

Using Local Data to Reform Traffic Enforcement

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Using Local Data to Reform Traffic Enforcement

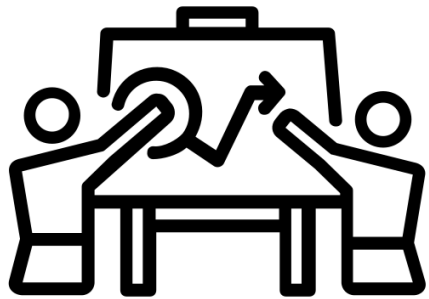
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The Microsoft Justice Reform Initiative works to empower communities and advance equity and fairness in the justice system.

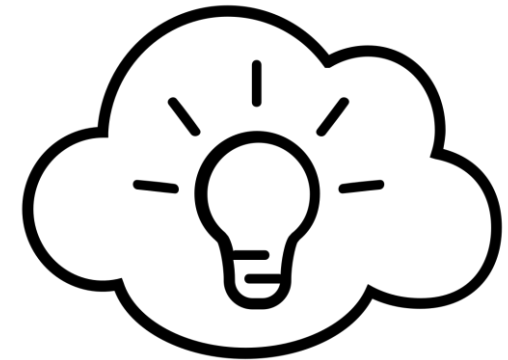
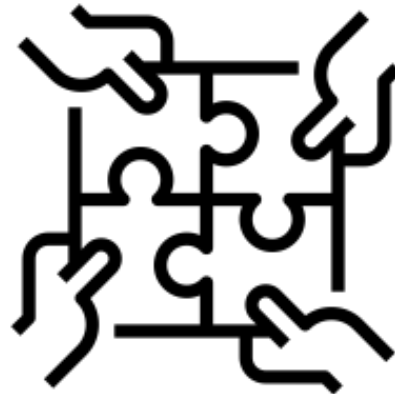


Catalyst Grant Program Goals

Build nonprofit capacity to use data and tech



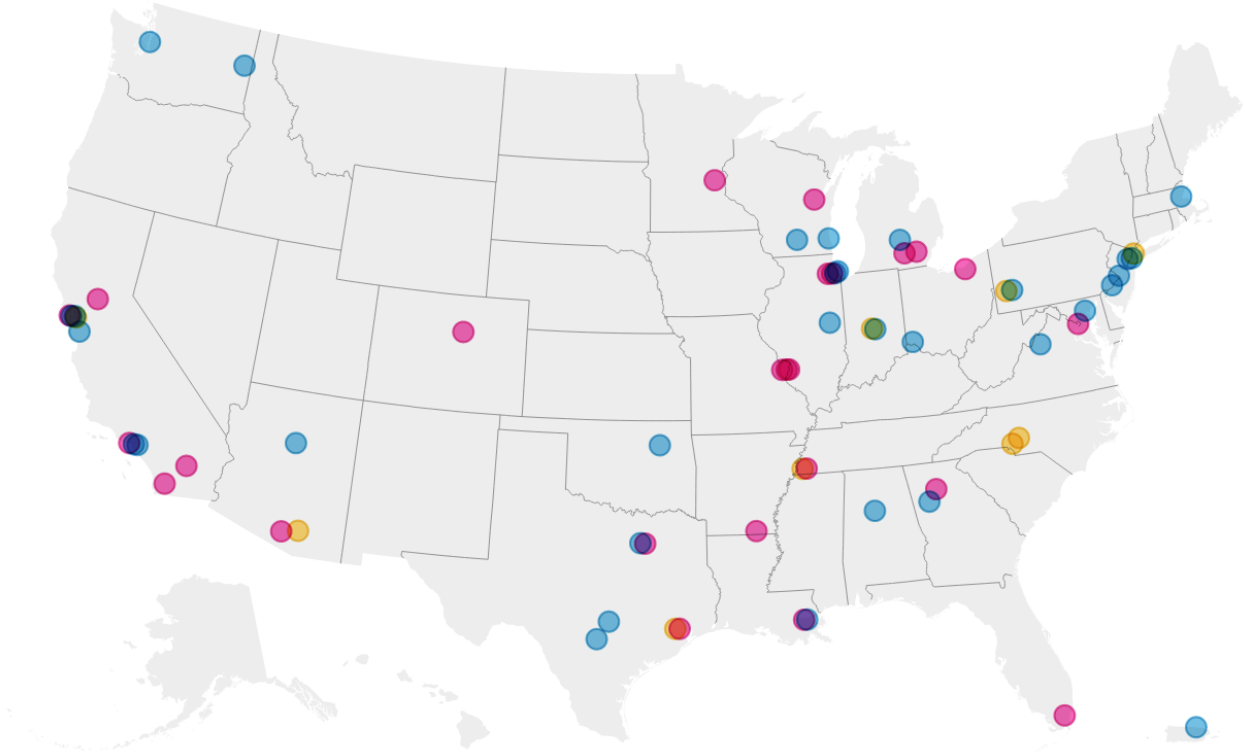
Implement projects with data and tech to advance equity and reform



Share innovations and lessons

Catalyst Grant Program Grantee Locations

2021 Cohort 2022 Cohort 2023 Cohort



Created with Datawrapper

Using Local Data to Reform Traffic Enforcement

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Updates from Previous Catalyst Grantees

- [How a Local Nonprofit Created a Case-Management Application to Better Serve Its Community](#) (blog)
- [How Justice-Focused Nonprofits Can Use External Funding to Improve Internal Processes](#) (blog)
- [Call Them by Their Names: Humanizing Practices in Writing about the Criminal Legal System](#) (guide)

Visit the [Catalyst Grant Program Insights](#) page to learn more!

Using Local Data to Reform Traffic Enforcement

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A wide-angle photograph of the San Francisco skyline, featuring the Transamerica Pyramid and other skyscrapers. In the foreground, there is a construction site with a yellow excavator and a white truck. A purple rectangular overlay is positioned across the middle of the image, containing white text.

Ending Biased Stops

Using Data to Support Pretext Stop Reform in San Francisco



-
- What Are Pretext Stops
 - High Cost of Pretext Stops in San Francisco
 - Opportunity for Reform in San Francisco
 - Coalition Work to Support Reform
 - Using Data to Highlight the Problem
 - What's Next





What Are Pretext Stops?

- Pretext stops are traffic stops where a person is stopped for a minor violation, such as having an air freshener hanging from their mirror, as a pretext for the officer to ask investigatory questions or conduct a search
- These are minor violations that have nothing to do with road safety - things like a taillight out or expired registration
- These experiences are commonly referred to as “driving while Black” or “driving while brown”
- Pretext stops are increasingly limited in many cities and some states across the country, including Philadelphia, Virginia, and Los Angeles

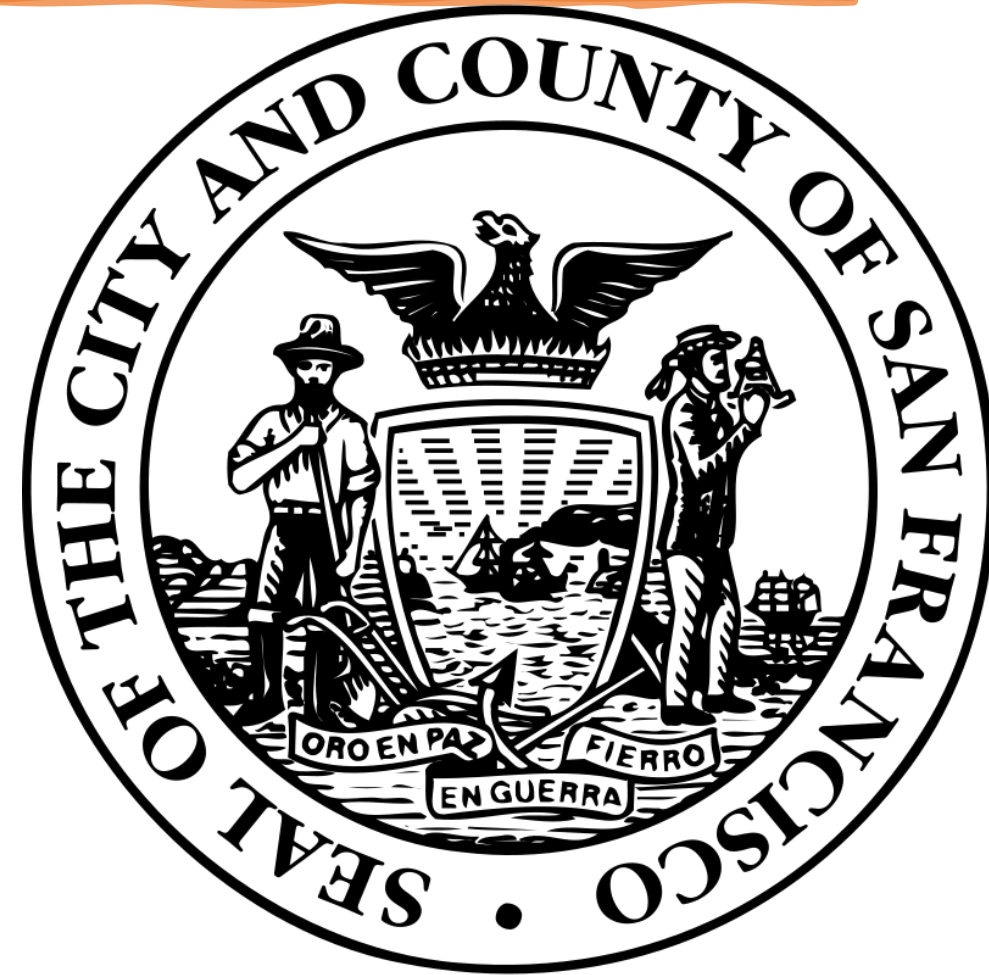


High Cost of Pretext Stops

- California has some of the most expensive traffic citations in the country
- A single traffic stop can easily result in citations of \$1,000 or more
- Lower income people, Black people, and Latinx people are disproportionately stopped and cited by police
- Traffic citations strip wealth from lower income communities
- Pretext stops are common and often result in these costly citations
- Pretext stops also harm police community relations
- High profile police shootings have called attention to traffic stops as potentially dangerous interactions for drivers

Opportunity for Reform in San Francisco

- San Francisco has long had concerns around bias in its traffic enforcement
- San Francisco traffic stop data has exposed racial disproportionalities in stops
- Pretext stops have been seen as a driver of racial disproportionality
- Community leaders and elected leaders began to call for an end to the practice of pretext stops in the city
- Mayor and other elected officials supported an end to pretext stops in San Francisco
- Police Commission begins a community engagement process to develop a rule governing pretext stops



Police Commission Begins Reform Process

- Volunteer civilian body, appointed by the Board of Supervisors and the Mayor, that oversees the police department
- Draft policy, called Department General Orders (DGO), that govern how the department operates
- Commissioners sought to understand the impact of pretext stops on public safety, road safety, and on community members
- Commissioners convened a working group and began a more than year long community engagement process to better understand pretext stops and their effects, as well as to identify best practices



Coalition Forms to Advocate for Reform



Bringing Everyone to the Table

- More than 110 organizations joined as coalition members
- Members included researchers, advocates, community groups, service providers, and impacted people
- Steering committee made up of more than a dozen organizations with diverse missions and goals, including criminal legal system reform, anti-poverty, road safety, and racial justice



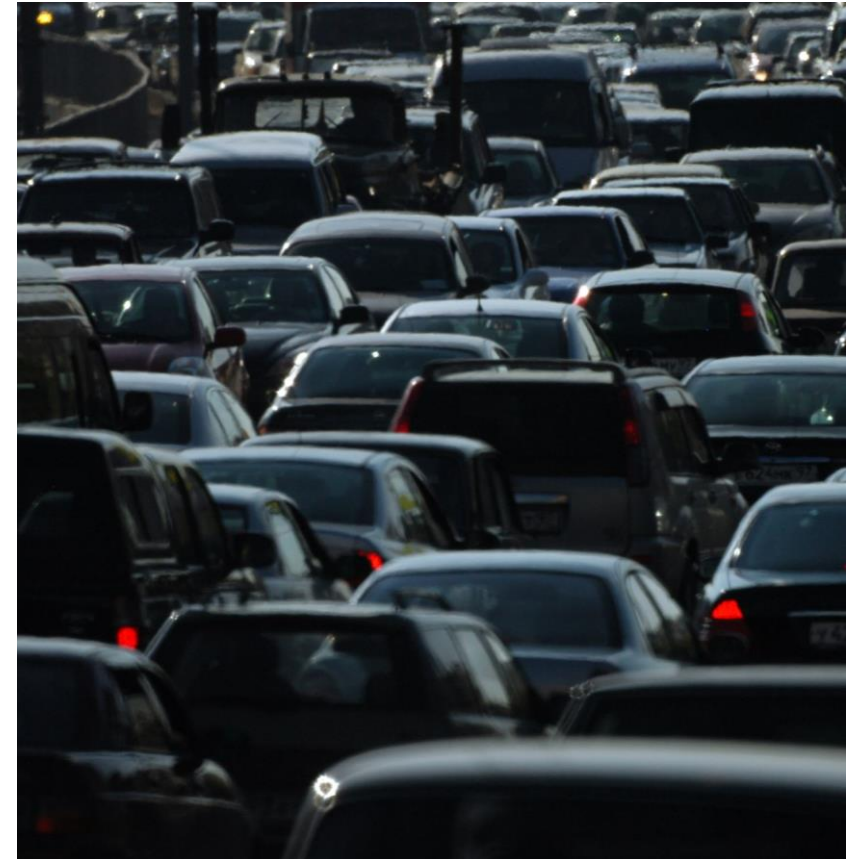


Data for Reform

- California law, Racial and Identity Profiling Act (RIPA), requires law enforcement officers to record specific data about traffic stops
- Officers must record demographic details, reason for the stop, result of the stop, location of the stop, and other details
- Data is reported to the state annually and is publicly available

Looking at the Evidence

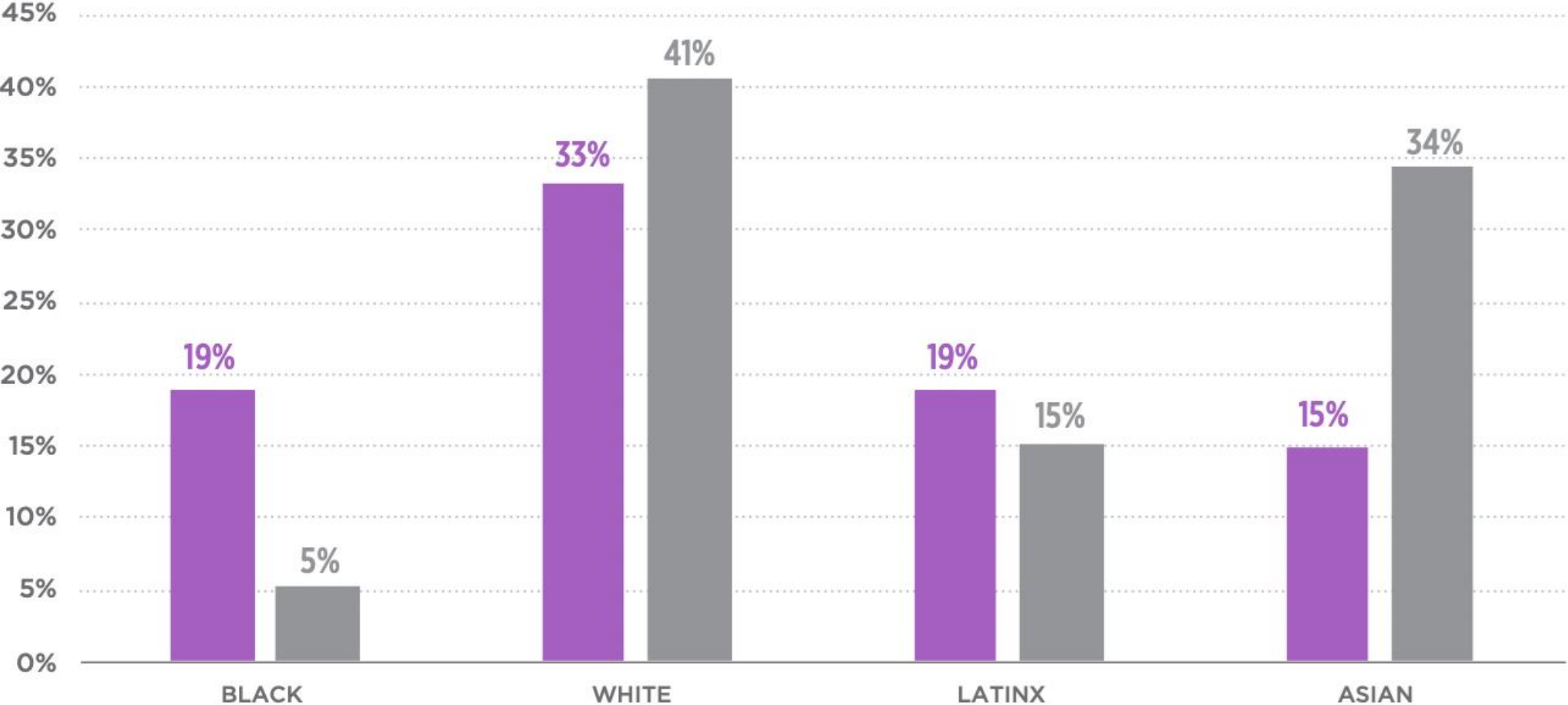
- Analyzed 2019 RIPA data to better understand traffic enforcement and driver behavior in San Francisco
 - Used 2019 data because it was the most recent year for which we have data where driver behavior was normal
 - Pandemic disrupted driving behaviors and make 2020 and 2021 data not useful for analysis
- Looked at large demographic groups to understand why drivers were being stopped by category and individual offense, result of the stop, and other factors
- Included arrest rate and search rate analysis to respond to public safety concerns
- Presented findings to the San Francisco Police Commission
- Here's some of what we found -



Black and Latinx Drivers Disproportionately Stopped

San Francisco Traffic Stops, by Race and Ethnicity

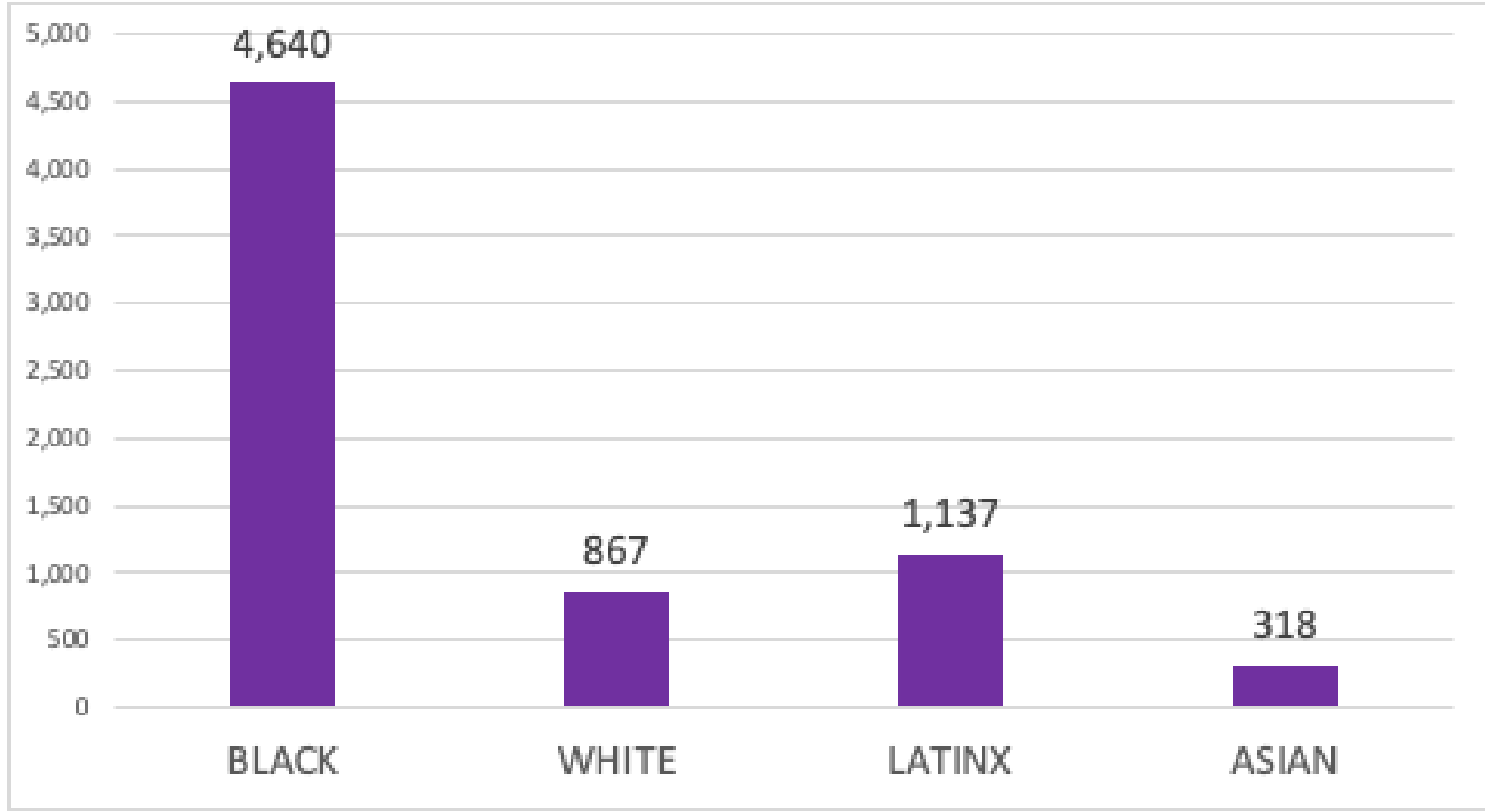
■ Share of Traffic Stops ■ Share of Population



Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers More than 5x as Likely to Be Stopped by Police than White Drivers

Per Capita Stop Rate, by Race and Ethnicity



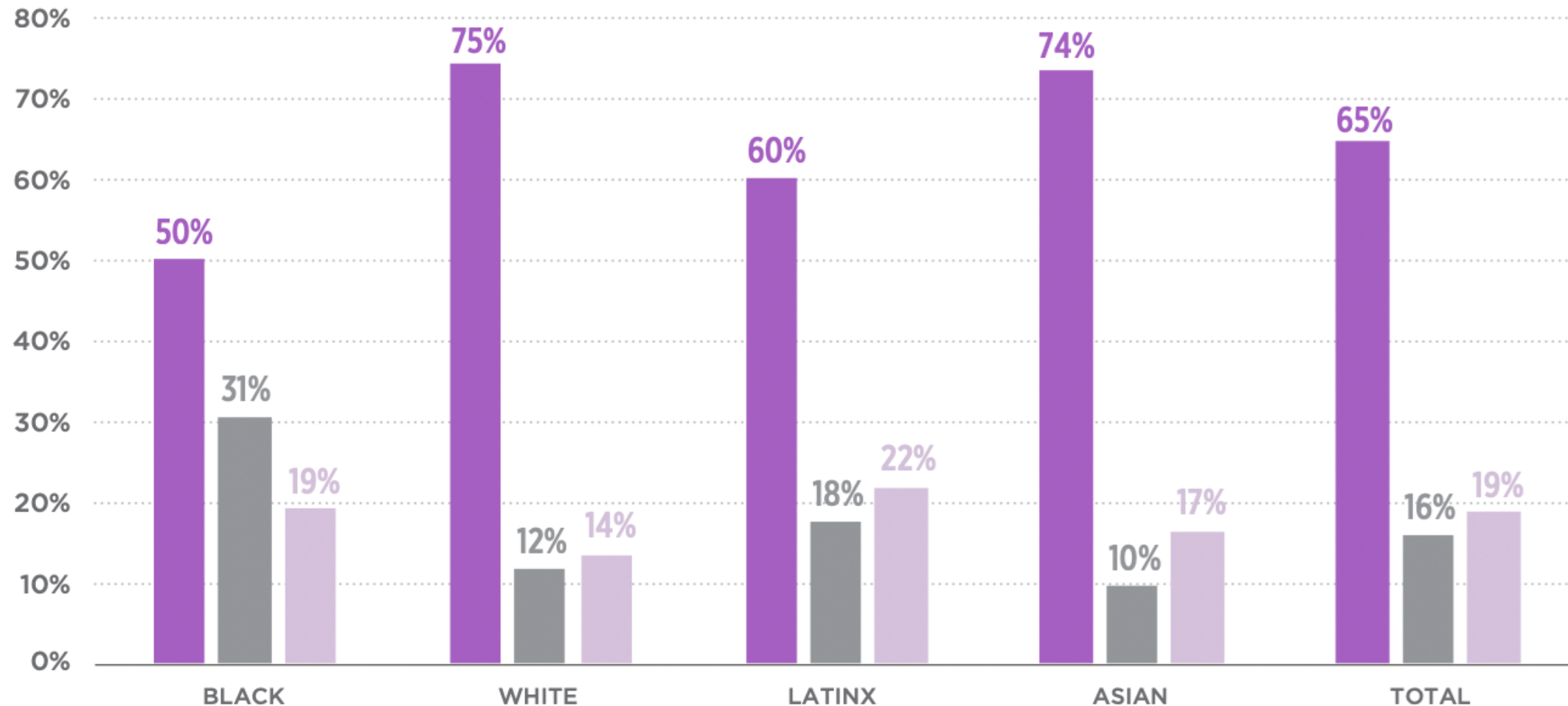
Per 10,000 San Francisco residents.

Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers Less Likely to Be Stopped for Moving Violations

Reason for Stop, by Race and Ethnicity

■ Moving ■ Equipment ■ Nonmoving

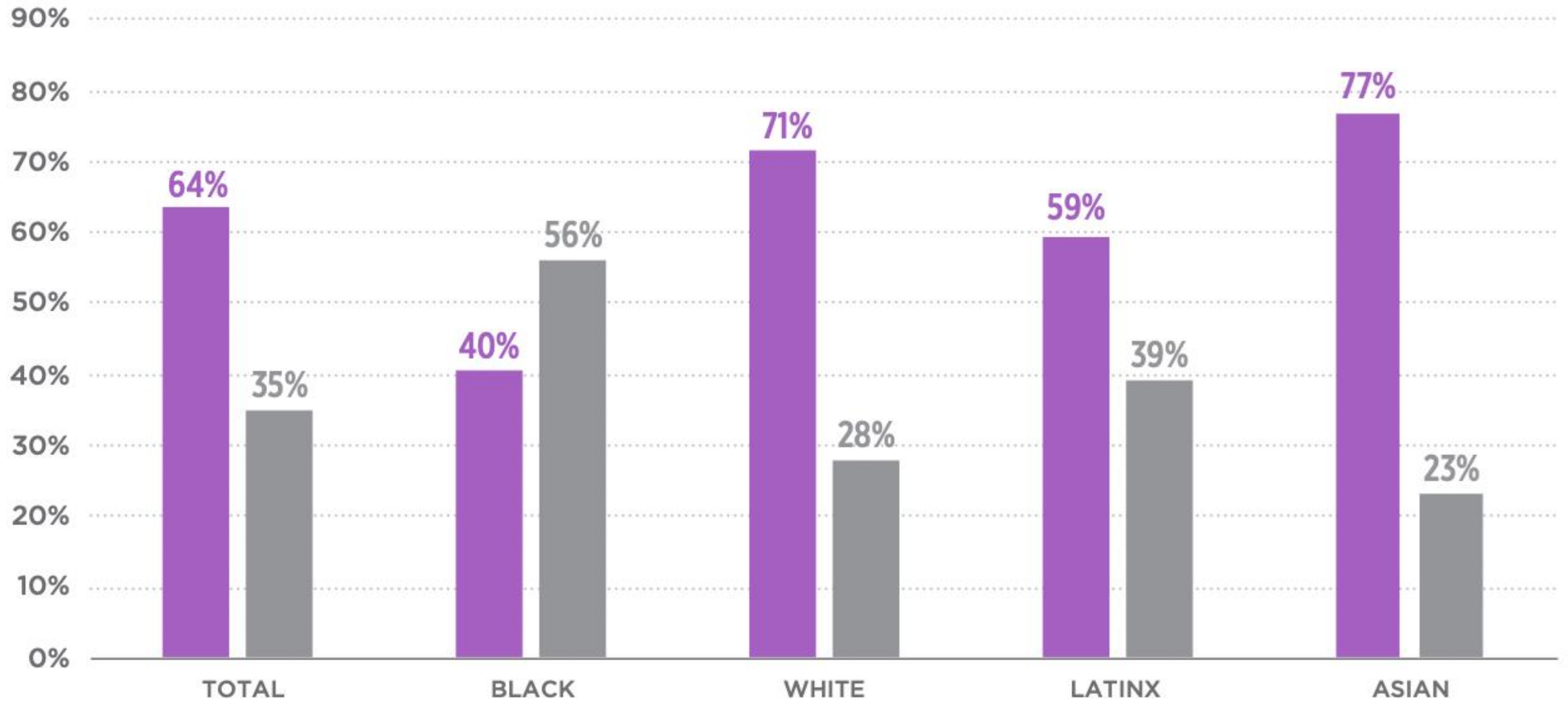


Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers Ticketed Just 40% of the Time

Result of Traffic Stop, by Race and Ethnicity

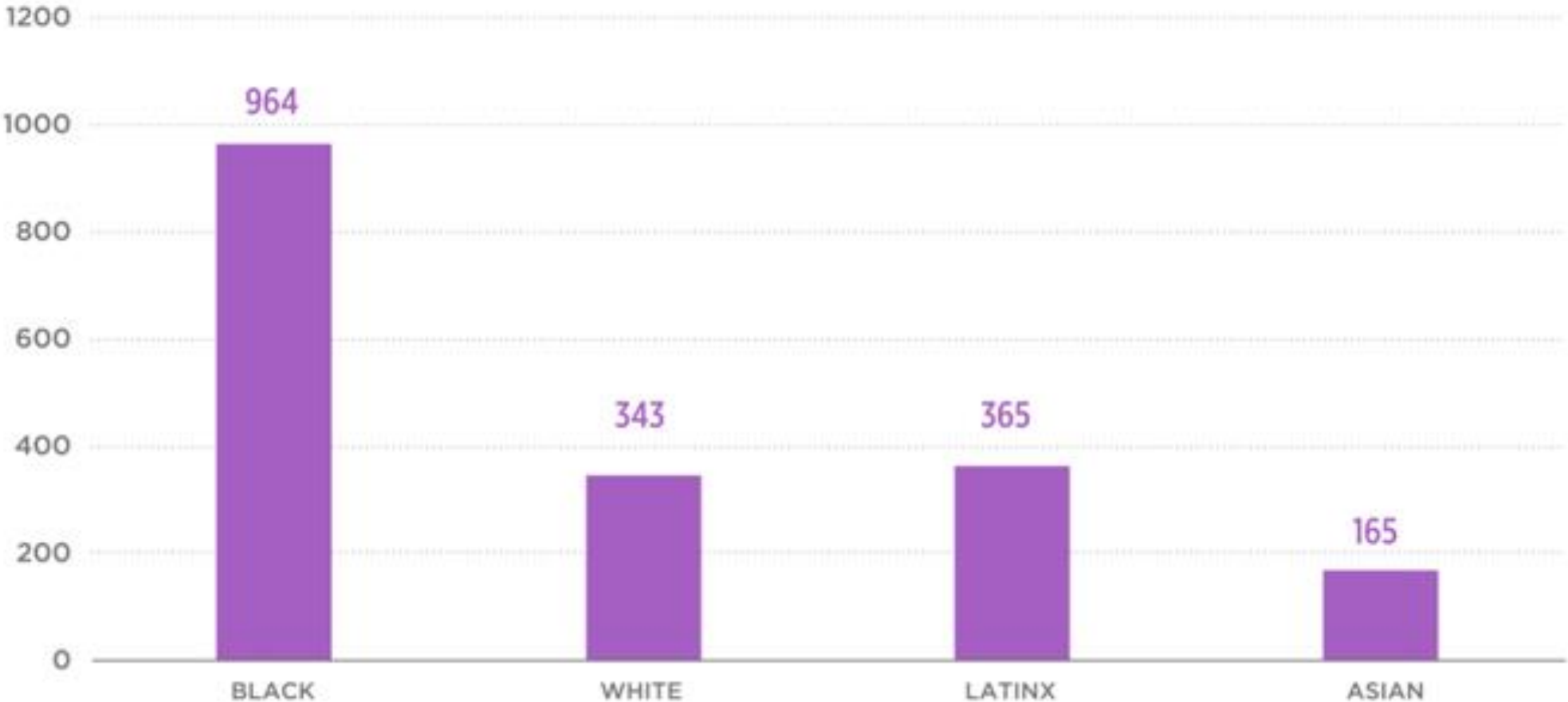
■ Citation ■ No Citation



Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers Ticketed at More than Double the Rate of Other Drivers

Per Capita Citation Rate, by Race and Ethnicity



Per 10,000 San Francisco residents.

Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Most Common Reason for Stop by Race and Ethnicity

	FIRST	SECOND	THIRD
BLACK	Display license plates incorrectly	Failure to obey signs or signals	No registration for vehicle, trailer, etc.
WHITE	Failure to stop vehicle at stop sign, crosswalk, etc.	Failure to obey signs or signals	Unsafe speed for prevailing conditions
LATINX	Local ordinance violation	Failure to obey signs or signals	Failure to stop vehicle at stop sign, crosswalk, etc.
ASIAN	Failure to stop vehicle at stop sign, crosswalk, etc.	Local ordinance violation	Unsafe speed for prevailing conditions
TOTAL	Local ordinance violation	Failure to stop vehicle at stop sign, crosswalk, etc.	Failure to obey signs or signals

Source: Analysis of 2019 RIPA Data

Pretext Stops Driving Racial Disparities in Enforcement

- Black and Latinx drivers are disproportionately stopped in San Francisco
- Both groups are disproportionately stopped for violations other than moving violations
- Black drivers are stopped for equipment violations more than any other racial or ethnic group
- Black and Latinx drivers are cited in fewer stops than White or Asian drivers
- Disparities in enforcement and low number of citations indicates stops are likely happening for a reason beyond road safety
- Commission uses data to identify pretext stops driving disparities with little to no impact on public safety and road safety

Deep Dive into the Most Common Reason Black Drivers are Stopped by Police

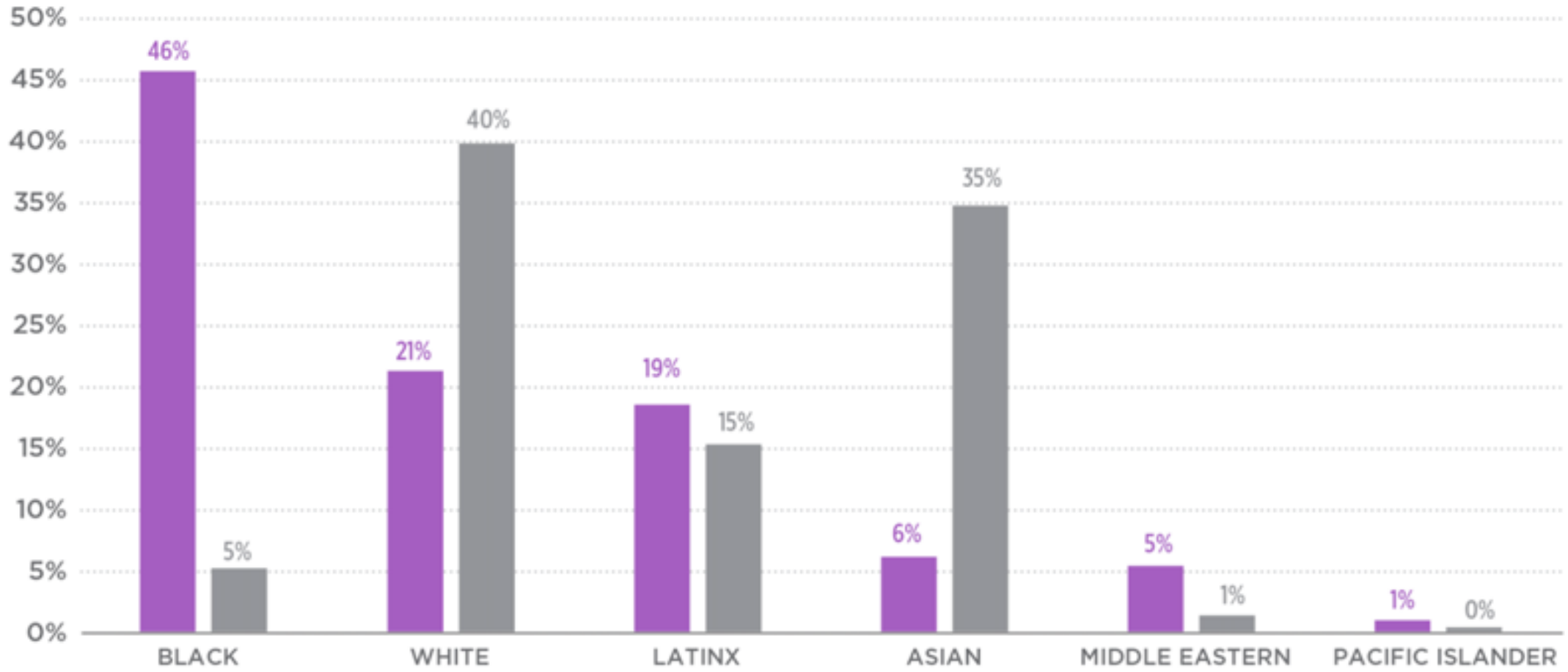
Licensed plates attached incorrectly is the most common reason Black drivers are stopped, but our analysis showed these stops have little to do with public safety and nothing to do with road safety



Black Drivers Made Up 46% of All Stops

Incorrectly Displayed License Plates, by Race and Ethnicity

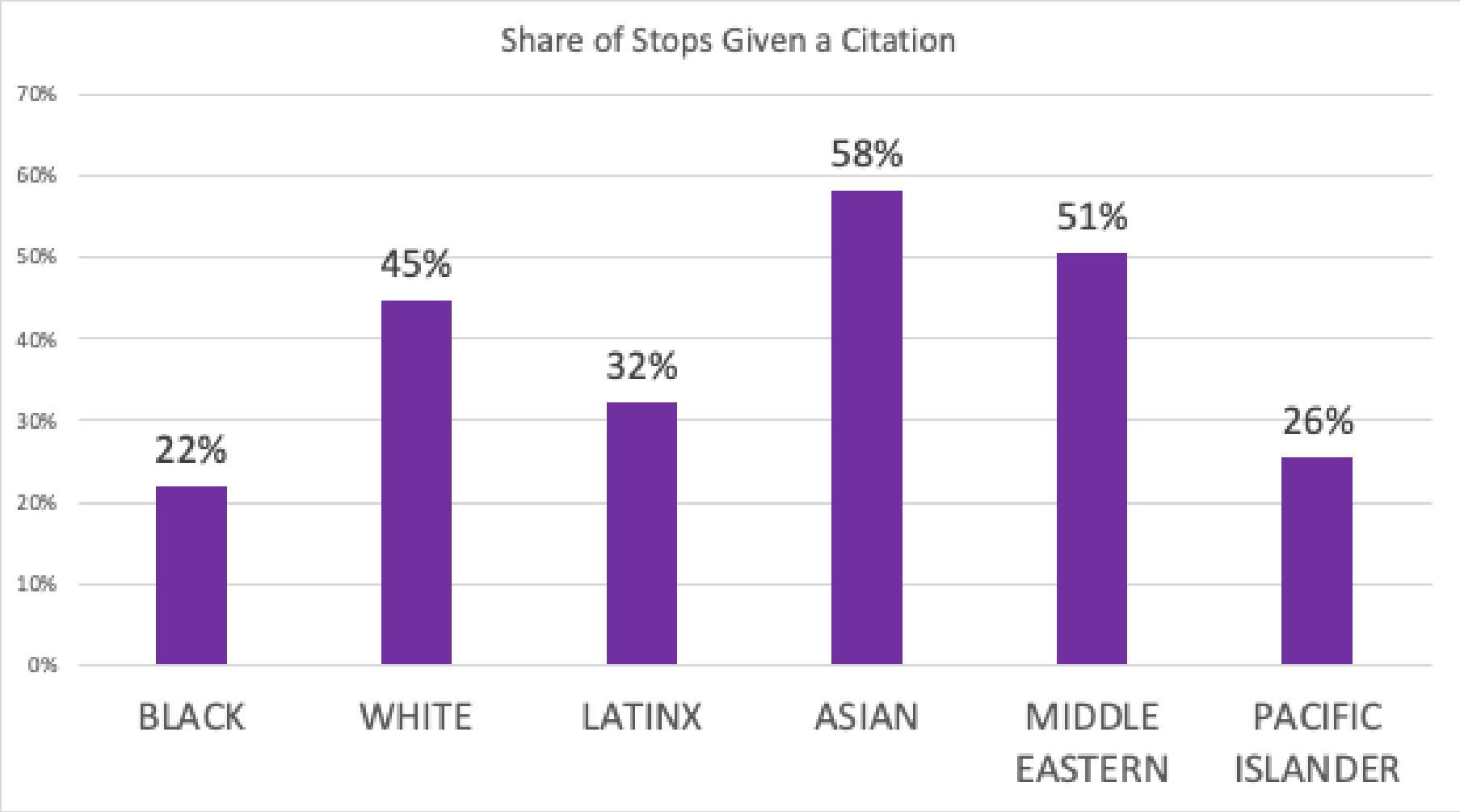
■ Share of Stops ■ Share of Population



Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers Were the Least Likely to be Cited for License Plates Displayed Incorrectly

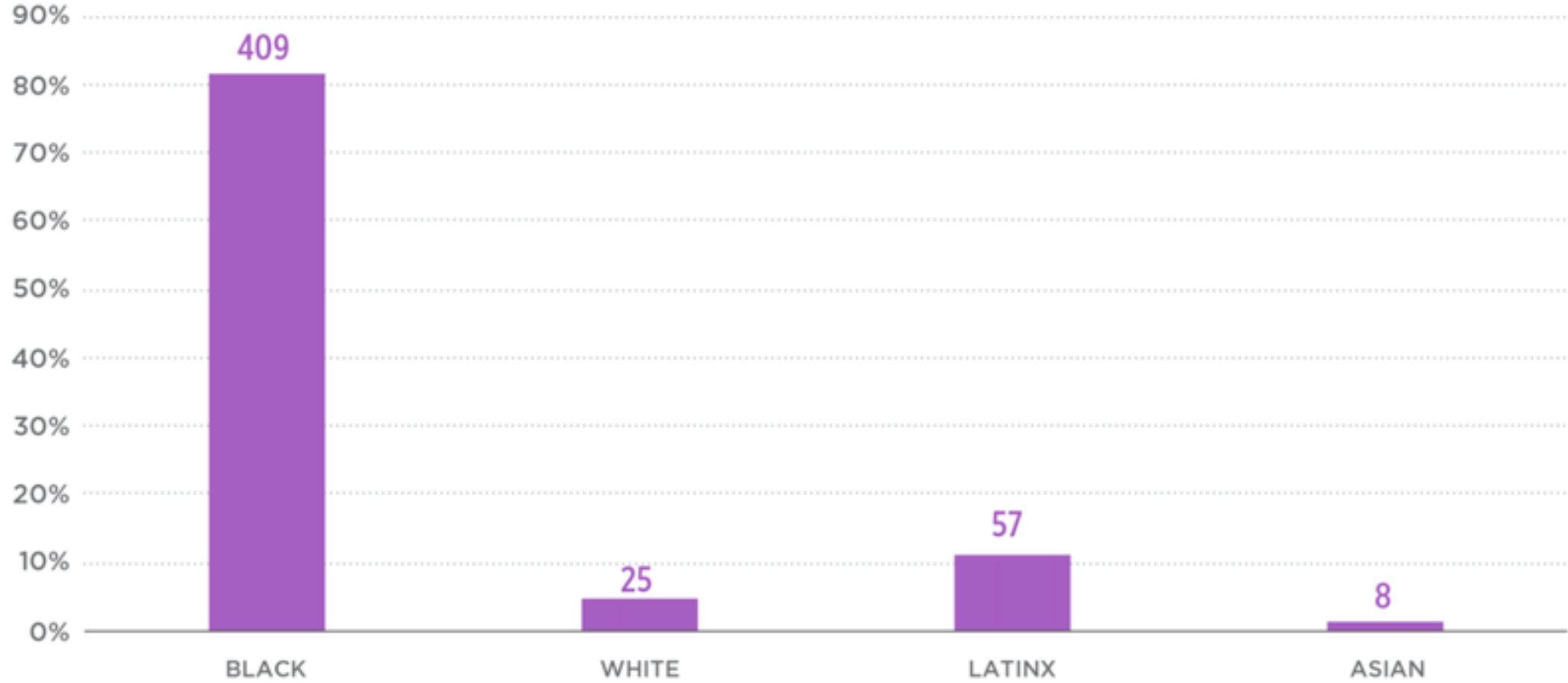
Share of Stops Resulting in a Citation for Incorrectly Displayed License Plates, by Race and Ethnicity



Source: Analysis of 2019 RIPA Data

Black Drivers More than 16x as Likely to be Cited for Plates than White Drivers

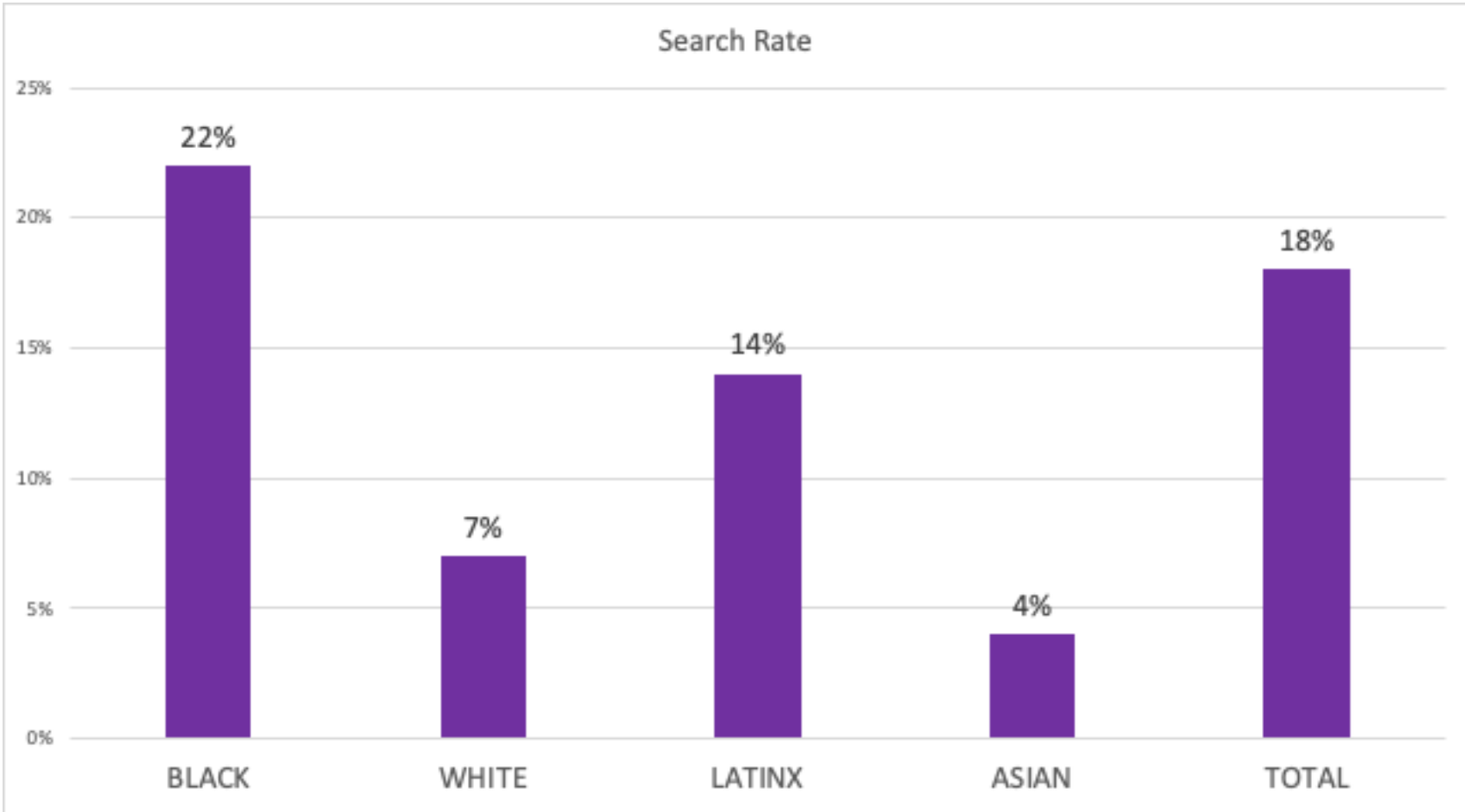
Rate of Citation for Incorrectly Displayed License Plates, by Race and Ethnicity



Source: Analysis of 2019 RIPA Data, U.S. Census Bureau's 2019 5-year American Community Survey

Black Drivers Stopped for License Plates Searched More than Other Groups

Share of Stops for Incorrectly Displayed License Plates Resulting in a Search, by Race and Ethnicity



Source: Analysis of 2019 RIPA Data

Incorrectly Displayed License Plates

- 4,122 total stops
- 6% of searches resulted in recovery of contraband
- Less than 1% of stops resulted in discovery of a gun
- 1% of stops resulted in an arrest

Stops Cost Black San Franciscans Thousands of Dollars

78% of all stops for license plates displayed incorrectly did not result in a citation for Black drivers, but the sheer volume of stops still ended up resulting in Black people receiving thousands of dollars in fines and fees. While the vast majority of Black drivers weren't cited when stopped for the offense, the racial disproportionality means that Black people are still cited at higher rates than any other racial or ethnic group.

Police Commission Votes to End Stops

- Following a year of community engagement, outreach, and advocacy, the police commission voted to end the practice of pretext stops
- They also voted to deprioritize nine minor, nonmoving traffic offenses, instructing officers not to conduct traffic stops for offenses
- Offenses had no relationship with any Vision Zero tracked traffic accidents as far back as 2014
- Offenses had very low search discovery rates and resulted in arrest rarely

What Would the Proposal Do?

- Result in at least 10,000 fewer traffic stops
- Stop an estimated \$830,000 in fines and fees annually
- Help reduce racial disparities in traffic stops

Where Are We Today?

- DGO is currently under “meet-and-confer,” where the San Francisco police union can raise concerns if the order could impact the agreement between the city and the union. It has been in meet-and-confer for close to one year
- In the California legislature there is a similar piece of legislation, SB 50, which would limit the enforcement of some “low-level” traffic offenses



Thank You

Special thanks to Microsoft Justice Reform Initiative and the Urban Institute for their support. This work was made possible by the Catalyst Grant Initiative.

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**DEFENDER
ASSOCIATION
of PHILADELPHIA**

**Driving Equality:
What it is, How it Became Law,
and Why it Matters**

January 24, 2024

Paula Sen

Police Accountability Unit

Defender Association of Philadelphia

Driving Equality Legislation

Ordinance + Executive Order + Companion Ordinance

Ordinance ([Bill No. 210636-A](#))

- October 14, 2021: Passed by City Council
- October 27, 2021: Signed by Mayor Kenney
- **February 24, 2022: Became Effective**

City of Philadelphia



(Bill No. 210636-A)

AN ORDINANCE

Executive Order ([No. 6-21](#))

- November 3, 2021: Signed by Mayor Kenney
- **March 3, 2022: Became Effective**



CITY OF PHILADELPHIA
OFFICE OF THE MAYOR
EXECUTIVE ORDER 6-21

Companion Ordinance ([Bill No. 210635](#))

- October 14, 2021: Passed by City Council
- October 27, 2021: Signed by Mayor Kenney
- **By October 27, 2022: Philadelphia Police Required to Publish More Extensive Traffic Stop Data**

City of Philadelphia



(Bill No. 210635)

AN ORDINANCE

PPD May No Longer Stop A Car For:

8 Secondary Violations

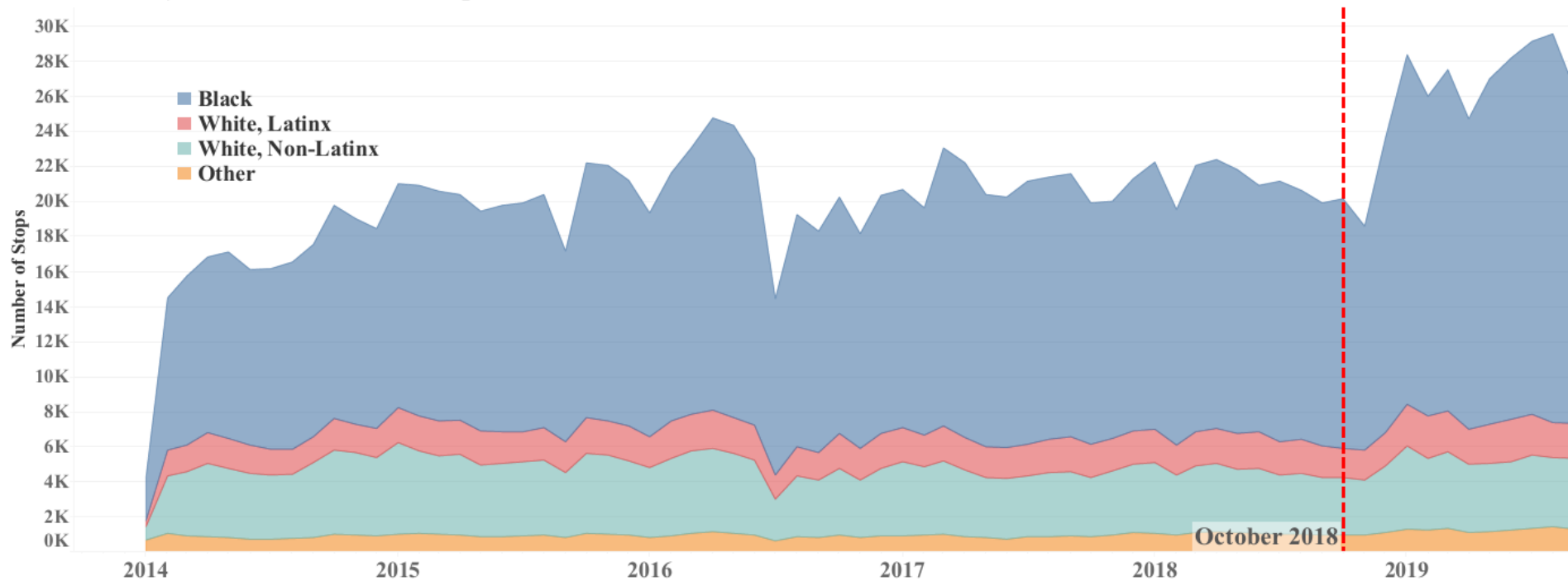
1. Expired Registration Within 60 Days - [Title 75 Pa. C.S. § 1301](#)
2. Location of Temporary Registration Permit - [Title 75 Pa. C.S. § 1310.1 \(c\)](#)
3. License Plate Not Securely Fastened - [Title 75 Pa C.S. § 1332 \(a\)](#)
4. Single Broken Bulb or Light - [Title 75 Pa. C.S. § 4302](#)
5. Obstruction - [Title 75 Pa. C.S. § 4524 \(c\)](#)
6. Bumpers - [Title 75 Pa. C.S. § 4536](#)
7. Missing or Expired Inspection Sticker - [Title 75 Pa. C.S. § 4703](#)
8. Missing or Expired Emissions Sticker - [Title 75 Pa. C.S. §4706 \(c\)\(5\)](#)



Reducing Racial Disparity

Motor Vehicle Code (MVC) stops and searches exhibit major racial disparities.

Race/Ethnicity of Driver in Vehicle Stops Based on MVC Violations, Q1 2014 - Q3 2019

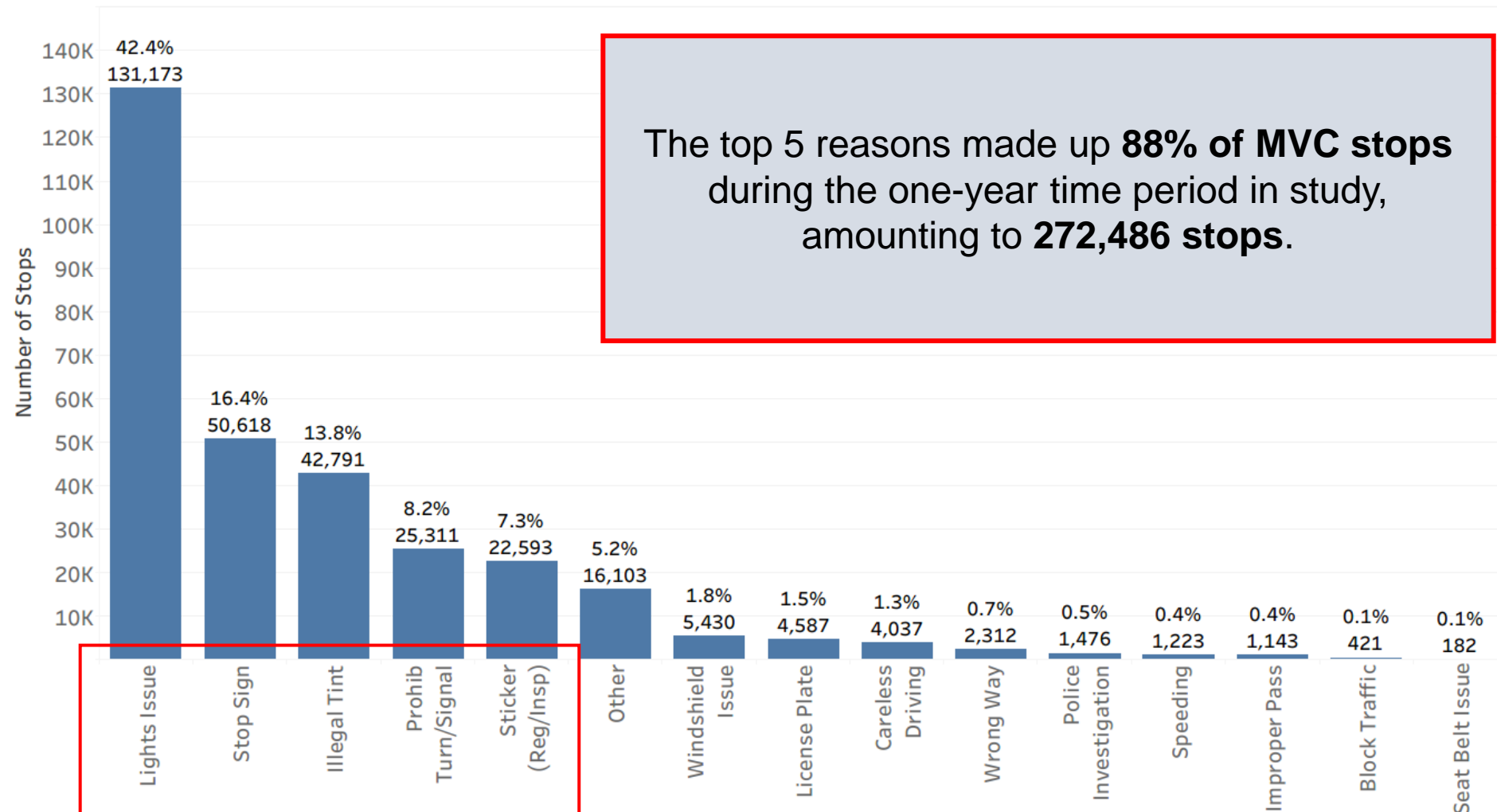


- Between October 2018 and September 2019 (one year), Philadelphia police conducted 309,533 MVC stops. **While 43% of Philadelphians are Black, Black drivers comprised 72% of MVC stops.**
- **As the share of Black residents in a police district increases, the rate of vehicle stops also increases, even after controlling for violent crime, poverty, and other factors.**
- Black drivers are twice as likely to be searched as White Non-Latinx drivers, but 34% less likely to be found with contraband. This suggests that **police require less evidence to justify the search of Black drivers.**

Top Reasons for Traffic Stops

MVC stops are not targeted to traffic and pedestrian safety. Rather, most stops are used as pretext for investigative stops in Black communities.

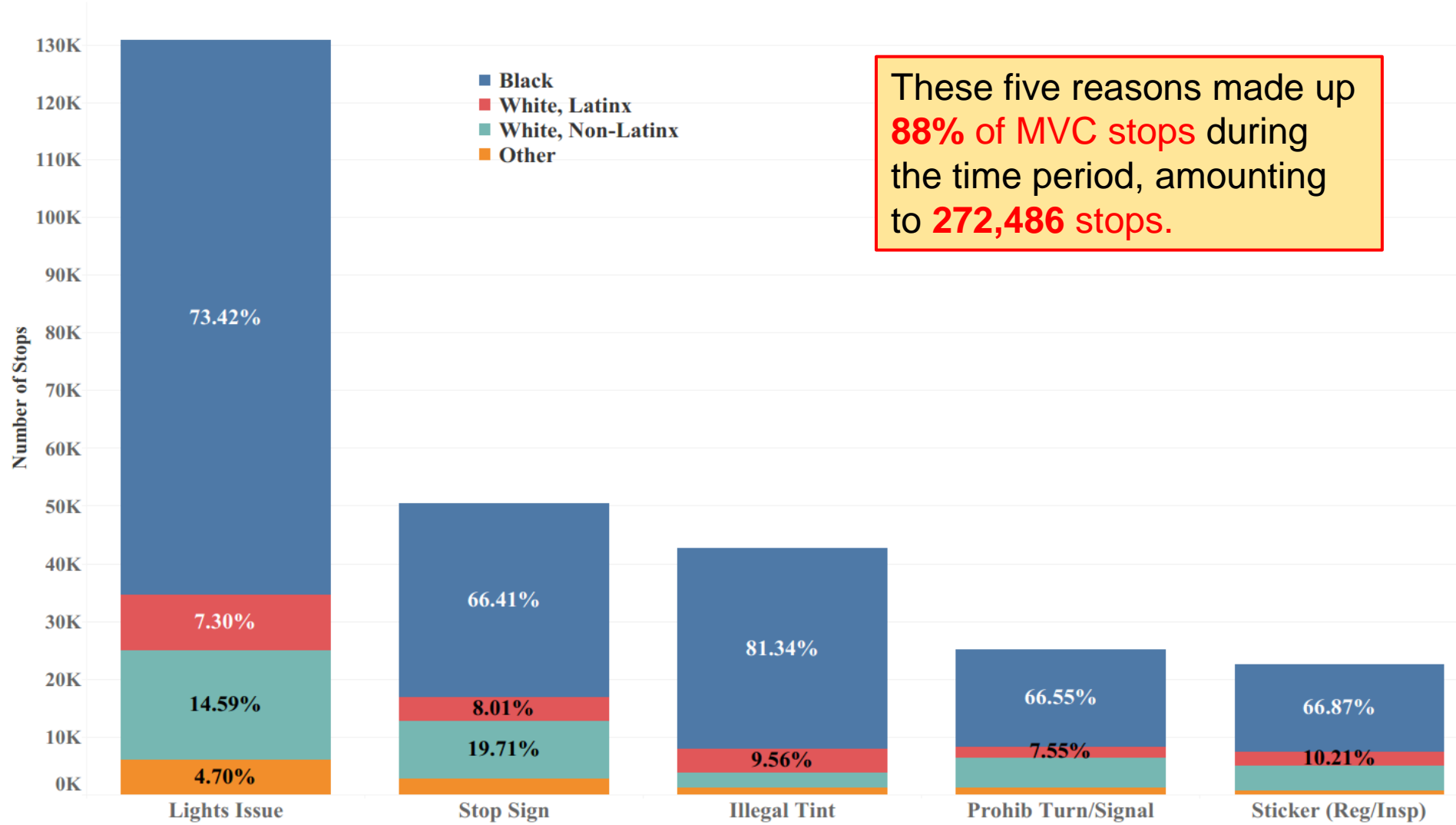
Reasons for MVC Stops, October 2018-September 2019



Pretextual Stop Reasons

Racial disparities are most pronounced in the types of stops below.

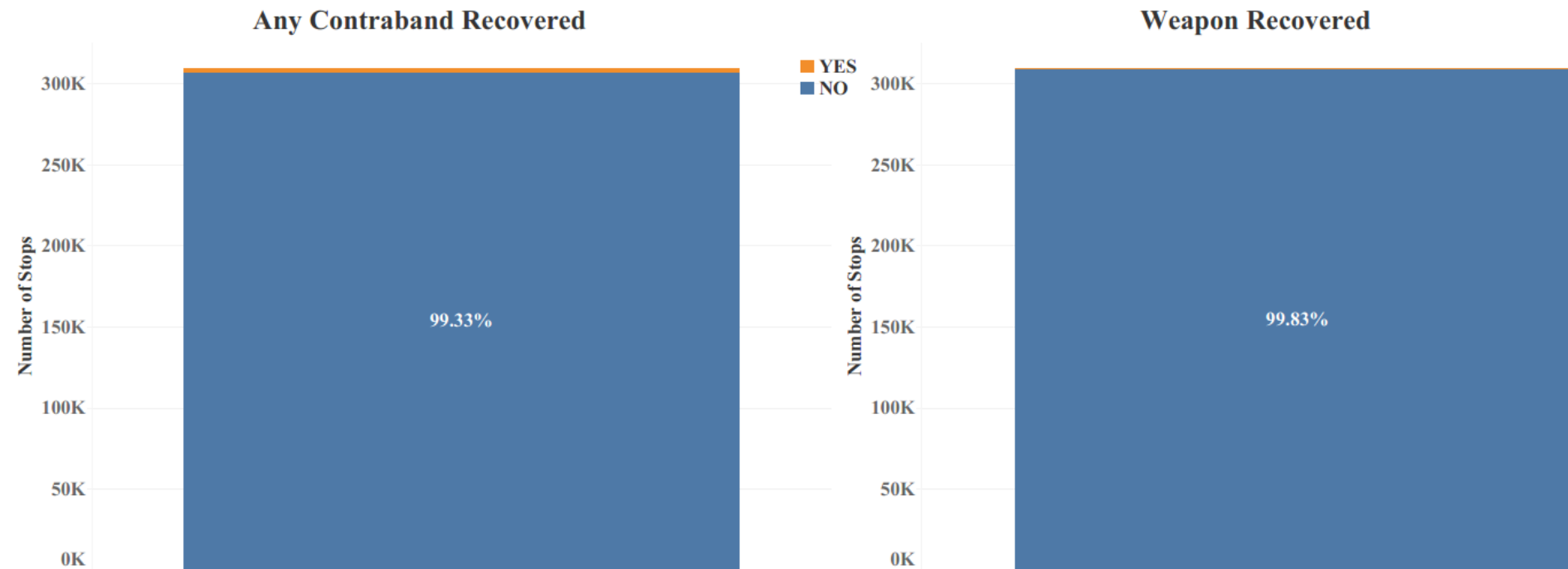
Race/Ethnicity of Driver by MVC Reason, October 2018-September 2019



These five reasons made up **88% of MVC stops** during the time period, amounting to **272,486 stops**.

Return on Investment

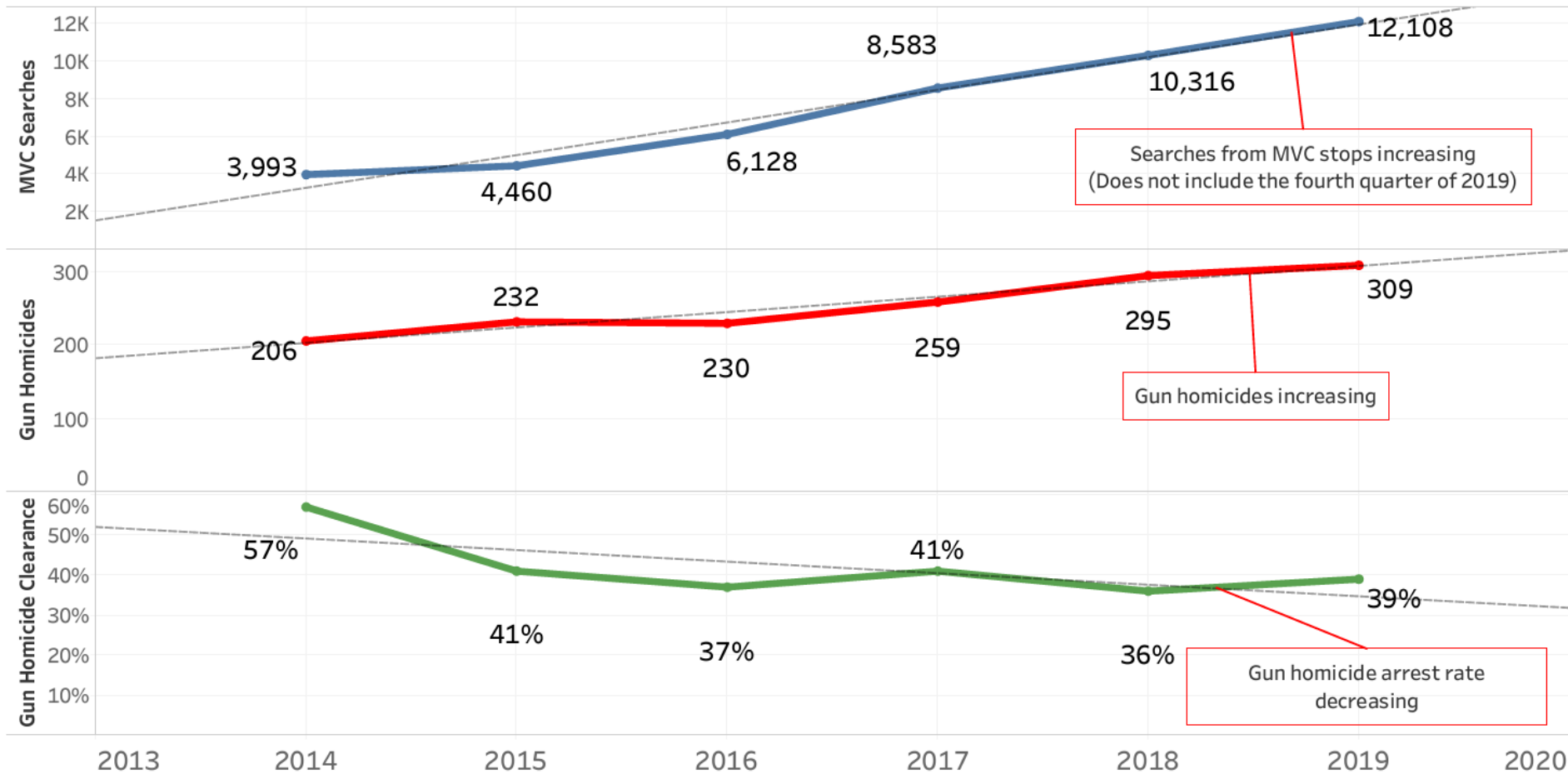
Vehicle stops are ineffective at fighting crime, a major waste of police resources, and not necessary to enforce the MVC.



- Between October 2018 and September 2019 (one year), Philadelphia police spent **14.55 officer-years conducting MVC stops**.
- Only 0.67% of MVC stops resulted in recovery of any contraband and **0.17% recovered weapons** between October 2018 and September 2019.

Gun Violence

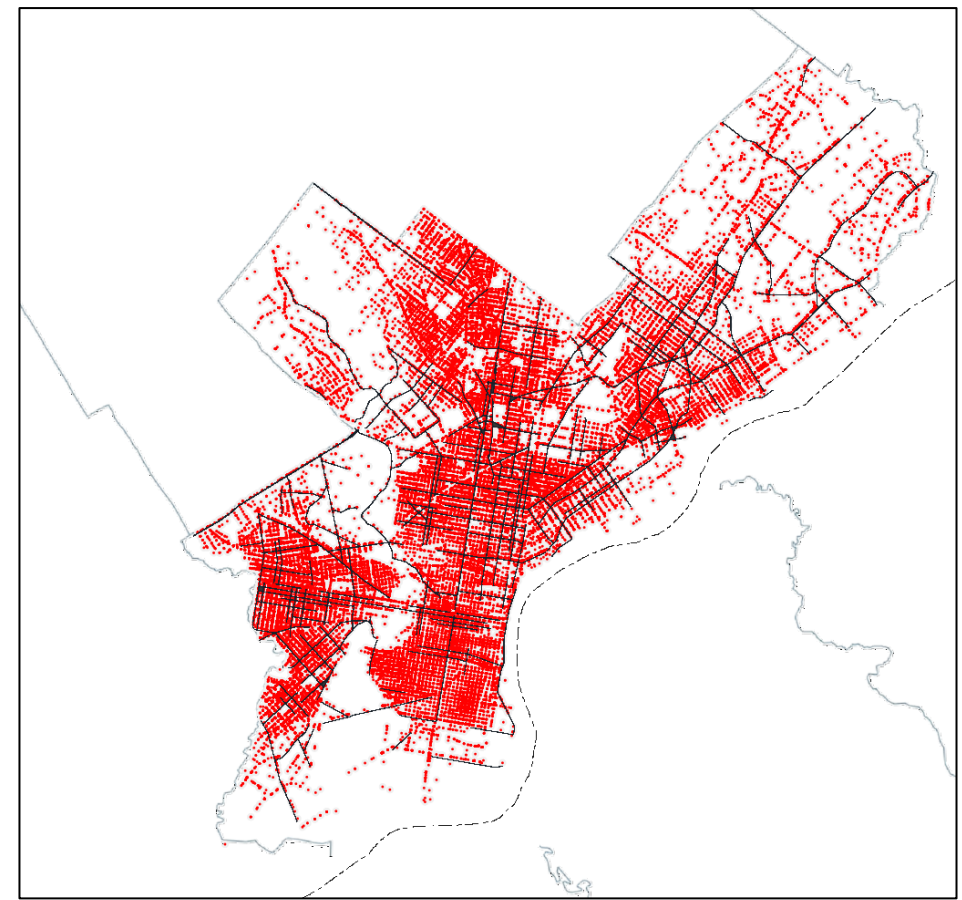
Police concede that MVC stops are pretextual, arguing that stops combat gun violence. However, as vehicle searches have increased, gun homicides have increased and arrest rates have decreased.



High Injury Network

Twelve percent of streets account for eighty percent of fatal and serious injury crashes. Officers do not target the High Injury Network because promoting traffic and pedestrian safety is not driving the aim of MVC enforcement.

High Injury Network (2017) + All MVCs (Q3 2018-Q3 2019)




Original Bill

Defender data analysis informed an earlier version of Driving Equality (Bill No. 200603). This original bill was introduced by Councilmember Isaiah Thomas, who later introduced the Driving Equality Ordinance + Companion Data Ordinance which became law.

The original, broader bill would have prohibited Philadelphia police from making stops for many other reasons, including but not limited to excessive tint.

- The bill notes 60+ traffic offenses for which police do not need to meet the public safety risk definition to pull a vehicle over because the violations are presumed to be dangerous or problematic (e.g., wrong way on a one-way street, illegal ATVs/dirt bikes, etc.).
- October 29, 2020: Bill was introduced and referred to City Council Committee on Public Safety

	City of Philadelphia	City Council Chief Clerk's Office 402 City Hall Philadelphia, PA 19107
<hr/>		
BILL NO. 200603		
<hr/>		
Introduced October 29, 2020		
<hr/>		
Councilmembers Thomas, Jones, Gilmore Richardson, Sanchez, Brooks, Johnson, Gauthier, Gym and Parker		
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Referred to the Committee on Public Safety		
<hr/>		
AN ORDINANCE		

The Driving Equality legislation is not pre-empted by state law.

- **Driving Equality does not conflict with state statute.**
 - Driving Equality serves to deprioritize infractions for which motor vehicle stops are not necessary or required under state law and does not prohibit PPD from issuing citations.
 - Even if it was in conflict, local government had the power to act to address the special condition presented by the persistent problem of racially motivated pretextual enforcement of the motor vehicle code.
- **Authority for the Driving Equality legislation is found in the PA Motor Vehicle Code.**
 - [75 Pa. C.S.A. § 6109 \(b\)\(1\)](#) requires local governments seeking to enforce its police powers under (a)(20) to do so by ordinance.

Driving Equality does not implicate Charter's Separation of Powers.

- [Article II, § 2-305](#)
 - The Philadelphia Home Rule Charter provides the authority to Council to legislate “*new powers and duties*” to “*departments*” “*herein designated as the agencies of the executive and administrative branch of the City government.*”
- **Separation of powers**
- **Mayor's Kenney's [Executive Order 6-21](#)**
 - This EO is similar to Mayor Nutter's [Executive Order 6-14](#) in 2014, which implemented decriminalization of possession of small amounts of marijuana legislation.

Vehicle or Pedestrian Investigation Form

Also Known as 75-48A

- The [Bailey vs City of Philadelphia](#) (2011) settlement and federal consent decree requires PPD to **document, without exception, every car stop.**
- [PPD Directive 12.8 and 12.11 \(Appendix B\)](#) requires documentation in a **Vehicle or Pedestrian Investigation Form**, known as a **75-48A**. These forms include **over 70 fields of data.**
- [OpenDataPhilly](#) publishes **some data on PPD investigations of pedestrians and vehicles**, including location, type of investigation, demographics of individual investigated, and police actions taken.



PHILADELPHIA POLICE DEPARTMENT

DIRECTIVE 12.8

Issued Date: 09-04-15

Effective Date: 09-04-15

Updated Date: 05-17-19

SUBJECT: VEHICLE OR PEDESTRIAN INVESTIGATIONS
PLEAC (2.4.1)

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Companion Data Ordinance

Bill No. 210635

Signed by Mayor Kenney on October 27, 2021 - Effective Immediately

The [companion data ordinance](#):

- Requires that, within one year of Driving Equality's passage (by October 27, 2022), PPD must publicly release more vehicle stop data.
- Adds more specific data, including data on secondary violations.
- Requires collaboration with the Citizens Police Oversight Commission.
- Requires annual reporting to City Council President and Chair of the Public Safety Committee.

(.1) Within twelve (12) months of the effective date of the ordinance adding this subsection (1)(e) to the Code, the electronic database shall have the capability to retrieve digitized information for all vehicle stops by district control number; police service area; police district incident occurred in and police district assigned officer is assigned to; date, time and location; year, make and model of the vehicle; the drivers' race, ethnicity, and gender, and the race, gender, and ethnicity of passengers, if any; the primary vehicle violation; any and all secondary violations, if any; police action taken, including, but not limited to: whether a warning or citation issued; whether occupant(s) of vehicle were frisked or searched; whether occupant(s) of vehicle were arrested; whether vehicle was frisked or searched; whether the vehicle stop resulted in recovery of contraband, delineated by type: "firearm", "other weapon", "narcotics", or "other contraband;" and, any other relevant information necessary for effective monitoring of vehicle stops.

Companion Data Ordinance (Cont'd)

Why It Matters

- **Transparency**
- Possible **patterns** by PPD as a whole and by individual officers.
- **Clearer understanding** of:
 - Number of searches of cars
 - Meaning of “contraband”
 - How police are using their time
 - Secondary violations
- Data will be invaluable in **furthering additional legislation** in Philadelphia and in other cities.



Photo: [Wikimedia Commons](#)

Driving Equality: First 8 Months

Driving Equality reduced unnecessary police interactions in 2022

In 2022 compared to 2021 (March 3-October 31):

- Motor Vehicle Code (MVC) violation stops impacted by Driving Equality **dropped by 54%**.
- Interactions between police and drivers **decreased by 15,984** for MVC violation stops impacted by Driving Equality.
- **11,879 fewer Black drivers were stopped** for MVC violations impacted by Driving Equality.
- MVC violation stops for having a **single light or single bulb out** decreased by 14,883, accounting for most of the decrease in impacted stops.
- MVC violation stops not impacted by Driving Equality **increased by nearly 19%**.



Overall, there was an **11% drop in MVC violation stops**, nearly all of which can be attributed to a decrease in the number of Driving Equality-impacted MVC violation stops.

Driving Equality in Practice

Data Dashboard on Traffic Stops in Philadelphia

Coming Soon:

With Catalyst Grant funding, the Defender Association will publish a **data dashboard** that will empower community members to understand racial disparities in car stops across Philadelphia.

- **Automatically updated** with the most current public data available
- Illustrate the intensity of police activity in **neighborhoods across the city**
- Show **disparities in police stops** by race, gender, and age
- Help policymakers, legal practitioners, and community members:
 - Understand patterns in car stops since Driving Equality was enacted
 - Identify policing trends and systemic issues across the city
 - Challenge the effective legality of racial profiling in car stops

For more information, see the project description on the [Urban Institute Catalyst Grant Program](#).



**DEFENDER
ASSOCIATION
of PHILADELPHIA**

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Police Accountability Unit

phillydefenders.org/police-accountability

[@PHLDefendersPAU](https://twitter.com/PHLDefendersPAU)

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