



CCPSA

COMMUNITY COMMISSION FOR
PUBLIC SAFETY AND ACCOUNTABILITY

Traffic Stops Policy Development

The Community Commission for Public Safety and Accountability (the Commission), the Chicago Police Department (CPD), and the Illinois Office of the Attorney General (OAG) are working together to develop a CPD policy on traffic stops. This includes adding this policy to the federal court consent decree that is driving changes to many CPD policies. If traffic stops are included in the consent decree, then the policy would be made through the procedures laid out in the decree, and implementation of the policy would be overseen by the Consent Decree's Independent Monitor (IMT) and the federal judge in the case. The policy would govern how CPD conducts, reviews, and trains officers on traffic stops, and how the policy will be assessed and modified in the future. Community engagement and feedback are an important part of the policymaking process. This is an overview of the policy development process, a summary of the proposed policy, and the next steps.

Collaboration to Develop Policy

Over the past several months, the Commission and CPD have collaborated on drafting a traffic stop policy. On April 21st, the City of Chicago submitted two versions of a draft policy to the OAG and the IMT. The Commission's version includes most of what is in CPD's version, but with some changes that a majority of Commissioners think are important. The Commission will continue to work with CPD, the OAG, and the IMT to develop a traffic stops policy that centers safety for the public as well as for police officers.

Community Engagement

In December 2024, the CCPSA launched a six-month community engagement process focused on gathering feedback from residents about their experiences with traffic stops and how these interactions could be improved. The Commission held five listening sessions across the city, met with a youth focus group, and launched a bilingual feedback form to ensure that diverse experiences and perspectives were heard. More than 2,000 Chicagoans participated.

Policy Definitions

Reasonable Articulable Suspicion (RAS) is when an officer has specific information that, combined with rational inferences, create a suspicion that a person is committing, is about to commit, or has committed a crime. RAS depends on the totality of the circumstances that the officer observes.

Probable Cause (PC) is when an officer has trustworthy information that is sufficient to warrant belief that a crime has occurred or is occurring and that an individual has committed it. PC requires stronger evidence and greater certainty than RAS.

Consent searches occur when a member of the Chicago Police Department asks a driver or passenger for permission to search their person or car.

Pretextual traffic stop are stops where an officer uses RAS or PC for a traffic stop to conduct the stop with the intention to investigate another crime unrelated to the traffic, equipment, or license violation.

CPD's Draft Traffic Stops Policy

CPD's proposed policy states that CPD's use of traffic stops must balance public safety with the potential for traffic stops to have a negative impact on people and communities, and reduce trust in CPD.

CPD's draft policy provides guidelines on when and how to conduct traffic stops. This includes guaranteeing fair and equal treatment under the law, treating all people with courtesy and dignity, acting without bias, and not basing stops on factors like race, ethnicity, gender identity, or immigration status. Police officers must clearly identify themselves during a stop. The policy prohibits using quotas or considering the number of stops an officer has conducted when determining promotions.

Traffic Stop Procedures

The draft policy would require that officers follow specific procedures during traffic stops, including:

1. Record every traffic stop on camera.
2. Focus on safety and act professionally, approach the driver cautiously and safely; and do not block traffic.
3. Provide name and rank and state the reason for the traffic stop; if safe, reasonable and practicable, inform the driver and passengers that they are being detained temporarily and explain the expectations of the stop.

4. Ensure that the traffic stop takes no longer than necessary.
5. Call a supervisor to respond, if requested by a driver or passenger alleging misconduct.
6. Document every traffic stop in a report that includes the reason for the stop and how the stop ended.
7. Give every driver a receipt at the conclusion of the stop, unless the stop results in a ticket or an arrest.

Removal, Handcuffing, and Consent searches

If officers remove a driver or passenger, handcuff a driver or passenger, or search a car, the policy provides guidelines on:

1. When these types of actions are allowed.
2. What information must be communicated.
3. How these actions must be documented.

Current laws allow “consent searches,” where an officer asks the driver for permission to search the car, and if the driver agrees, then it is legal for an officer to search a car. However, CPD’s version of the draft policy will only allow CPD members to ask to search a vehicle if they have “specific articulable information regarding suspected criminal activity.”

Data, Training, and Community Input

1. After each shift, supervisors would review each traffic stop to see if it was conducted and documented properly.
2. Information about all traffic stops would be publicly posted on CPD’s website annually (information about stopped individuals will not be posted).
3. Every year, an independent auditor would review data on traffic stops and publish a report.
4. At least every two years, CPD would conduct a comprehensive review and assessment of traffic stops policy.

The Commission’s Draft Traffic Stops Policy

While the Commission supports most of the provisions in CPD’s version of the draft policy, the majority of Commissioners recommend changes in two key areas:

1. Limiting traffic stops for certain vehicle violations:

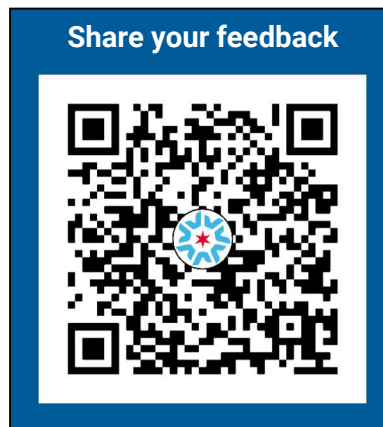
A majority of Commissioners recommend that traffic stops for certain vehicle equipment violations or license compliance violations should be prohibited, with some exceptions. This includes prohibiting stops for certain license plate violations¹; one non-functioning head, tail or brake light, during daylight hours, as long as one of each of these lights is functioning; and operating a vehicle with a loud sound system. A majority of Commissioners would allow CPD to make stops for these violations under some circumstances. Some would allow these stops if police have Reasonable Articulable Suspicion of a Class A misdemeanor or felony. Some would allow these stops if police believe the violation creates an immediate threat to public safety.

2. Stronger standards for consent searches:

CPD’s version of the policy says that officers could conduct a consent search of a vehicle if officers have “specific articulable information regarding suspected criminal activity.” A majority of Commissioners believe that police should have more information linking someone to criminal activity before conducting a consent search. Some of those Commissioners think there should be Reasonable Articulable Suspicion or Probable Cause of suspected criminal activity. Some Commissioners think there should be Reasonable Articulable Suspicion or Probable Cause of more serious criminal activity—a Class A misdemeanor or felony—to conduct a consent search.

Next Steps

The City of Chicago – including CPD and the Commission – is working with the OAG and the IMT to come to an agreement on whether to include traffic stops in the Consent Decree. If traffic stops are included in the consent decree, they will then try to come to an agreement on a policy. The Commission will continue to seek public input throughout the process before the policy is finalized.



¹ License violations include registration stickers that expired within the past year; a missing or improperly displayed front license plate as long as the vehicle has a properly displayed rear license plate; improper license plate fastening or positioning, where the license plate is otherwise clearly displayed; and improper rear-license-plate illumination.