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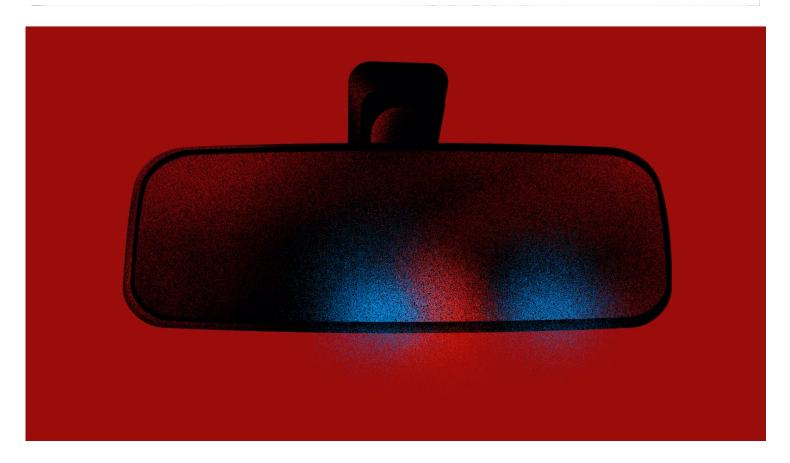Drive Free or Die.   Shop   Subscribe   ≡

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RANTS

The Case For Ending All Traffic Stops

Gif: Jim Cooke for G/O Media Art Dept

Raphael Orlove

As millions of Americans warm up to an old idea (cops are bad!) and Minneapolis appears ready to disband its police department, let me offer another step on the path toward abolishing America's police and forming a more just country. Let's straight up give up on all traffic stops. End them. As it turns out, they're only really good at one thing, and that's racism. I can explain why.

What Do Traffic Stops Do?

Traffic stops in America present a very unbalanced pros and cons list. Nominally, traffic stops are meant to do things like prevent speeding and keep unsafe cars off the road. (This is not how police departments see them, but we'll get to that in a minute.) The idea is that the twin scourges of people rolling through stop signs and driving with broken taillights are bravely combatted by police departments across the country. Let me get this going by asking:

Do Traffic Stops Keep Us Safe?

Think about any drive you have taken recently. Do you think traffic stops have fixed our nation's broken taillights? Have police officers stopped the red-light runners, or drunk drivers, or speeders? Of course not.

Even if we are to take the job of policing traffic seriously, and if we are genuinely afraid of, say, commuters doing 78 in a 55, it's important to recognize that cops don't really prevent those kind of infractions. I have never driven on any highway *in my entire life* and not seen at least somebody speeding or breaking some other traffic law. If we are meant to think that traffic stops are some justified evil, a racist price to pay for safety, we have to ask if they are effective at providing safety itself. Tens of thousands of people are killed on the roads every year are we to believe that cops are making that number smaller? When I'm crushed riding my bike to the beach some sunny weekend by an SUV driver who couldn't see me, I will die thankful that cops are out somewhere hassling somebody for having expired tags or some shit.

Small towns in much of the country are dangerously dependent on punitive fines and fees" in September 2019:

> Throughout the country, smaller cities and towns generate major dollars from different types of fines, sometimes accounting for more than half of their revenues. Some places are known for being speed traps. Others prop up their budgets using traffic cameras, parking citations or code enforcement violations.
>
> To get a picture of just how much cities, towns and counties rely on fines and fees, *Governing* conducted the largest national analysis to date of fine revenues and the extent to which they fund budgets, compiling data from thousands of annual financial audits and reports filed to state agencies.
>
> What we found is that in hundreds of jurisdictions throughout the country, fines are used to fund a significant portion of the budget. They account for more than 10 percent of general fund revenues in nearly 600 U.S. jurisdictions. In at least 284 of those governments, it's more than 20 percent. Some other governments allocate the revenues outside the general fund. When fine and forfeiture revenues in all funds are considered, more than 720 localities reported annual revenues exceeding $100 for every adult resident. And those numbers would be even higher if they included communities reporting less than $100,000 in fines; those jurisdictions were excluded from our analysis. In some places, traffic fine revenue actually exceeds limits outlined in state laws.

I could wonder if all of these drivers feel like the money extracted from them goes back to making them feel safe on the road, or cared for in their community, but I will not dwell on that question. Instead let's ask if it's worth it, because these traffic stops come at a distinct cost.

They disproportionately target black people, and they kill black people. We cannot forget Philando Castile, who was stopped at least 46 times before cops killed him, as NPR noted in a 2016 feature "The Driving Life And Death Of Philando Castile." The piece explains that Castile "spent most of his driving life fighting tickets," how they trapped him in a cycle of tickets and debt, and how his situation was tragically common:

> Police pull over more than 50,000 drivers on a typical day, more than 20 million motorists every year. Yet the most common police interaction — the traffic stop — has not been tracked, at least not in any systematic way.

Stanford did the digging, though, and managed to come through with at least one clear takeaway from data on the traffic stops America's police perform:

> Data from 21 state patrol agencies and 29 municipal police departments, comprising nearly 100 million traffic stops, are sufficiently detailed to facilitate rigorous statistical analysis. The result? The project has found significant racial disparities in policing.

That is to say, if there's anything traffic stops are good at, it's pulling over people who aren't white. (In fact, the whole history of police having discretion on whether or not they pull you over, whether you get a ticket or a warning, was so that white drivers would get fewer tickets and not complain, as my old coworker Aaron Gordon just wrote at Vice.)

And, surprise, traffic stops are bad at producing safe conditions for anybody. I actually pulled up the paper the Open Policing project put together and searched it for "safety." The term only came up once:

> Similarly, enforcement of minor traffic violations, like broken tail lights—even if conducted uniformly and without animus—can place heavy burdens on black and Hispanic drivers without improving public safety.

The Open Policing project cited another paper on the subject from the Stanford Computational Policy Lab, based on a study conducted in Nashville. Things got worse:

> One reason—and arguably the primary rationale—for carrying out large numbers of traffic stops in high-crime areas is a belief that this enforcement strategy has

> broader benefits for public safety. One might posit that traffic stops deter future crime or lead to apprehending those responsible for past incidents. Though plausible, we find little evidence of such a connection between traffic stops and serious crime levels in Nashville. Over the 2011–2017 time period, crime levels for Part I offenses remained steady despite substantial reductions in stop rates over the same period. Further, week-to-week changes in area-specific stop rates were uncorrelated with changes in local crime levels.

Why was it studying Nashville anyway? As the paper explains, Nashville makes "considerably more traffic stops per capita than the national average." Nashville could cut traffic stops by 90 percent and still be "on par" with the other highest-stopped cities, the paper notes.

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You may have read through this article and thought, well of course traffic stops haven't ended all drunk driving, or halted all speeders, or fixed every broken taillight. There just aren't enough cops! There aren't enough eyes on the road. But Nashville is that outlier, and all of this added interrogation wasn't shown to have made anyone safer.

Pros And Cons, Reviewed

On the one hand we have cities and towns across the country using traffic stops in place of taxes, extracting money from people of color and from the poor, and using these stops to terrorize and kill black people.

Is there some positive impact that could possibly outweigh this? Are our traffic stops saving lives that would otherwise be lost? Of course they're not! We are still losing tens of thousands of people per year, and I cannot for the life of me see how traffic stops, speeding tickets, whatever, is helping bring down that number. Looking at how many people die versus how much we are driving (that is, deaths per 100 million vehicle miles traveled), we've basically been flat for a decade, and haven't moved the needle more than a few thousand fatalities per year since, say, the early 1990s as

modern car safety like seatbelts became the norm. What has taken off since the early 1990s is spending on police forces across the country, and an increased militarization of the police at that.

"My sense in general, it's hard to get national numbers on policing," Dr. Ravi Shroff, an author on both the Open Policing Project and the Nashville study, explained to me in a recent phone interview. Police departments operate with so little oversight that it'd take "a lot of legwork" to even get numbers on budgets, or how much of that money is going to traffic safety. But what is clear is how police view stops. I mentioned earlier that stops generate a lot of money. That is not their only function, as Dr. Shroff points out. They are a legal pretext to conducting searches. With traffic stops "it's very easy to find legal reason to stop people," Dr. Shroff explains. Find any way to stop a car, find any way to search it. Say you smell marijuana, whatever. "This is in training manuals across the country."

This is all to say that while the theoretical goal of traffic stops is for traffic safety, the practical goal is that they're reasons to search people when it would otherwise be illegal.

Alright so this sets up that there are two categories of stops. There are the ones that are possibly about road safety, like speeding, and there are the ones that are really only pretexts for searching your car, like getting pulled over for a broken license plate light. The Nashville study lays out a clear case against the latter kind. But what about the former? What if we checked in on, say, car crash rates in Nashville. Surely all these traffic stops must be making Nashville a driving haven! A paradise of safety.

Nah! Crash rates have been actually "spiking," as local News 4 Nashville reported last year, with crash rates rising well past increases in population. "Whenever you have a large population such as Davidson [County] you are going to have a lot of crashes but the fault of the crashes are on the drivers," Lt. Bill Miller with the Tennessee Highway Patrol told the news station. Putting the fault on the drivers! Even the cops know that they're not the ones keeping roads safe. And they'll tell you.

If we really wanted to make our roads safer, there are all sorts of well-known policies and technologies we could implement. Instead, we spend billions on cops.

What Do We Do Instead Of Traffic Stops?

Just as we need to examine the value of police as a whole, we need to examine the value of traffic stops as a whole. Certainly, there would be real opposition to ending traffic stops, enough that I would really need another article to lay it all out. (At 20 million stops per year, traffic stops, as Dr. Shroff points out, are actually the most common way people interact with the police. "I thought it'd be 911 calls, but no.") I mean, it's hard to imagine cops giving automotive stop-and-frisk up easy. What's not hard is to imagine a life without it.

We can develop systems we already have in place for making sure cars are registered and inspected, even speed cameras for watching roads. We even have a fantastic system of preventing drunk driving called "public transportation" that our government seems particularly eager to ignore, to say nothing of funding walkable neighborhoods, supporting cab drivers, the list goes on. This country once even legally mandated seat belt interlocks in the 1970s! There are a lot of ways and existing proposals for keeping roads safe that do not involve police, enough that I'll need another article to go into them all.

But know that there are other ways to keep this country's roads safe, ways that don't involve dumping billions into an increasingly unhinged, militarized police.

"If what you care about is broken taillights," Dr. Shroff jokes, "literally why not just go to neighborhoods with a bag of taillights and give them out." He's being facetious, but he has a point. If our stated goal is to make all cars safe, all drivers safe, there are better ways than using cops. Dr. Shroff adds, "my guess is that it might even be cheaper."

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DISCUSSION

jlnbos
6/12/20 1:13PM

This is one of the most idiotic articles ever posted on Jalopnik.

Traffic stops are necessary to stop people from driving like morons. Do police sometimes make egregiously bad traffic stops? Absolutely. I've been a victim of one. But the solution is not to throw out the baby with the bathwater, but instead to fix the police behavior.

Here is my story of an egregiously bad traffic stop. A couple years ago I took a road trip from Boston to Colorado and back. I went out to Colorado to do some offroading with a Land Cruiser group in mountains near Telluride. On the way back, I took I-70 East. While driving through Kansas on I-70, I got a Waze notification of a cop ahead. I slowed to exactly the speed limit long before my radar detector alerted me (I had been driving 5 mph over the limit prior to the warning, so I wasn't speeding

See all replies

If Traffic Stops Aren't Protecting Drivers, What Are They Doing?

In part, traffic stops make money. I am not trying to do more work than I have to, so I will quote right from the New Yorker's excellent 2016 piece "The Link Between Money And Aggressive Policing." (I could think of some other words that could go in place of "Aggressive" in that headline.) A recurring theme while researching this story is that there is a wealth of research around the brokenness of policing in America, it has been looked into time and time again, and is widely understood. What we don't have, is action. From the New Yorker:

> Alexes Harris is an associate professor of sociology at the University of Washington and the author of "A Pound of Flesh." Published in June, the book analyzes the rise of monetary sanctions in the criminal-justice system. Harris argues that jurisdictions have increasingly relied on levying fines for minor infractions—broken tail-lights, vagrancy, traffic violations—as a way to generate municipal revenue. For instance, a Department of Justice investigation revealed that, in 2013, police in Ferguson, Missouri, issued arrest warrants for nine thousand people, almost all for municipal-code violations such as failing to pay a fine or missing court appearances. Doing so allowed the city to collect $2.4 million in fines and fees, the second highest source of income for the city, behind taxes.

Ferguson is not alone, as anyone with sense could tell you, but since I'm making a case, I will cite some more studies. Here is Governing.com writing "Addicted to Fines:

> "What Mr. Castile symbolizes for a lot of us working in public defense is that driving offenses are typically just crimes of poverty," says Erik Sandvick, a public defender in Ramsey County, which includes St. Paul and its suburbs.
>
> When he heard about Castile in the news, his name sounded so familiar that Sandvick looked up the records and saw his own name listed as Castile's public defender in a 2006 case. He vaguely remembers Castile, but his story is like that of many other clients he's had. They get tickets they can't pay, and then they are ticketed over and over for driving with a suspended license or not having insurance.

Walter Scott's life ended after Officer Michael Slager decided to stop him for a broken taillight. It could have been a turn signal, or a rolled stop sign. Sandra Bland was found dead after calling bullshit on a cop tearing her out of her car over a lane change. Each of these well-known tragedies and countless others we don't know about have got to be weighed against something. And that is, presumably, road safety. More than 36,000 people died on our roads last year, per the National Highway Traffic Safety Administration. How does harassment over expired tags, taillights and turn signals help reduce that number? Well, it's unclear, as Stanford's Open Policing project explains: