

Task Force Member Nicole Anderson Cobb's Considerations About Urbana Policing & Municipal Governance Regarding Traffic Stops (2014-2013)
June 3, 2015

Greetings Fellow IDOT Task Force Members and Chair!

I hope this message reaches you well. As we near the end of this journey together, I decided to offer a few additional questions and observations that I hope will serve us all as we seek to produce a final report for the Urbana City Council that speaks to our findings after these many months of deliberation.

Thus, this "working document" poses questions that are not the purview of any individual committee, but ASKS US ALL to consider responses that can serve our final document and recommendations. It does, however, pay close attention to the March 2015 Executive Summary submitted by our Statistics Committee and examines its findings.

IDOT Traffic Stop Data Task Force Objectives

The I.D.O.T. Traffic Stop Data Task Force is charged with identifying and studying any racial disparities that may exist in local traffic stop data supplied annually to the City by the Illinois Department of Transportation (I.D.O.T.), and attempting to find the source and cause of any disparity. The Task Force is directed to examine multiple aspects of the traffic stop data, including race, driver age, residence, stop time, stop location, the reason for the stop, vehicle age, and any other information the Task Force finds to be useful. The Task Force will also look beyond traffic stop data to consider census and unemployment data, high school graduation rates, and incarceration statistics from the September 2013 study of the Champaign County justice system.

Review of the U.S. (Partial) Census Data for Urbana, Illinois for 2000 & 2010

The Census data included here is to remind us of the relationship between the racial demographics of Urbana 2004-2013 as it related to traffic stops, warnings and citations.

(***For more information see:

<http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>)

2000 Partial Census Data For Urbana, Illinois

RACE		
One race	35,505	97.6
White	24,389	67.0
Black or African American	5,218	14.3
American Indian and Alaska Native	64	0.2
Asian	5,181	14.2
Asian Indian	949	2.6

Chinese	2,118	5.8
Filipino	168	0.5
Japanese	241	0.7
Korean	1,091	3.0
Vietnamese	171	0.5
Other Asian [1]	443	1.2
Native Hawaiian and Other Pacific Islander	14	0.0
Native Hawaiian	4	0.0
Guamanian or Chamorro	5	0.0
Samoan	2	0.0
Other Pacific Islander [2]	3	0.0
Some other race	639	1.8
Two or more races	890	2.4
Race alone or in combination with one or more other races [3]		
White	25,109	69.0
Black or African American	5,535	15.2
American Indian and Alaska Native	225	0.6
Asian	5,541	15.2
Native Hawaiian and Other Pacific Islander	67	0.2
Some other race	883	2.4
HISPANIC OR LATINO AND RACE		
Total population	36,395	100.0
Hispanic or Latino (of any race)	1,288	3.5
Mexican	673	1.8
Puerto Rican	135	0.4
Cuban	42	0.1
Other Hispanic or Latino	438	1.2
Not Hispanic or Latino	35,107	96.5
White alone		

2010 Partial Census Data For Urbana, Illinois

White alone, percent, 2010 (a)	60.4%	71.5%
Black or African American alone, percent, 2010 (a)	16.3%	14.5%
American Indian and Alaska Native alone, percent, 2010 (a)	0.3%	0.3%
Asian alone, percent, 2010 (a)	17.8%	4.6%
Native Hawaiian and Other Pacific Islander alone, percent, 2010 (a)	0.1%	0.0%
Two or More Races, percent, 2010	3.1%	2.3%

 Hispanic or Latino, percent, 2010 (b)	5.2% 15.8%
 White alone, not Hispanic or Latino, percent, 2010	

IDOT Task Force Process June 2014-June 2015

Since we entered into this work, we have undertaken the following tasks (from last June 2014 –Present):

- Received our charge from the Mayor to do this work
- Reviewed a wide variety of documents, texts and articles to inform our thinking about the work
- Decided to re-calculate the data provided for us to be certain that the IDOT figures were indeed accurate
- Divided our work into sub-committees to take on various areas: Statistics, Community Impacts, Police Procedure and Community Engagement and Social Science Scholarship
- While waiting for our review of the data, we were visited regularly by community members who regularly reminded us of our charge and the urgency of our work for local communities
- Planned a series of community meetings to get input from the community regarding their experience with traffic stops and the impacts on police-community relations, mobility in the community, parenting youth of color, financial/emotional implications of stops
- Met individually with local law enforcement stakeholders, law enforcement officials and officers to gain information and their perspectives on this work
- Participated in created a new reporting form for officers to document additional information/clarifications for traffic stops
- Received the analyzed data from our Statistics Committee and allowed them to discuss the findings
- Have begun the work of assigned sections of the report based on the specific work of our sub-committees.

Additional Questions Regarding Police Procedure and Municipal Governance

Yet, despite all of the work of the Task Force, the following questions persist for me. So, I hope we can consider them as a Task Force as we prepare our final report and recommendations for the Urbana City Council:

- How do we as a Task Force actually define “racial disparities”. To my recollection, we have never had a working definition of the term. Therefore, how can we address whether or not it is occurring within law enforcement if we have never had a definition of it to inform our work. Are “racial disparities” the same thing as “racial profiling”? Or are “racial disparities” a result of “racial profiling”?

---The most extensive set of questions I have regarding our findings are based on the Statistics Committees' finding and reporting in their March 18, 2015 Executive Summary submitted to the Task Force for our consideration.

Some of the questions must be answered by the Statistics Sub-Committee itself on minor points of clarification.

Some of the questions I have are indeed procedural and require law enforcement to address the issues as a matter of explaining police procedure.

Some of the questions involve those who manage and set policy for the City of Urbana regarding funds collected for traffic violations.

Therefore I look forward to responses from all those who may be able to provide timely and clarifying responses to this series of questions

*****I have extracted and italicized the sections of the March 18 Statistics Executive Summary distributed for which I need additional clarity or explanations below:**

Questions Regarding Page 1 of Executive Summary

---“Demographic and socio-economic differences across racial groups may explain part of the disparity in stops. Older cars are more likely to have equipment failures. If certain racial groups are more likely to drive older cars, than we might expect them to be more likely to be pulled over for equipment violations. Similarly, if younger drivers are more inexperienced and more likely to commit traffic violations, then to the extent that some racial groups tend to be younger demographically than others, this might also produce disparities in the rates at which these groups are stopped.

The data provide some support for this claim. African Americans and Hispanics do tend to drive older cars and are more likely to be pulled over for equipment violations. Minority drivers who are stopped also tend to be younger than white drivers, possibly reflecting underlying demographic differences in age. It is unlikely, however, that demographic differences alone explain the disparities that we observe.”

QUESTION: Please say more about what then explains the disparities if demographic differences alone fail us?

---“If this were true, we would not observe African Americans being stopped at rates nearly twice what we would expect given their relative distribution in the population, while Hispanics are stopped at rates somewhat below what we would expect. Demographic and socioeconomic differences may play a role in explaining differences in the type of stops minorities experience, but play only a marginal role in explaining overall disparities.”

QUESTION: So, what is it EXACTY that plays the central role in explaining overall disparities?

--- "We see that areas with the highest total number of minority stops tend to have relatively high numbers of minorities living in those neighborhoods. In fact, areas with relatively low estimated minority populations tend to have persistently higher disparity indexes."

QUESTION #1: What does a "persistently higher disparity indexes" mean exactly?

QUESTION #2: Has law enforcement ascertained that more stops in minority communities are yielding their desired results? What---by the way are the desired results---of heightened policing of minority communities?

Questions Regarding Page 2 of Executive Summary

--- "Minorities, and in particular African Americans, are significantly more likely to be stopped given their relative representation in the driving population. This fact may be evidence that racial profiling is occurring, but it may also reflect other confounding factors like demographic differences and patterns of policing more broadly."

QUESTION: What exactly is "confounding" about demographic differences and patterns of policing?

--- "While the estimated minority populations of these neighborhoods may not accurately reflect the population which drives through these areas, these figures provide some evidence that minorities are more likely to be stopped when driving in neighborhoods where minorities are less likely to live."

QUESTION: Why is this the case? Is it also the case that non-minority drivers are stopped in areas where non-minorities are less likely to live? Why are minority drivers more likely to be stopped in areas where minorities are less likely to live? Based on what set of criteria? Calls for service? Criminal activity? Suspected criminal activity? Based on police discretion? Or based on police bias? And what are the implications for such stops?

What will be the task force recommendations to remedy the disparities in these practices?

--- "We see that minorities are stopped at relatively lower rates in the STEPS program (although African Americans are still about 25 percent more likely to be stopped than we would expect). Outside of the STEPS program, the disparity ratios are significantly higher for African Americans."

QUESTION: Please explain more fully what the STEPS Program is and how it functions. Furthermore, why are African Americans STILL stopped at 25% higher rates that you would expect in the STEPS program? And explain WHY EXACTLY African Americans are then stopped at even higher rates beyond the STEPS Program? Based on what set of criteria? Calls for service? Criminal activity? Suspected criminal activity? Based on police discretion? Or based on police bias? And what are the implications for such stops?

What will be the task force recommendations to remedy in these practices?

---The results from this approach are inconclusive and depend on how the relationship is modeled (for example whether we include controls for different years and the time of day within this intertwillight period). Looking at minorities as a whole, there appears to be little evidence of racial profiling. Look at African Americans relative to all other stops (whites and other minorities), there appears to be some evidence of profiling in some years and some times of day. Looking at African Americans relative to whites only, the results are again more mixed.

QUESTION: Do you mean that by looking at “Veil of Darkness” method to determine bias concludes that there is little evidence of racial profiling based on the Urbana data? Or are you referencing something else? Furthermore, why then do you follow that statement by saying that “in some years there is indeed profiling in some years and some times of day”. How can both findings co-exist at the same time?

---“The disparity in the rates at which minorities and African Americans are stopped persists in outcomes after the stop. Minorities, in particular, African Americans and Hispanics, are more likely to receive citations as opposed to written warnings when stopped. They are also more likely to be searched and more likely to be subject to stops of longer duration. Relatively few stops (1 to 3 percent of all stops) result in contraband being found, with the majority of contraband found during stops of Whites and African Americans.

In terms of the financial impact of traffic stops, African Americans and Hispanics pay higher fines on average. This appears to be due primarily to the fact that these minorities are charged with offenses that carry higher fines (such as driving without insurance or a license), are more likely to be charged with multiple offenses, and more likely to be stopped and charged multiple times. Within a particular offense, the average fines across racial groups are relatively similar.”

QUESTION: Why are African Americans and Hispanics more likely to receive citations versus written warnings? Should the full statement say that African Americans and Hispanics are more likely to receive citations versus warnings than White drivers? If this is the case, what is the practice based on? Why does this occur? Is this based on police discretion? Or based on police bias? What are the

implications for such racialized differences in citations (extended to African Americans and Hispanics versus warnings (extended to Whites)?

If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

Questions Regarding Page 3 of Executive Summary

---“The traffic stop data show that minorities, and in particular African Americans, are more likely to be stopped by the police. The extent to which racial profiling is the cause of these disparities, is a difficult question to answer with these data alone. As discussed above, there are many possible reasons for why we observe these relationships. Socio-economic factors may play a role. The fact that minorities live in neighborhoods where police are more present almost certainly increases the rates at which they are stopped. Whether this relationship reflects evidence of racial profiling is more difficult to say. The fact that minorities are more likely to be stopped in neighborhoods where they are less likely to live is consistent with racial profiling, but may also reflect inaccurate estimates of the population driving through a neighborhood. Direct tests of profiling are inclusive and depend upon the modeling assumptions we are willing to make

QUESTION #1: Why is it difficult question to answer with data alone? What else should we be examining if the data is insufficient?

QUESTION #2: If African Americans live in areas that are more policed, is that resulting in less crime and/or a more vigilant driving public? Is it the case that by policing minority communities more heavily you find better drivers and more adherence to expectations regarding driving and vehicle caretaking? If not, why continue to police minority communities if the behavior of drivers does not improve?

QUESTION #3: What does “inaccurate estimates of the population driving through the neighborhood mean”? Does this mean that police are stopping minorities that live in neighborhoods with fewer minorities for no reason? Please clarify this statement.

---Anderson Cobb Observations: Based on the implications of the executive summary prepared by the Statistics Committee, it seems that the following individuals African American drivers, youth drivers, Hispanic drivers and drivers of older cars should expect the following encounters with the Urbana Police:

--- African American drivers, youth drivers, Hispanic drivers and drivers of older

cars should expect to be stopped.

---African American and Hispanic drivers should expect a longer stop than White or Asian counterparts.

---African American and Hispanic drivers should expect to be charged with multiple offenses.

---African American and Hispanic drivers should expect to pay higher fines for the violations for which they will be charged.

QUESTION: If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

Question Regarding Page 36 of Executive Summary

Anderson-Cobb Observation: Looking at the distribution of fines by race, we see that African Americans and Hispanics on average, are ordered to pay more fines than Whites and Asians. However, we also see that in some cases Whites pay more for certain fines than African Americans and Hispanics though all are committing the same violation.”

QUESTION: If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

Questions Regarding Page 38 of Executive Summary

---“Second, members of different racial groups may be more or less likely to be charged with multiple offenses (e.g. speeding and driving without insurance), which would raise the average fine per person in these groups. Again, the data support this view. Forty-two percent of African Americans and 49 percent of Hispanics are charged with more than one violation, compared to 25 percent of Asians and 26 percent of Whites. Individuals with one charge, pay between \$100 and \$130 dollars in fines. Those charged with more than one fine pay about \$300 to \$400 dollars more.”

QUESTION: How can these disparities occur with minorities making up such small numbers in the population? According to the most recent US Census Data, the Urbana demographics are as follows:

---Whites: 60.4%

---African Americans: 16.3%

---Hispanics: 5.2%

---Asians: 17.8%

Therefore, why is it that minorities make up smaller percentages of the population, but experience higher rates of citation in terms of the numbers of charges levied against them and the higher costs of those charges?

Also, if we agree that there is also a wealth gap by race in the nation that correlates to Urbana communities, this means that African Americans and Hispanics face increased economic impacts in Urbana when policed because they are most often receive citations (as opposed to warnings); and they pay more expensive citations and multiple citations that contribute to expanding the wealth gap by way of disparate policing in Urbana.

According to a recent article in Forbes magazine (March 26, 2015)

“The Racial Wealth Gap: Why A Typical White Household Has 16 Times The Wealth Of A Black One”
by Laura Shin, Shin argues that:

The typical black household now has just 6% of the wealth of the typical white household; the typical Latino household has just 8%, according to a recent study called The Racial Wealth Gap: Why Policy Matters, by Demos, a public policy organization promoting democracy and equality, and the Institute on Assets and Social Policy.

In absolute terms, the median white household had \$111,146 in wealth holdings in 2011, compared to \$7,113 for the median black household and \$8,348 for the median Latino household. (All figures come from the U.S. Census Bureau Survey of Income and Program Participation.)

This is what is called the racial wealth gap.

***For the remainder of the article, see:

<http://www.forbes.com/sites/laurashin/2015/03/26/the-racial-wealth-gap-why-a-typical-white-household-has-16-times-the-wealth-of-a-black-one/>

QUESTION: If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

Questions Regarding Page 40 of Executive Summary

---Finally, it is possible, that for the same offense, different minority groups receive different fines. The evidence here is mixed. African Americans and Hispanic are significantly more likely to pay higher fines for driving without insurance and being unlicensed. Whites pay more for moving violations and DUIs compared to African Americans and Hispanics, but not Asians. Asians are fined more for traffic lane violations.

QUESTION: If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

QUESTION #2: Separate from multiple charges often levied against African American and Hispanic drivers, why are there such disparate citation rates for individuals charged for the SAME citation? What explains this? If these are the finding of our work, how will the City of Urbana work to remedy such practices? How will the Urbana Police work to remedy such practices?

What will the Task Force recommendations be to remedy such practices?

This concludes my considerations of the most pressing issues of concern prior to the final report.

I thank you, fellow Task Force Members, in advance for your consideration of these issues and I look forward to answers/responses that will assist us in concluding our work together.

Respectfully submitted,

---Nicole Anderson Cobb, PhD, IDOT Task Force Member 2014-2015 and Police

Procedure and Community Engagement Sub-Committee Chair