

Non-Law Enforcement Alternatives to Traffic Safety

From Criminalization to Care- and Equity-Centered Safety

PRESENTERS:

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PUSH LA
Reimagine Protect and Serve

AGENDA

Topics

- Background & Context Setting
- Recommendations
 - Ending Pretextual Stops
 - Limiting Fees and Fines
 - Self-Enforcing Streets
 - Unarmed Care-Based Response

Background

Key Topics

- PUSH LA Founding
- LAPD METRO Division +
Pretextual Stops
- Real People, Real Lives
- Involvement in Alternatives
to Traffic Safety Effort



- **PUSH LA** stands for Promoting Unity, Safety & Health in Los Angeles
- Formed in 2018 in response to decades of racist policing that has plagued Black and Brown communities in Los Angeles
- Coalition members are as follows:

- ACLU Southern California
- Black Lives Matter, Los Angeles
- Brotherhood Crusade
- Brothers, Sons, Selves
- Catalyst California (fka Advancement Project CA)
- Children's Defense Fund CA
- Community Coalition
- CHIRLA

- LA Voice
- Labor Community Strategy Center
- Million Dollar Hoods
- SEIU Local 2015
- SEIU Local 99
- Southern Christian Leadership Conference
- Social Justice Learning Institute



- Data analyses in 2019 revealed that the LAPD Metro Division officers stop and arrest Black people at a rate more than five times their share of the city's population.
- Metro officers typically use an invasive, ineffective and traumatizing tactic known as a pretextual stop
- The reality for Black and Brown Angelenos is that going about our everyday activities can turn into life-or-death situations when law enforcement officers choose whom they will follow, harass, and harm based on the color of our skin, our accents, or our zip codes.
- **PUSH LA** has come together to **push** for reinvestment in our communities while pushing for divestment from punishment and criminalization.

REAL PEOPLE, REAL LIVES

#KeenanAnderson

#TakarSmith





- June 2020: Motion introduced by Councilmembers Price, Harris-Dawson, Wesson & Bonin
- 2020: PUSH LA advocacy with Councilmembers, LADOT & LAPD Police Commission
- February 2021: Motion passed by City Council, eight months after its introduction
- 2021: Advocacy with LADOT to inform the selection of consultants, define a scope of work and formand seat the Traffic Enforcement Alternatives Advisory Task Force (Task Force)
- 2022-2023: Task Force meetings/work (community engagement fell short of expectations) and development of recommendations and report
- 2024: City Council engagement and action

End Pretextual Stops

Key Topics

- What is a Pretextual Stop?
- Why Pretextual Stops are Problematic
- Harms to Communities of Color
- LAPD's March 2022 Policy
- The Proposed Solution
- Other Jurisdictions

End Pretextual Stops

What is a pretextual stop?

- A pretextual stop occurs when an officer has a “hunch” (often based on implicit or other biases) that a person may be connected to a crime, but the hunch alone is insufficient to justify stopping the person.
- The officer then identifies a minor, non-safety related violation (such as defective bumper or lighting equipment, or an air freshener hanging from a rearview mirror) as a basis to stop the person.
- The officer subsequently investigates for evidence of a crime unrelated to the alleged minor violation.

The Problem

Racial Bias

- 2023 LADOT Report shows that for all LAPD stops (2019-2021), Black people accounted for 26.9% of stops while making up 7.8% of the city population. Whites accounted for 17.4% while making up 28.1% of the population.
- 73.5% of stops (2019-2021) were for traffic violations.
- 53.8% were for non-moving (i.e., administrative) and equipment violations—basis for pretext.

Undermines Safety

- Traffic safety outcomes have grown worse. In 2023, the City of Los Angeles reached a 20 year high for fatal car crashes, and more Angelenos died from car accidents (336) that year than homicides (327).
- 2020 report from OIG [LAPC] report found that when searches occurred, Black and Latinx people were less likely to possess contraband, or be cited or arrested than other racial groups.

Waste of Public Dollars

- Despite racially biased and ineffective patrol practices, we have seen a tremendous growth in LAPD's budget over time – increasing from \$1.17 billion in 2010 to \$1.8B in 2023.
- In addition, other costs associated with LAPD, such as pensions and retirement, liability claims, and human resources benefits, brought LAPD's total operating costs for FY 2023 to over \$3.2B.

Racially Biased Harms

- **Physical Harm (Uses of Force)**
- **Fees and Fines**
- **Dehumanization**
- **Devaluation of Life**
- **Degradation of Public Health**

LAPD's March 2022 Policy

- **Weak Limitation:**

- “Therefore, officers should make stops for minor equipment violations or other infractions only when the officer believes that such a violation or infraction significantly interferes with public safety.”

- **Exception Swallows the Rule:**

- Allows pretextual stops if officers are “acting upon articulable information in addition to the traffic violation [used as the basis for the stop], which may or may not amount to reasonable suspicion regarding a serious crime .
..”

Proposed Solution

- Expressly preclude all stops for . . .
 - equipment violations (e.g., defecting lighting equipment),
 - non-moving violations (i.e., administrative issues), and
 - non-safety related moving violations (e.g., failure to activate a turn signal).

Jurisdictions Limiting Pretextual Stops

- Fayetteville, NC
- Nashville, TN
- Oakland, CA
- Chapel Hill, NC
- Lansing, MI
- State of Virginia
- State of Connecticut
- Philadelphia, PA
- Minneapolis, MN
- Portland, OR
- Pittsburgh, PA
- Seattle, WA
- State of Oregon
- State of Vermont
- San Francisco
- Many others in progress

Limit Ticket Fees & Fines

Key Topics

- The Problem
- The Proposed Solution

The Problem

Inequitable Application

- LAPD disproportionately stops Angelenoes in low-income communities of color for traffic violations.
- Historic South Central, South Park, Vermont Square, Leimert Park, and Watts all subject to above average stop rates.
- Hollywood Hills, Sherman Oaks, and other areas have below average stop rates.

Inequitable Impact

- Extremely detrimental impact on low-income communities of color because they are least able to afford extraordinary costs.
- Fees and penalties can balloon a base \$100 fine for a traffic violation to nearly \$500. If a person is unable to make it to court, a \$300 civil assessment could be imposed to increase total to over \$800

Ineffectiveness

- Studies show that drivers who receive a ticket for speeding are almost twice as likely to another one compared to drivers who had not.
- Another report found that more expensive tickets did not affect the likelihood of a new traffic violation.
- Despite long-relying on punitive tickets, traffic safety outcomes growing worse in LA City.

Proposed Solution

Prevent economic extraction by limiting tickets from being issued to low-income people, and creating solution-oriented economic assistance programs for non-moving (i.e., administrative) and equipment violations.

Low-Income Status

- Use the cost-of-living adjusted for poverty rather than federal poverty level

Non-Moving Violations

- Presumption of low-income in areas with higher-concentrations of people living below the threshold
- Provide funding to subsidize administrative fee costs
- Connect people to free DMV assistance

Equipment Violations

- Presumption of low-income in areas with higher-concentrations of people living below the threshold
- Vehicle repair clinics in neighborhoods in low-income areas
- Mail repair vouchers to drivers instead of stops and tickets
- Prioritize small business auto shops in low-income areas

Invest in Self-Enforcing Infrastructure

Key Topics

- What is “Self-Enforcing” Infrastructure?
- Individual Behavior vs. Dangerous Conditions
- Punishment Prevents Prevention
- The Proposed Solution

~~Individual behavior~~

Dangerous conditions

Individual behavior

- A few bad apples cause crashes
 - Driving & roads are inherently safe
 - Accident-prone people make it unsafe
 - Solutions:
enforcement/punishment,
education/retraining
-

Dangerous conditions

- Dangerous conditions cause people to be hurt or killed when mistakes are made
 - If people are getting hurt or killed on a road, then the conditions on that road are inherently unsafe
 - Solutions: **engineering**: curbs, bollards, barriers, etc;
substitution: bus-only lanes, transit service, bike lanes, etc
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Philadelphia Vision Zero Action Plan, 2017

VISION ZERO PRIORITIES

EQUITY Identify equitable solutions developed on behalf of all Philadelphians

EVALUATION Evaluate Vision Zero efforts to prioritize investments and ensure resources are being used effectively

ENGINEERING Engineer streets to reduce risk of crashes

EDUCATION Educate Philadelphians to promote a culture of safe driving, walking, and biking

ENFORCEMENT Enforce traffic laws to reduce and prevent unsafe roadway behaviors



Philadelphia Vision Zero Action Plan, 2020

VISION ZERO PRIORITIES

EQUITY Ensure equitable traffic safety investments in neighborhoods needing them most

SAFE SPEEDS Prevent fatal crashes by managing vehicle speeds

SAFE STREETS Create roads that are predictable and aren't confusing to anyone using them

SAFE PEOPLE Empower Philadelphians to spread Vision Zero messaging, take community action, and promote a culture of safe driving, walking, and biking

SAFE VEHICLES Support all Philadelphians to use the safest vehicles possible for daily trips - with transit, biking, and walking as the priority

SAFETY DATA Use quality data and the latest analytical tools to prioritize actions and track Vision Zero progress

VISION ZERO FOR YOUTH Invest in the transportation safety of young Philadelphians as they grow in schools and neighborhoods

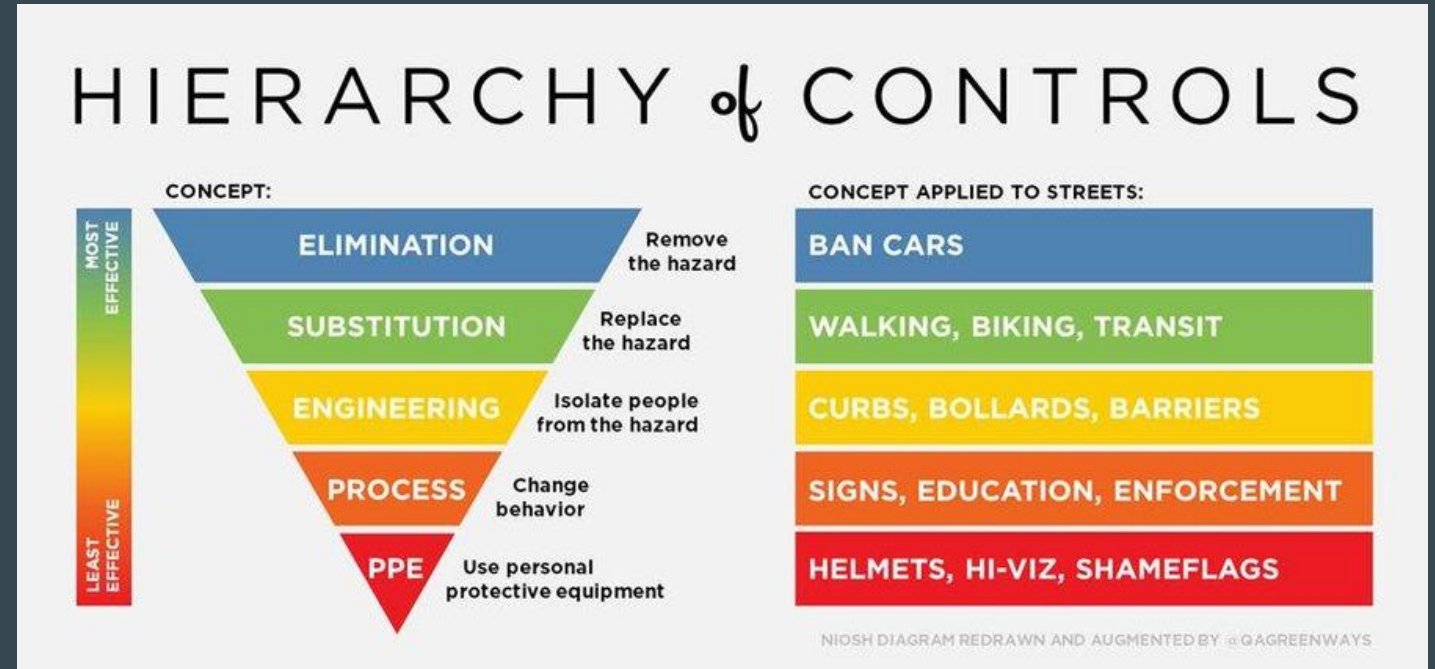
Philadelphia's shift from the E's to the Safe System approach in their Vision Zero Action Plan.

Source: [Philadelphia Vision Zero Action Plan](#)

Punishment prevents prevention

Most L.A. safety efforts exist at the bottom of the pyramid. The least effective controls are focused on behavior, not conditions.

When the City focuses on policing behavior rather than reducing harm, road fatalities increase.



RECOMMENDATION:

Increase and prioritize **self-enforcing infrastructure** investments (without increasing surveillance) in high-injury network corridors, low-income communities, and communities of color.

Proposed Solution

Priority Number One

Re-prioritize Investments in Infrastructure

Fast-track safety improvements in high-injury network corridors. These quick-build improvements should prioritize infrastructure in low-income communities of color with demonstrated need, thereby reducing the need for police-based traffic enforcement. Adopt a CIP.



Interdisciplinary Crash Investigation Teams

Create cross-disciplinary teams to investigate serious crashes and recommend improvements to prevent future crashes, such as roadway design changes, improved traffic controls, vehicle design standards, etc.

Priority Number Two

Unarmed Care-Based Response

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Key Topics

- The Problem
- The Proposed Solution

The Problem

In place of armed police officers executing traffic stops, the LADOT report recommends using unarmed police or unarmed civilians, who are focused exclusively on road safety and not on criminal law enforcement, to enforce safety-related traffic violations. The PUSH LA coalition is in opposition to both of these proposals.

Replication of Harm

- In the context of historic and continued police violence and the resulting community mistrust, having any group of people pursuing and pulling over drivers to enforce safety-related traffic violations is discouraged.
- Stops are psychologically traumatic, regardless of who is conducting the stop & whether or not they have a weapon

Replication of Harm

- Absence of the police officer title or official state authority has not deterred civilian actors from violating the rights and bodies of Black people.

Workforce Concerns

- Shortly after the alternatives to police in traffic enforcement motion was introduced in 2020, PUSH LA coalition members met with LADOT leadership. During that conversation, it was indicated that the LADOT workforce would not be willing to replace armed police officers in traffic enforcement duties.

Proposed Solution

The LADOT report recommends the creation of care-based teams responsible for responding to traffic-related calls for service. The PUSH LA supports this recommendation and would like to see it broadened

Crisis Response Workforce

- A team of highly trained individuals who can respond to various crises, traffic-related and otherwise, without weapons or law enforcement presence.

Existing Efforts

- Office of Unarmed Response and Safety
- Law enforcement supports
- City of LA track record
 - GRYD
 - Intervention, Domestic Abuse Response Team
 - Sexual Assault Response Team
 - System Wide Mental Assessment Response

THANK YOU!

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