

14TH DISTRICT COUNCIL

COMMUNITY COMMISSION FOR PUBLIC SAFETY AND ACCOUNTABILITY

End Discriminatory Pretextual Traffic Stops for Low Level Violations with No Reasonable Suspicion of any Public Safety Concern, while Increasing Responsiveness to Priority 911 Calls thru Greater Efficiency with Police Resources

A Policy Brief from District Councilors Supporting Free Movement, who are calling for the Community Commission for Public Safety and Accountability to create policy for CPD to end pretextual traffic stops for minor violations. As is the duty of District Councilors under

[2-80-070](#)(A3), (A7), (E7) and (E8).

PROPOSED BY DAVID ORLIKOFF 014

ADOPTED

The CCPSA must create policy aligning with the community mandate to end CPD's use of discriminatory traffic stops for low level violations with no reasonable suspicion of any public safety concern. CPD's current traffic stop practice: 1. Increased 700% as a replacement for the banned stop-and-frisk practice 2. Isn't making roadways any safer 3. Is making Chicago less safe by wasting resources and causing easily preventable harm 4. Targets people of color with 2-6x higher rates of stops and 97% of uses of force. Passing this policy will free up vast public safety resources while improving relationships between police and the community.

The Community Commission for Public Safety and Accountability shall End Racially Discriminatory and Ineffective Pretextual Traffic Stops by creating policy for CPD that:

- A. **Ends Pretextual Traffic Stops**; Prevent law enforcement from making a stop for a code violation where their primary intention is to conduct a suspicionless investigation for unrelated criminal activity.
- B. **Limits Stops for Low Level Offenses**; Limit law enforcement's ability to stop drivers solely for minor violations like objects in windshields or expired registration.
- C. **Ends Suspicionless Consent Searches**; Require law enforcement to have an independent legal basis to search vehicles and occupants by ending the use of suspicionless consent searches.

To win these key outcomes: (Chicago Municipal Code, [2-80-030](#) and [2-80-070](#))

1. **Reduce harmful interactions between police officers and the public; [2-80-030(1)(2), 2-80-070(a4)(e5)]** - As exemplified by the [tragic killing of Dexter Reed](#) by a Tactical team with a [pattern of misconduct citing seatbelts as reasons for aggressive traffic stops](#). CPD is increasing the public danger around driving through their pretextual traffic stops practice, and there is [“no relationship between levels of enforcement and safety outcomes \[that\] could be identified for distracted driving, alcohol-impaired driving, speeding, or aggressive driving.”](#)
2. **Reduce response time for priority 911 calls; [2-80-030(1)(2)(3)(4)(5)(6)(7)(11)(12), 2-80-070(a2)(a4)(e2)]** - Tactical teams are spending [under 11% of their time responding to priority 911 calls](#), while [CPD Leadership direct officers to assign more cars to traffic missions](#).
3. **Bring police priorities in line with community concerns; [2-80-030(3)(4)(8)(9), 2-80-070(a4)]** - [Well over 2,400 residents submitted petition](#) signatures to the [CCPSA to act to end pretextual stops](#). And surveys in the 14th District show that residents want police to respond to 911 calls, and report that they are spending far too much time on traffic stops.
4. **Improve effectiveness of resource allocation within CPD; [2-80-030(2)(6)(7)(11)]** - [By establishing policy to greatly reduce the amount of traffic stops CPD conducts](#). Inspector General Deborah Witzburg stated that [CPD does not have a “resource shortage problem, this is about resource allocation” after their investigation revealed that CPD doesn’t log any response to over half of all 911 calls](#).
5. **Improve relationships between CPD and communities; [2-80-030(3)(5), 2-80-070(a1)]** - Relationships are difficult to cultivate when CPD engages in practices that it deems necessary to conceal and obfuscate, as with [200,000 unreported traffic stops during 2023](#), in violation of [state law](#).
6. **Protect people’s rights while promoting greater equality and equity; [2-80-030(2)(7)(9)(10), 2-80-070(a4)]** - [Over 96% of use of force was against people of color during reported traffic stops from 2018-2022](#).
7. **Reduce the city’s liability for misconduct; [2-80-030(10)(11)(12)]** - As seen [in various civil rights lawsuits around discrimination](#). Studies across the nation [show improved policing outcomes without any negative safety impacts](#) when police abandon pretextual stops. Even [President Biden called for law enforcement agencies to “end discriminatory pretextual stops” in his Executive Order 14074](#) on May 25th of 2022.
8. **Focus traffic enforcement on increasing roadway safety.** - Enforcement for [moving violations plummeted from 80% of traffic stops to 25%](#) as CPDs focus shifted to pretextual excuses such as registration and seatbelts. Eliminating stops for [low-level violations with no public safety concern](#) will allow officers to again focus on roadway and public safety. And since [traffic stops don’t prevent traffic deaths](#), ticketing and other enforcement options can be carried out by other departments and means if necessary. Such as by the Department of Transportation, OEMC, Streets and Sanitation, and by residents reporting bike lane obstructions and parking violations with photographic evidence to 311, and [pilot alternative programs to help residents access necessities like taillights and registration](#).

The CCPSA has many defined duties requiring its action to end pretextual stops, just as it has defined powers to do so. 2-80-050(a)[1][2](c)(d)(e)(f)(g)(h)(l)(p)(q)(v). The process for the CCPSA to pass this policy through writing a new CPD General Order is simply outlined. Because they have delayed, the CCPSA must now champion the exact policy given to them by a direct mandate from disenfranchised communities, a consensus among experts, and the majority of all District Councilors, in their role as stakeholders in the consent decree with a new process being written by the city Law Department.

Endorsers include 36 District Councilors who have signed on to support Free2Move's 3 point policy platform to end pretextual stops, limit low level stops, and ban suspicionless consent searches. This decisive majority was historically established in July of 2024 and is the first time in history that District Councilors have reached a policy consensus, identifying ending pretextual traffic stops as Chicago's #1 issue both for public safety and accountability.

Alexander Perez - District 2
Kenya Franklin - District 3
Gloria Jenkins - District 4
Robert McKay - District 5
David Boykin - District 6
Erin Vogel - District 9
Rosemarie Dominguez - District 10
Alees Edwards - District 11
Leonardo Quintero - District 12
Ashley Vargas - District 14
Arewa Karen Winters - District 15
Carmelia Earls – District 15
Elizabeth Rochford - District 17
Maurilio Garcia - District 19
Darrell Dacres - District 20
Anna Rubin - District 20
Veronica Arreola - District 24
Saul Arellano - District 25

Anthony Bryant - District 3
Lovie Bernard - District 4
Brenda Waters - District 4
Ponchita Moore - District 5
Teresa Chandler - District 7
Kiisha Smith - District 10
Elianne Bahena - District 10
Michelle Page - District 12
Chloe Vitale - District 12
David Orlikoff - District 14
Deondre Rutues PhD- District 15
Anthony Michael Tamez - District 17
Jennifer Schaffer - District 19
Samuel Schoenburg - District 19
Deirdre O'Connor - District 20
Rev. Dr. Marilyn Pagán-Banks - District 24
Angelica Green - District 25
Jacob Arena - District 25

Resource Section.

Presentation from DC Proposal Group from the June 5th 2024 Quarterly Meeting on the problems and solution of banning pretextual stops

Court testimony at consent decree hearing about traffic stops

Research and Reports:

NEW 2023 traffic stop report

Free 2 Move Letter to the CCPSA

Data <https://www.free2movechi.org/traffic-stops>

Resources <https://www.free2movechi.org/resources>

Dashboard <https://www.free2movechi.org/traffic-stops-data-dashboard>

1 Pager Policy Brief

4 Pager Policy Proposal

OIG 911 call report - lack of report statement

<https://www.nbcchicago.com/news/local/citys-office-of-inspector-general-cant-examine-cpd-911-response-times-due-to-data-substantially-missing/3222486/>

<https://news.wttw.com/sites/default/files/article/file-attachments/Chicago-Police-Department-911-Response-Time-Data-Collection-and-Reporting-1.pdf>

Other reports

Free 2 Move Chicago Coalition Mission <https://www.free2movechi.org/mission>

Case Studies, citations, other supporting research:

<https://static1.squarespace.com/static/63d2d655b90633181eddd9f3/t/6575dea5bd2f9403a1e2c020/1702223533743/Case+Studies+Doc.pdf>

No reduction in vehicle deaths from traffic stops

https://journals.lww.com/jtrauma/abstract/2021/07000/traffic_stops_do_not_prevent_traffic_deaths.21.aspx

White paper traffic safety <https://policingequity.org/traffic-safety/60-cpe-white-paper-traffic-safety/file>

No relationship between increase enforcement and better safety

https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-06/NPD-210715-001-15489_NCREPSynthesis%20_main%20report-042922-v4-tag.pdf

Articles, News, Events:

1. [Chicago Police Made 200,000 secret traffic stops in 2023](#)
2. <https://wgntv.com/news/chicago-news/chicago-police-officers-involved-in-dexter-reed-shooting-made-dozens-of-traffic-stops-in-days-prior-to-shootout-new-report-says/>
3. <https://www.nbcchicago.com/news/local/new-videos-raise-questions-over-officers-actions-during-traffic-stops-in-days-before-dexter-reed-shooting/3516007/>
4. <https://www.austinweeklynews.com/2024/07/31/no-more-pretextual-traffic-stops/>
5. <https://blockclubchicago.org/2024/07/05/black-drivers-in-chicago-subjected-to-more-than-half-of-police-traffic-stops-new-report-finds/>
6. <https://www.wbez.org/communities/2024/08/01/cpd-traffic-stops-are-down-this-year-but-critics-say-there-are-still-too-many>
7. <https://chicagoreader.com/columns-opinion/on-prisons/police-officers-traffic-stops/>
8. <https://news.wttw.com/2024/05/21/chicago-police-department-consent-decree-set-expand-include-traffic-stops-after-fatal>

Study: Racial bias in Chicago traffic stops

<https://www.chicagotribune.com/2024/06/10/black-chicago-drivers-stopped-by-police-study/>

Pretextual stops can't even be prosecuted, because they violate the 4th amendment

<https://wgntv.com/news/chicagocrime/foxx-draft-policy-wont-prosecute-certain-cases-if-from-non-public-safety-traffic-stops/>

CCSAO not prosecuting gun found traffic stops! Because unconstitutional, no evidence of safety. Just creating recidivism, 65%. <https://abc7chicago.com/post/illinois-appeals-court-overtuns-gun-conviction-questions-legality-of-chicago-police-department-traffic-stop-and-search-strategy/14834558/>

Dexter Reed was killed because of a pretextual stop over a seatbelt, which his killers had used to target Black men before. <https://blockclubchicago.org/2024/04/12/cops-who-shot-at-dexter-reed-were-under-investigation-for-other-traffic-stops-after-complaints-new-docs-show/>

[Priority 911 calls ignored by cops making traffic stops instead](#)

On OIG 911 calls not reported <https://news.wttw.com/2023/09/06/chicago-police-didn-t-track-how-long-it-takes-officers-respond-half-911-calls-watchdog>

Sun Times Article <https://chicago.suntimes.com/2023/9/29/23894092/black-drivers-are-pulled-over-by-police-its-mostly-for-non-moving-violations#:~:~>

WBEZ <https://www.wbez.org/stories/stop-and-frisk-policing-in-chicago/5df24572-31d9-404c-b406-0b4104f5c853>

Interesting and Related (about gun arrests)

<https://www.wbez.org/stories/gun-possession-arrests-in-chicago-shootings-unsolved/58783eac-2375-49c6-8641-2c13d058d77d>

<https://abc7chicago.com/chicago-police-traffic-stop-and-frisk-racial-profiling/14454992/>

<https://abc7chicago.com/chicago-police-traffic-stops-racial-profiling-black-driver/14454575/>

End Discriminatory Pretextual Traffic Stops for Low Level Violations

Voted Yes

36 Councilors

Representatives of
17 District Councils

Majorities of
13 District Councils

Consensuses of
8 District Councils

Voted No

18 Councilors

Representatives of
11 District Councils

Majorities of
5 District Councils

Consensuses of
2 District Councils

Voted to Abstain

7 Councilors

Representatives of
6 District Councils

Majorities of
1 District Councils

Vote Breakdown by Individual Councilors

YES = 36		NO = 18	ABSTAIN = 7
Alexander Perez	Michelle D. Page	Jamie Brown	Adrienne Johnson
Anthony David Bryant	Ashley Vargas	Sarah Kammerer	Gloria Jenkins
Kenya Franklin	David Orlikoff	Ephraim Lee	Mark Hamberlin
Brenda Waters	Arewa Karen Winters	Thomas McMahon	Jocelyn Woodards
Lovie Bernard	Carmelita Earls	Aisha Humphries	Brad Kessler
Robert McKay	Deondre' Rutues	Al Cacciottolo	Karen Kane
Ciera Whitaker	Anthony Tamez	Jason Huff	Jacob Arena
David Boykin	Beth Rochford	Carlos Sanchez	
Dion McGill	Jenny Schaffer	Denise McBroom	
Joseph Williams	Maurilio Garcia	Bryan J. Ramson	
Teresa Chandler	Sam Schoenburg	Chris Laurent	
Erin Vogel	Anna Rubin	Colleen Dillon	
Elianne Bahena	Darrell Dacres	Colleen Murphy	
Kiisha Smith	Deirdre O'Connor	Dan Martin	
Rosemarie Dominguez	Marilyn Pagán-Banks	Bob Johnson	
Alees Edwards	Veronica Arreola	Carisa Parker	
Chloe Vitale	Angelica Green	Lee Bielecki	
Leonardo Quintero	Saul Arellano	Patrick Kennedy	

Vote Breakdown by District Council Representation

YES = 17		NO = 11	ABSTAIN = 6
DC 002	DC 012	DC 001	DC 001
DC 003	DC 014	DC 002	DC 004
DC 004	DC 015	DC 005	DC 008
DC 005	DC 017	DC 006	DC 011
DC 006	DC 019	DC 008	DC 018
DC 007	DC 020	DC 009	DC 025
DC 009	DC 024	DC 011	
DC 010	DC 025	DC 014	
DC 011		DC 016	
		DC 018	
		DC 022	

Vote Breakdown by District Council Majorities

YES = 13		NO = 5	ABSTAIN = 1
DC 003	DC 015	DC 001	DC 018
DC 004	DC 017	DC 008	
DC 006	DC 019	DC 009	
DC 007	DC 020	DC 016	
DC 010	DC 024	DC 022	
DC 012	DC 025		
DC 014			

Vote Breakdown by District Council Consensuses

YES = 8		NO = 2	ABSTAIN = 0
DC 007	DC 017	DC 016	
DC 010	DC 019	DC 022	
DC 012	DC 020		
DC 015	DC 024		