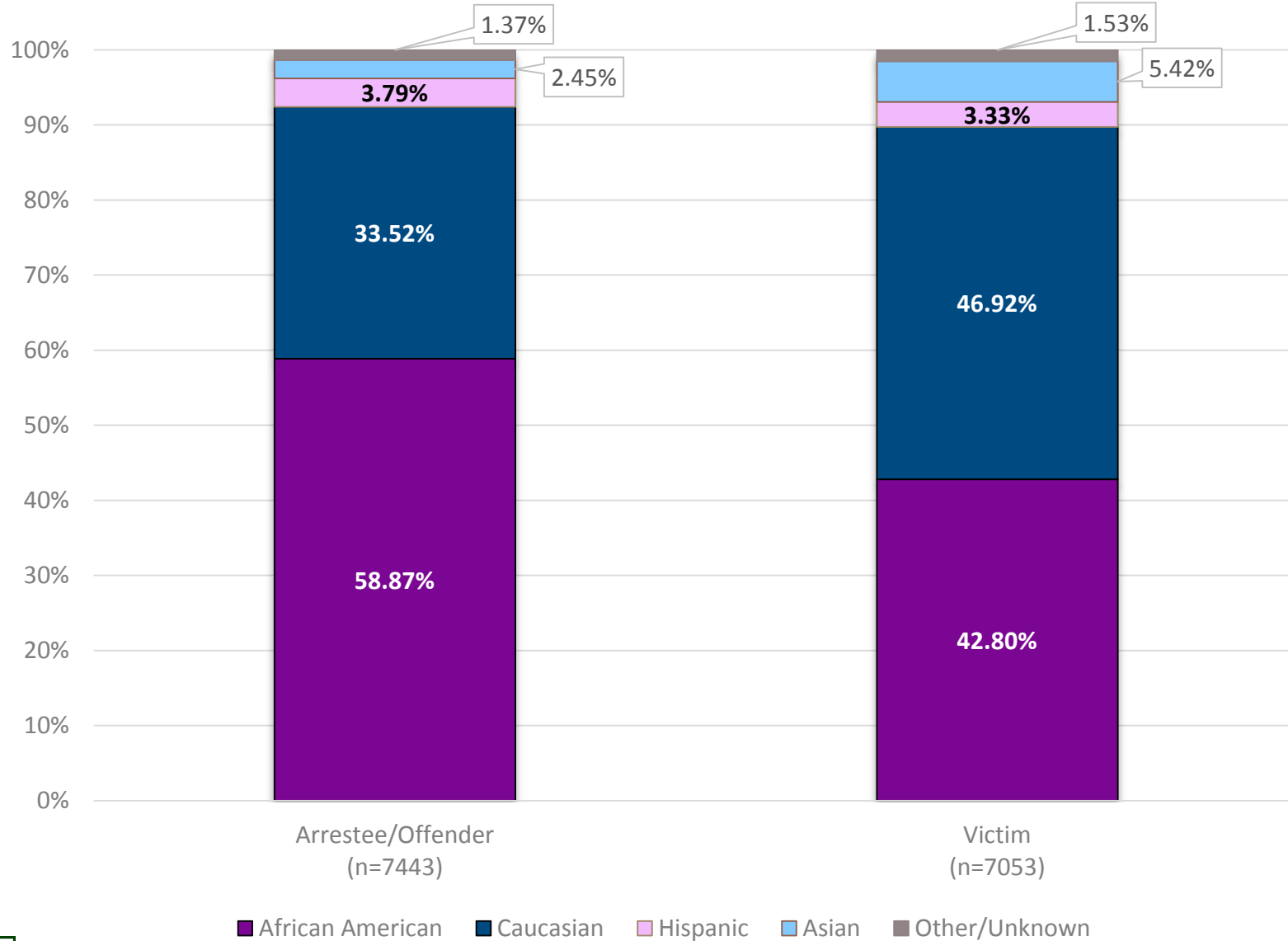
Reason for Stop: Other ONLY, Non-Reportable, 2017 - YTD



Demographics of Pedestrian Stops: January 1, 2017 – August 31, 2018



Demographics from Police Reports: January 1, 2017 – August 31, 2018



- **Questionable comparability to other agencies**
- **Most stops reactive in reason**
- **Demographics of pedestrian stops closely mirrors the demographics of police reports**
- **All data available:**
<https://data.urbanaininois.us/Police/IDOT-Stop-Sheets/7sb6-4m5x>



URBANA POLICE DEPARTMENT: PEDESTRIAN STOPS

URBANA POLICE DEPARTMENT | CRIME ANALYSIS

EMAIL QUESTIONS MAY BE DIRECTED TO:

Melissa Haynes, Crime Analyst at crimeanalysis@urbanainlinios.us



Urbana Police Department Memorandum

To: All Personnel
From: Lt. Bryant Seraphin
Re: IDOT Pedestrian Stop Data Collection Guidelines for UPD
Date: January 29, 2016 (last revised date)

Introduction

On December 31, 2015, the original version of this memo was published in order to provide guidance to UPD officers in fulfilling our obligations in regards to the Traffic and Pedestrian Stop Statistical Study Act [625 ILCS 5/11-212] as well as the Temporary Questioning Without Arrest statute [725 ILCS 5/107-14], both parts of the Police and Community Relations Improvement Act. The Illinois Department of Transportation (IDOT) has been tasked with collecting all of the information gathered.

As further or clarifying information becomes available, this guideline memorandum will be updated and re-published to UPD employees. This version shall become effective on February 1, 2016.

Traffic and Pedestrian Stop Statistical Study Act [625 ILCS 5/11-212]

Similar to our efforts in regards to the IDOT traffic stop study, Illinois officers are now being asked to collect information with regards to pedestrian stops. The statute reads, in part, as follows:

“Whenever a law enforcement officer subjects a pedestrian to detention in a public place, he or she shall complete a uniform pedestrian stop card...”

The statute goes on to define what a detention is, **which is different than the traditional police interpretation of the term ‘detention’ under the Fourth Amendment**. Specifically, with regards to the pedestrian stop study:

“For purposes of this subsection (b-5), ‘detention’ means all frisks, searches, summons, and arrests.”

So, for a pedestrian stop to be **reportable to IDOT**, there must be:

1. an investigative stop (Terry Stop detention)
2. of a pedestrian
3. in a public place
4. involving a frisk, search, summons (NTAs), or arrest.

In order to collect the most complete data and to be able to compare with other investigatory detentions made by UPD, we are going to collect *more* information than is required. Specifically, we will complete Stop Sheets on all Terry Stop detentions (or greater level of suspicion [e.g. probable cause or on-view arrest]) of *persons* in public places, even those that do NOT result in a search, frisk, arrest, or summons. Please understand that UPD is going to fill out Stop Sheets for **PERSONS** (beyond only pedestrians), to include:

- pedestrian
- motor vehicle occupant not covered by IDOT sticker (i.e. 10-37 occupants)
- bicyclist
- other

So, for a UPD Stop Sheet to be completed, there must be:

1. a detention
2. of a PERSON
3. in a public place.

Definitions

Defining certain key terms will allow for more consistency within the data collected. Please see the terms and definitions below:

1. **Pedestrian** – As per the IVC (625 ILCS 5/1-158), “any person afoot or wearing in-line speed skates” will be considered a pedestrian. Bicyclists are not considered a pedestrian for this study.
2. **Bicycle** – As per the IVC (625 ILCS 5/1-106), a bicycle is “every device propelled by human power upon which any person may ride, having two tandem wheels except scooters and similar devices.”
3. **Public Place** – UPD will use a definition consistent with the Aggravated Battery statute, “on or about a public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter.” Key to this understanding is that the area being considered a public place must be accessible to the public, irrespective of whether the property is publicly or privately owned. The full definition of “place of public accommodation” can be found in 775 ILCS 5/5-101.

Temporary Questioning Without Arrest [725 ILCS 5/107-14]

In addition to the collecting of data, police have also been tasked with providing citizens subject to searches and frisks to be provided a receipt. The statute cited consists of two subsections, ‘a’ and ‘b.’ Subsection ‘a’ gives law enforcement the right to conduct Terry Stops while subsection ‘b’ tells officers to provide the citizen subjected to the stop **involving a search or frisk** with a receipt.

“Upon completion of any stop under subsection (a) involving a frisk or search, and unless impractical, impossible, or under exigent circumstances, the officer shall provide the person with a stop receipt which provides the reason for the stop and contains the officer’s name and badge number.”

Documentation – UPD Stop Sheets and Receipts

The following guidelines shall be followed so that Urbana police officers will be in compliance with statutes and revised directives effective February 1, 2016.

1. **Field Interviews – General**: For routine interactions that do not rise to the level of an investigatory detention or Terry Stops (e.g. false business alarms, civil disputes, etc.), a standard FI card or report shall be completed. A Stop Sheet is not needed at this level.
2. **Investigatory Stops / Detentions**: For investigatory stops or detentions (reasonable suspicion or higher level of certainty, e.g. probable cause) where UPD is detaining a **person** in a public place, a Stop Sheet shall be completed, along with one of the following:
 - Field Interview Card – If the encounter results only in an FI card, the FI card shall be attached to the Stop Sheet and submitted.
 - Police Report – If the encounter results in a police report, the Stop Sheet shall be submitted with the report.

Please check the “Call for Service” box under “Reason for Stop” on the Stop Sheet if you were dispatched to the event that caused you to make the investigatory stop. This will help in determining proactive activity versus responsive activity.

3. **Receipts – Search or Frisk**: Whenever an officer subjects a person to a detention in a public place and subjects that person to a search or frisk, we must provide the citizen with a receipt. We will do this for arrests as well (assuming we conduct a search incident to arrest). We will also provide a receipt if requested by the citizen.

For the time being, a UPD officer shall provide a citizen with a business card containing their name and badge number, and the officer shall write the reason for the stop on the back of the business card. While shorthand is acceptable, please mirror the handwritten reason to match one of the eight reasons on the Stop Sheet under “Reason for Stop.”

Do not prolong the stop just to give a receipt. It is clearly UPD’s desire to give out receipts (business cards for now), but we will not physically restrain someone to do so. If the subject leaves, please note that on the FI card or report. They are not Resisting or Obstructing a Peace Officer by not waiting for their receipt.

Finally, please note on the FI card or report that the receipt was given. “Receipt provided,” or similar verbiage, shall suffice to document the completed task.

Conclusion

In summary, if a detention is made of **person** in a public place, a Stop Sheet shall be filled out and submitted, either with an FI or the report.

In addition to the Stop Sheet, if a detention is made of a **person** in a public place and a search or frisk occurs, a receipt shall be given to the subject.



Office of the Mayor
Diane Wolfe Marlin

City of Urbana
400 South Vine Street
Urbana, IL 61801
Office: (217) 384-2456
dwmartin@urbanaininois.us

August 9, 2018

Ms. Erin Aleman, Director
Illinois Department of Transportation
Office of Planning and Programming
2300 South Dirksen Parkway
Springfield, Illinois 62764

Re: Illinois Pedestrian Stop Study

Dear Ms. Aleman:

Two years of data has been collected with regards to the pedestrian stop study pursuant to Public Act 99-352. Our City has begun to study the data collected for 2016 and 2017. We are very concerned about the validity of the information, given the improbably wide variation in the numbers of stops reported by cities of similar size and demographics across the state.

Below is a chart with some cities that are comparable in population to Urbana, some that are comparable in population to Champaign, and some that are comparable in population to Champaign and Urbana combined. (It should be noted that while Urbana and Champaign are two separate cities, sometimes it becomes important to look at both cities together because of their close geographic locations to get a complete picture of what is going on, rather than looking at them as two individual entities.) As you can see, there are some very stark differences in the total number of pedestrian stops reported to IDOT amongst the listed agencies.

Urbana police personnel interpreted the statute to mean that we were to collect information on people who were detained in a public place who were frisked, searched, summonsed, or arrested. Not only does that pertain to people with whom officers get out with on a voluntary contact that turns into something else, but it also pertains to suspects that we may stop that match the description of a crime that has just occurred. As such, we believe that Urbana is collecting and submitting the data as completely and accurately as the law intended. Even a cursory examination of some of the numbers as reported by other cities leave one to wonder how the numbers of comparably sized cities could be so low.

CITY	2016	2017
Urbana (population 42,000)	621 *	414
Normal (population 54,000)	99	24
Dekalb (population 43,000)	500	141
Danville (population 31,600)	25	2
Bloomington (population 78,000)	368	161
Champaign (population 86,000)	767	576
Decatur (population 72,700)	89	18
Peoria (population 110,000)	167	17
Springfield (population 115,000)	202	83

- IDOT shows Urbana with 733 stops for 2016 due to the University of Illinois submitting three months worth of their data under the City of Urbana.

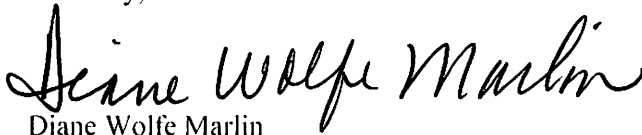


If this law's purpose is to be able to analyze meaningful data, it simply has to be uniform in what is being collected. However, when Urbana personnel contacted IDOT for guidance on the meaning of the language of the law so that we could make sure we were doing it correctly, we were told that they could not give any guidance. It is easy to sit as a member of the legislature and believe this is a simple task when they do not know all of the differing scenarios that police deal with on a day-to-day basis. In my opinion, all of the data collected up to this point is useless for comparison across jurisdictions and cannot credibly be used to draw any meaningful conclusions. Yet, our citizens are looking at the data and questioning Urbana leaders as to why our numbers are so large and then inferring that we are policing very differently from other cities. I would argue adamantly that we are not, and that the numbers are a result of how things are being counted and not how the community is being policed. The need to reconcile this conflicting information and address the resulting concerns of our citizens requires action from IDOT.

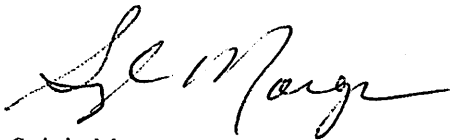
The City of Urbana and the Urbana Police Department strive for transparency in everything that we do. The amount of scrutiny that Urbana police officers have been under the past several years was at the forefront in our thought process as we were evaluating and interpreting the pedestrian stop study law and guiding our officers on what needed to be collected.

I implore you to address this situation. Something must be done to make this effort more beneficial to everyone by issuing guidance to police departments on what exactly was intended by the law (including providing guidance to us if we are not counting in a statistically consistent manner). Only then can meaningful and accurate data be compiled in the years to come.

Sincerely,



Diane Wolfe Marlin
Mayor



Sylvia Morgan
Chief of Police

Cc: Senator Scott Bennett
Senator Chapin Rose
Representative Carol Ammons



Illinois Department of Transportation

Office of Planning & Programming
2300 South Dirksen Parkway / Springfield, Illinois 62764

August 30, 2018

Honorable Mayor Diane Wolfe Marlin
City of Urbana
400 South Vine Street
Urbana, Illinois 61801

Dear Mayor Marlin,

Thank you for communicating your concerns pertaining to the Illinois Pedestrian Stop Study. The Department is unable to provide a guidance for law enforcement agencies on how to interpret the requirements of Public Act 99-352 entitled Traffic and Pedestrian Stop Statistical Study (625 ILCS 5/11-212). If law enforcement agencies have questions regarding the interpretation of the Traffic and Pedestrian Stop Statistical Study, the Department recommends that each agency speak with their municipality's legal counsel to ensure accuracy and/or compliance by the law enforcement agency.

If there is confusion within the statute's language, law enforcement agencies may want to speak with their State Representatives and Senators in order to clarify the statutory language. The City of Urbana may also reach out to other law enforcement agencies or associations and work with those entities to create a guidance within the law enforcement community to be used to interpret this statute.

The Department is here to help you if the City of Urbana is having issues with the submission of the traffic or pedestrian data. Julie Neposchlan handles the Illinois Traffic and Pedestrian Stop Study for the Department and is available to assist municipalities and law enforcement agencies. Julie can be reached at 217/524-1117 or Julie.Neposchlan@illinois.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Aleman'.

Erin L. Aleman,
Director of Planning and Programming

cc: Sylvia Morgan, Urbana Chief of Police