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City Council Document Tracking Sheet

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Meeting Date: 9/13/2023

Sponsor(s): La Spata (01) *
Rodriguez-Sanchez (33) (C)
Fuentes (26) (C)
Rodriguez (22) (C)
Vasquez (40) (C)
Yancy (05) (C)
Cruz (30) (C)
Manaa-Hoppenworth (48) (C)
Hadden (49) (C)
Ervin (28) (C)

Type: Resolution

Title: Call for hearing(s) on pretextual police traffic stops in Chicago and impact on Black and Latine city residents

Committee Assignment: Committee on Pedestrian and Traffic Safety

RESOLUTION

WHEREAS, Black and Latine people in Chicago are consistently stopped by police at higher rates than their white neighbors, whether in a car, on a bike, on the sidewalk, or using public transportation; and

WHEREAS, Pretextual traffic stops continue to be used as a mechanism for public safety despite a lack of evidence demonstrating that these stops decrease traffic violence or violent crime; and

WHEREAS, The Chicago Police Department (CPD) relies heavily on traffic stops and made 511,796 traffic stops in 2022, a 35% increase in stops compared to 2021; and

WHEREAS, In 2021, Black people made up 28% of the driving population in Chicago but were subject to 61% of traffic stops and 65% of searches made during a traffic stop; and

WHEREAS, Between 2015 and 2021, Black drivers were six times more likely to be stopped and Latine drivers were two times more likely to be stopped, as compared to white drivers citywide; and

WHEREAS, From 2019 to 2021, 50% of traffic stops were made for either broken head or tail lamps or improper display of license/registration violations while less than 2% were made for speeding, reckless driving, and DUI; and

WHEREAS, CPD claims that traffic stops are a mechanism to fight violent crime but less than 1% of traffic stops in 2021 resulted in the recovery of illegal materials like drugs, alcohol, firearm, or other weapons; and

WHEREAS, The proportion of traffic stops resulting in citation has decreased each year since 2019, with only 4.26% of traffic stops resulting in a citation in 2021 and only 3.4% of traffic stops resulting in a citation in 2022. The rate of traffic citations in Chicago is significantly less than the rate of citations in Aurora (25%) and Joliet (79%) in 2021, the next largest cities in Illinois, and the rate of traffic citations in New York City (77%) in 2022 or Houston (52%) in 2021, suggesting that the extremely low rate of citations by CPD may indicate that curbing the driving behavior that led to the stop is not the primary objective; and

WHEREAS, Between 2018-2022 over 96% of the time that force was used during a traffic stop, it was used against people of color, and Black and Latine motorists stopped for a traffic violation are also more likely to be searched and to be arrested, compared to white motorists who are stopped; and

WHEREAS, The Los Angeles Police Department adopted a policy under which police can no longer use minor violations as an excuse to investigate motorists or pedestrians for more serious crimes, and prosecutors in Ramsey County, Minnesota, Chittenden County, Vermont, and San Francisco, California have enacted similar policies by refusing to prosecute cases that stem from pretextual stops; and

WHEREAS, Jurisdictions across the country, from Pennsylvania to Virginia, have implemented policies that bar police officers from stopping a driver solely for a low-level violation that does not pose an immediate threat to either public or roadway safety to curb the use of harmful and inefficient traffic stops; and

WHEREAS, Recognizing that current traffic enforcement practices disproportionately target Black and Latine people, eroding the trust between CPD and these communities; and

WHEREAS, A more racially equitable system of traffic safety could be created by ending pretextual stops, preventing law enforcement from making a stop for a vehicle code violation when their primary intention is to conduct a suspicion-less investigation for unrelated criminal activity, limiting law enforcement's ability to stop drivers solely for minor violations like broken headlamps and expired registration, and ending the use of suspicion-less consent searches by requiring law enforcement to have some level of reasonable suspicion to search vehicles and occupants; and

WHEREAS, Enacting these policy changes to prevent racially-biased traffic enforcement would lead to a greater focus on roadway safety efforts and regulation of dangerous driving behaviors, increased trust between police and targeted communities, reduced entry into the criminal legal system and financial burden for targeted communities, reduced police workload as officers adopt more efficient criminal investigation practices by no longer investigating at random; now, therefore,

BE IT RESOLVED, That we, the members of the City Council for the City of Chicago, do hereby call upon the Committee on Pedestrian and Traffic Safety to hold a subject matter hearing on pretextual police traffic stops in Chicago, the impact of these stops on City residents, especially Black and Latine individuals, and the policy solutions that the City could pursue to create a safer, more racially equitable system of traffic safety and enforcement in Chicago.

Daniel La Spata

Daniel La Spata
Alderman, 1st Ward

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