

February 8, 2021

Sent via email only

Public Safety Commission
publicsafetycommission@southpasadenaca.gov

Re: Public Comment, Agenda Item 6, Unarmed Traffic Enforcement

Dear Commissioners:

We urge the City of South Pasadena to reassign traffic enforcement to a civilian-headed division within the public works department, or alternatively, deploy traffic officers carrying only non-lethal service weapons. Non-lethal enforcement for non-criminal infractions is the norm in other countries and gaining ground as a model in the U.S.

The deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery have reignited a national debate around policing and public safety. Many are taking a second look at police functions, such as traffic stops, and asking whether these functions could be shifted to unarmed civil servants instead.

Berkeley¹ and Philadelphia² have already removed the use of armed officers in their traffic enforcement programs. Cambridge, MA, is considering the same.³ David C. Couper, former Chief of police in Burnsville, MN (pop. 61,000) and now a Criminal Justice Professor, implemented “unarmed Community Service Officers” in Burnsville.⁴ He advocates for unarmed civilian enforcement to this day.

These cities have recognized that the presence of armed officers at traffic stops unnecessarily raises the tension of these encounters, leading to conflict with officers and further straining community and police relations.

¹ Levin, Sam. “California City Moves to Replace Police Unarmed Civilians for Traffic Stops,” *The Guardian*, July 15, 2020, <https://www.theguardian.com/us-news/2020/jul/15/berkeley-police-california-unarmed-civilians-traffic-stops>

² Murphy, Daryl. “Philly Tests Law Enforcement Without Guns,” WHYY News (PBS), June 19, 2020, <https://whyy.org/articles/philly-tests-law-enforcement-without-guns>

³ City of Cambridge, Policy Order POR 2020 #178, referred to committee, Sept. 1, 2020 (A policy order that “[t]he City Manager look into transferring primary traffic enforcement responsibilities from the Cambridge Police Department to unarmed, trained enforcement personnel in the Traffic & Parking Department, Department of Public Works, Health & Human Services, or another suitable department”); *see also* Cambridge Proposal: Let Unarmed City Employees Make Traffic Stops Instead of Police, CBS Boston, July 19, 2020, https://boston.cbslocal.com/2020/07/29/cambridge-police-officers-traffic-stops-proposal-city-employees/?utm_source=ground.news&utm_medium=referral

⁴ Couper, David C. “The Case for Unarmed Traffic Police,” *Improving Police*, October 26, 2020, <https://improvingpolice.blog/2020/10/26/the-case-for-unarmed-traffic-police/>

Annual reports released under California's Racial and Identity Profiling Act of 2015 demonstrate concerning trends. According to the 2020 report⁵:

- The most commonly reported reason for a stop across all racial/ethnic groups was traffic violations, followed by reasonable suspicion.
- A higher percentage of Black individuals were stopped for reasonable suspicion than any other racial identity group.
- Black individuals represented a higher proportion of stopped individuals than their relative proportion of the population in both benchmark datasets.
- Officers searched Black individuals at a rate 2.9 times the rate at which they searched White individuals (18.7% vs. 6.5%).

Local data is not yet available. But there is no reason to believe local practices deviate from the empirically disproportionate impact of traffic enforcement on Black motorists in other jurisdictions. In many towns like South Pasadena, the sundown town legacy lives on through the impacts of traffic enforcement on BIPOC drivers passing through.

Many officer-involved shootings start out as routine traffic stops, such as the fatal shootings of Philando Castile and Walter Scott. Yet, traffic enforcement should rarely, if ever, escalate to the point where officers must employ their service weapon. Removing weapons from traffic enforcement reduces the risk of injury to officers and citizens alike.

Our research has not identified any legal requirements for officers to carry weapons during traffic enforcement, and there is no provision requiring the same in the current MOU. We ask this commission to study governing law and present its findings.

The uprising of the summer of 2020 has increased American society's focus on preserving life during police encounters. Traffic enforcement, a civil law enterprise, is a logical place to start. We ask the Public Safety Commission to study and consider the creation of a transportation division of the public works department and shifting traffic and parking enforcement responsibilities away from the SPPD. We ask this Commission to study, as an alternative, traffic enforcement by officers who do not carry lethal weapons. While the latter is less desirable than removing traffic enforcement entirely from the Police Department's purview, it is preferable to the status quo.

⁵ Racial & Identity Profiling Advisory Board, Annual Report 2020, pp. 8-9, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>

We hope this morning's PSC discussion be the start of a robust process by which our city bends the arc of its own history away from sundown status and toward racial justice and public safety in the truest sense.

Sincerely,

