

Report of the Urbana IDOT Traffic Stop Data Task Force to the Urbana City Council

In January 2014, the Urbana City Council established a Traffic Stop Data Task Force to examine data regarding racial disparities in traffic stops by the Urbana Police Department. The data we were tasked with examining was collected by the Police Department, in part to provide to the Illinois Department of Transportation for their study of traffic stops. In June 2014, the Task Force met to begin its work. The Task Force divided its work into four major areas of study:

- Analysis of the collected statistics regarding traffic stops in order to look for racial disparities and possible causes of any such disparities
- A review of current police procedures and how the police engage with the community
- A study of the impact to the community of racial disparities in traffic stops, regardless of the causes of the disparities
- A survey of wider literature regarding traffic stops and racial disparities

This report is a compilation of the results of those four areas of study over the past year, along with the Task Force’s conclusions and recommendations.

The Task Force considers its work as the beginning, rather than the end, of this endeavor. While we have been able to do a significant review of the statistics, community impact, and police procedures and engagement, the most we could do in the very short amount of time we were given was to identify areas of further exploration and give recommendations for future action. There is a great deal of work ahead to address the issues we have identified in this report.

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Executive Summary

Terminology

This report uses the terms “bias” and “racial profiling” with particular meanings. With regard to our discussion of traffic stops, neither “bias” nor “racial profiling” necessarily implies malice or any official policy on the part of officers to stop drivers based on their race, or even conscious intent to do so. When used, these terms simply mean that the race of the driver is a factor in deciding whether and how a driver is stopped for a traffic violation.

When this report uses the term “hot-spot policing”, we are referring to the practice described in much of the literature on the topic whereby police officers are deployed to areas with higher crime rates or specific criminal activity. When we use the term “investigatory stop”, we are referring to the practice of officers making discretionary traffic stops in situations where they might otherwise not do so; while these discretionary traffic stops are based on actual observed traffic violations, the primary reason for making an investigatory stop is to engage in further investigation of other potential crimes in the area where the stop was made.

Summary of conclusions

Statistical Analysis

Like analyses that have been done in the past, our statistical analysis of the traffic stop data also shows a disproportionately large number of traffic stops are made of African-American drivers in our community as compared to any other racial group of drivers. Our analysis shows that this disparity is mostly due to differences in policing tactics. Specifically, a majority of the racial disparity in traffic stops can be attributed to the increased policing of neighborhoods that have predominantly African-American populations, due not only to police presence on the basis of specific service calls to those neighborhoods, but also due to the use of “hot-spot policing” and “investigatory stops”. When officers made stops with a specific purpose of monitoring particular traffic problems (for example, the department’s “STEPS” program), the racial disparities in traffic stops were much smaller. We only found a marginal difference in stops based on demographic factors such as the relative age of the drivers in different racial groups, or socio-economic factors such as the age and condition of vehicles. However, our analysis has also shown some evidence of bias in traffic stops when comparing African-American drivers to Caucasian drivers, not attributable to policing tactics or location of the traffic stop. The disparity in these cases was far less than the disparity due to policing tactics. Regarding the results of traffic stops, our statistical analysis found a disproportionately higher number of searches performed during traffic stops of African-American drivers. We also found that African-American and Hispanic

drivers paid disproportionately higher fines for traffic violations, mostly due to the fact that the specific violations carry higher fines and that they were more likely to be charged with multiple violations.

Community Impact

Through our interviews of community members and our review of data and literature, we found that having a disproportionate number of traffic stops of African-American drivers imposes profound negative impacts to the community that exist *independent of whether this disparity in traffic stops is otherwise justified*. A driver who happens to live in a neighborhood where police do additional patrols, either due to calls for service or hot-spot policing, is more likely to be stopped and ticketed than a driver who lives in a different neighborhood, even if the two drivers had identical vehicles and driving behavior. This means that drivers in such neighborhoods end up having greater financial hardships simply because of where they happen to live. Compounding this problem is that drivers in these neighborhoods tend to have comparatively lower incomes: Not only does having a lower income mean that the additional financial burdens hit one especially hard, the violations associated with the inability to afford insurance or license fees carry higher fines than other violations, making the situation even worse.

In addition to financial impact, there are also significant psychological and safety impacts of African-American drivers being pulled over disproportionately. Though traffic stops are rarely good experiences for anyone, we have found that African-American drivers experience a great deal of fear for their physical safety during traffic stops. These fears can be based on previous personal experiences with traffic stops that have gone poorly, as well as the knowledge of terrible police-public interactions that have taken place both historically and in current news. These fears are problematic in and of themselves, and repeated stops of a driver can make the situation worse. But those fears also create a situation with real physical danger: Because of these fears, drivers are on edge when interacting with officers. Officers, likewise, can behave negatively in response to fearful drivers, either as a result of poor interactions during a traffic stop or in anticipation of them. Our review of recent cases in the news indicates that interactions between officers and the public with such heightened emotions can spiral and end tragically. A disproportionate number of traffic stops, particularly when drivers are especially fearful, increases the risk of injury or death.

Police Procedure and Community Engagement

Urbana police officers perform “hot-spot policing” and “investigatory traffic stops”. Our review of the relevant legal research indicates that investigatory stops are legal, and there is evidence in the literature that such hot-spot policing does lower crime rates. However, our review of local procedures indicates that hot-spot policing in Urbana has been done on an ad-hoc basis and not systematically. Police command is not directing officers to particular areas to do hot-spot policing, but instead it is done at the discretion of individual officers, with the officer making the decision to police areas where they have observed higher crime rates. Furthermore, outcomes have not been consistently monitored due to a lack of police resources to do the kind data collection necessary. We find that the benefits of engaging in these practices must be measured and weighed against the negative impacts that such practices make in the community. Insofar as hot-spot policing continues to be

used, and we recognize that there are benefits in doing so, we find that the Police Department does not currently engage in a sufficient amount of community engagement to minimize the negative experiences that many African-American drivers have due to the resulting increased number of traffic stops that occur from the practice.

As part of our discussions with the Police Department regarding different types of policing, we found that traffic stops were not tracked as to type, whether hot-spot policing, specific traffic details, or other sorts of engagements. While we recommend in this report several additional kinds of information the Police Department should be collecting and reviewing to improve police procedures, the Department has already instituted a procedure to collect traffic stop type as part of their regular collection of traffic stop data due to our discussions with them.

Summary of Recommendations

There are many recommendations in the detailed portions of this report. This is a high-level summary of some of the key recommendations.

- The City Council should enlist a statistician to continue the review of traffic stop statistics on an annual basis to find any trends and identify biases that may exist.
- The Police Department should engage with the communities affected by disparate traffic stops, both to help educate the community on traffic stop expectations and how community members can help to reduce the number of traffic stops and citations, as well as to help educate officers on the experiences of the communities affected by disparate numbers of traffic stops.
- The Police Department should continue and expand the programs it has already initiated during the existence of the Task Force, particularly trainings on implicit bias, the collection and monitoring of additional traffic stop data (beyond IDOT requirements) to help eliminate disparities, and reviews of traffic stops with officers to assess the motivations, efficacy, and results of traffic stops.
- The City Council and Police Department should review policies to be sure that ticketing for traffic stops is done proportionally, across race or ethnicity, where traffic stops are disproportional due to specific police procedures.
- The City Council should review the disproportional economic impacts of citations for traffic violations and examine changes that might ameliorate those impacts. For example, fines for different traffic violations should be reviewed with an eye toward reducing fines that disproportionately impact the African-American and Latino communities.
- The Police Department should regularly review crime statistics to assure that any differences in police tactics are justified by significant reductions in crime rate as compared to the negative impact such tactics have on the communities where they are used.

Statistical Analysis

Community Impact

Police Procedure and Public Engagement

Appendices