Minutes

Racial Profiling Prevention and Data Oversight Board Regular Meeting

Pursuant to section EXECUTIVE BRANCH 20 ILCS 2715
Racial Profiling Prevention and Data Oversight Act
(625 ILCS 5/11-212)

November 21, 2024

10:00 am- 12:00 pm

<u>Location</u>
Via WebEx Video Conference/Teleconference

Call to Order and Roll Call

Bass-Ehler (CHAIR) calls the meeting to order at 10:04 am. The CHAIR explains the meeting is being held virtually under the conditions listed within the Board's by-laws. CHAIR announces roll call of the members. Quorum for the meeting was achieved.

Board Members Present & Absent

Present	Absent
Karyn Bass-Ehler (CHAIR)	Senator John Curran
Phyllis Logan	Michael Newman
Delila Garcia	Representative William Davis
Marcus Gipson	Jermaine Harris
Holly Bieneman (by proxy by Jessica Keldermans)	
Amy Thompson	
Tammy Rinehart Kochel	
Dulce Dominguez	

Also present were:

IDOT – Sean Berberet
ICJIA – Emily Green, Kimberly Atkins

The Mountain Whisper Light – Nayak Polissar, Nirnaya Miljacic, Shannon Golden

Approval of Minutes

August 15th, 2024, Board meeting minutes were unanimously approved. Amy Thompson made the motion to approve, and Delila Garcia seconded.

Discussion Items

Amendment Process for Board Recommendations: Process to implement proposed board recommendations is being researched at Attorney General's office as well as IDoT. Specifically being reviewed is how to enact changes requiring or not requiring statute. Recommendations are still under review and most likely some items will require legislative change. Process can take several different paths. One may include sending recommendations to Governor's office through formal reporting mechanisms as an oversight board, where Governor's office then reviews to determine following steps. An alternate path would be where a legislator from the oversight board decide to take changes as part of their legislative push for the coming term or session. If proposed changes do not require legislative changes the process would need to be reviewed to determine the correct course of action. As this may be the first time the oversight board is in the position of recommending proposed changes, a formalized procedure has not yet been implemented.

Thompson asked the status of the current proposed changes. Bass-Ehler stated the recommendations are still within the hands of the board or of IDoT but since recent board meeting minutes have been approved the proposed changes are ready to be directed to the next step as appropriate.

Vice Chair Appointment: Berberet sent out correspondence asking Oversight Board members to consider nominations for Vice Chair. Discussion was initiated to determine a backup if Bass-Ehler was unable to attend. Meetings are quarterly and to stay on track there should always be a backup to run the meeting. Additional chairs can be designated if necessary.

Bass-Ehler asked if there were any nominations to serve as Vice Chair. Logan asked Bass-Ehler to explain the role. The role will be to run the meeting and to be a thought partner with Bass-Ehler as well as IDoT staff during in between times. Bass-Ehler currently meets with IDoT staff once or twice in between meetings to review recommendations, housekeeping, additional pieces, etc. She explained the commitment is not time consuming and Vice Chair(s) would join those discussions. Ideally, the candidate will be available to run the meeting in Bass-Ehler's absence. Bass-Ehler would still assist in all preparations for the meeting.

As there were no nominations at this time, Bass-Ehler asked nominations be emailed to her or to Berberet. She stated a rotating a Vice Chair was also an option or possibility. Logan nominated Dominguez. Dominguez thanked Logan for the nomination and requested time to consider and respond. Bass-Ehler nominated Harris. Harris was not present at the meeting to respond.

Subcommittee Updates

Law Enforcement Compliance: Thompson was the only member of the subcommittee present. She reported a "fact sheet" was developed to assemble the results of the Law Enforcement Compliance Survey administered during the summer of 2024. The survey was created to identify barriers law enforcement agencies were experiencing in submitting timely stop data to the Illinois Traffic and Pedestrian Stop Study (ITPSS) system. The 2-page results fact sheet was reviewed and explained during the meeting. Please see LEC Survey & Summary at [Racial Profiling Prevention and Data Oversight Board](#) to view the fact sheet and questions. Lastly, Thompson shared a concern that many respondents questioned the usefulness of the study and expressed sentiment the study should cease as a requirement. She asked the Racial Profiling Prevention and Data Oversight Board to be aware of this sentiment and address the issue going forward.

Thompson then stated approximately 20 of the 289 respondents questioned the accuracy or usefulness of the study. Berberet confirmed approximately 80 agency respondents wrote comments within the survey and 20 agencies commented and questioned the accuracy and usefulness of the study.

Logan asked if there was any geographical data from the respondents of the survey. Thompson responded the surveys were anonymous and there was no geographic breakdown.

Dominguez requested a copy of the survey questions be included with the results to better understand the results tallied. She also asked if there was a way of knowing the average agency traffic reporting amounts. Thompson stated the agency's exact reporting number of stops reported annually was not available through this survey. Berberet added most agencies completing the survey averaged approximately 500 and 2000 traffic stops per year.

Logan asked if there would be a way to get more of the participants to comment. Thompson stated subcommittee conversations have been discussed to potentially achieve a higher known response rate from larger agencies in the State.

Rinehart Kochel suggested targeting larger agencies with electronic capabilities or systems currently in place to determine exact barriers they are experiencing. Rinehart Kochel was also impressed by the 30% response rate was achieved for this survey.

Data Collection Forms: Dominguez stated the subcommittee's primary objective was to review and provide new data collection form elements and recommendations to the Board. Recommendations were finalized and approved during the August 2024 board meeting. The subcommittee will now meet monthly instead of biweekly. The subcommittee will now focus on research for the self-reporting mechanism proposed by Professor Mate a few months ago. Dominguez acknowledged Professor Mate's departure from the group and is looking forward to working with Rinehart Kochel due to experience on this concept.

Thompson reminded the subcommittee of pending items not previously ready for the board to vote upon for the data collection forms, including custodial arrest, separating weapon into firearm, legalized marijuana, and other categories. She asked if these items would be included in upcoming discussions. Dominguez said significant discussion on those items has already occurred, but additional time is needed. Rinehart Kochel and Gipson from the Data Collections Forms subcommittee agreed a proper first step with unresolved items was to clarify definitions and instructions first. New data fields are not being introduced at this time, just enhanced, or clarified for instructions and approval from the Board. Gipson and the Illinois State Police (ISP) have provided a working document to assist the subcommittee and the Board on the remaining items. ISP's legal department is reviewing prior to releasing this working document to the public. Gipson confirmed Berberet's comments and added he hopes more information will be available for dissemination prior to the next meeting.

Nayak Polissar Presentation on 2023 Stop Study

IDoT Consultant – The Mountain Whisper Light (TMWL): Presentation slide deck attached.

Q&A:

Rinehart Kochel asked how sources were identified to create the benchmark.
> *Estimating Benchmarks uses data from:*
> - *US Census Bureau data on ZIP code populations (who lives where?)*
> - *IL Drivers License data (what percent of locals are drivers?)*
> - *IDOT records of crashes (who is revealed driving where?)*
> - *Calculated distance from a Police agency to a ZIP code (driving how far from home?)*

Continuous discussion occurred with Polissar and Miljacic from TMWL, it was uncertain if Rinehart Kochel's benchmark calculations questions were answered completely. Additional email correspondence was proposed between Kochel and Miljacic for accuracy and for time constraints. Detailed benchmark information can be located in the 2023 Traffic Stop Study, Part I, Section V and Appendix C. All previous traffic and pedestrian stop studies can be located at the following webpage: Studies or https://idot.illinois.gov/transportation-system/local-transportation-partners/law-enforcement/reporting/illinois-traffic-and-pedestrian-stop-study/studies.html

From page 17 of the 2023 Traffic Study Part I and discussed by Polissar in the presentation, Logan asked if the analysis showing multiple stops of one individual for 2023 was the result of the same officer or multiple officers and if the analysis contained the initial reason for the stop. Polissar responded the analysis showing multiple stops of one individual likely contained stops from various officers from various agencies. This newly developed analysis did not contain police officer identification, jurisdictions, or reason for the stop, but potentially could be included for future studies.

Bass-Ehler had to close out questions on the presentation to continue with agenda items. Bass-Ehler emphasized additional questions could still be sent to Polissar and Milijacic for follow up answers and if necessary, and they could be invited back to continue the discussion.

Open Discussion

Bass-Ehler asked if there were any other items from the Board for open discussion. There were none.

Public Comment

Bass-Ehler asked if there were any members of the public with comments. There were none.

Follow Up to Nayak Polissar Presentation on 2023 Stop Study

Since there were no open discussion or public comments, the remaining 5 minutes was used for additional questions to Polissar's presentation. Bass-Ehler asked Polissar if the comparison rates between black drivers being stopped compared to citations or result of the stop could be explained further in detail. From two different traffic tables created for the 2023 annual traffic report, black drivers in Illinois were being stopped more frequently than white drivers, while receiving far fewer citations as a result of the stop than white drivers. This leads to the notion black drivers are being pulled over more frequently for often unsubstantiated vehicle code violations compared to white drivers. Do these analytic comparisons support the theory pretextual traffic stops occur much more often for black drivers in Illinois?

New Business

Agenda Items for Next Meeting February 20th, 2025:
- Follow up discussion from this presentation.
- Follow up questions and voting on Vice Chair. Send nominations to Bass-Ehler or Berberet.
- Continued updates from subcommittees.
- Follow up discussion on processes to move forward on recommendations voted on in August meeting.

Adjourn

The CHAIR called for a motion to adjourn the meeting. Logan motioned to adjourn the meeting. Garcia seconded. The meeting was adjourned at 12:00 pm.

meeting was adjourned at 12:00 pm.

Illinois Traffic and Pedestrian Stop Study, 2023 Annual Report

Prepared for Illinois Department of Transportation
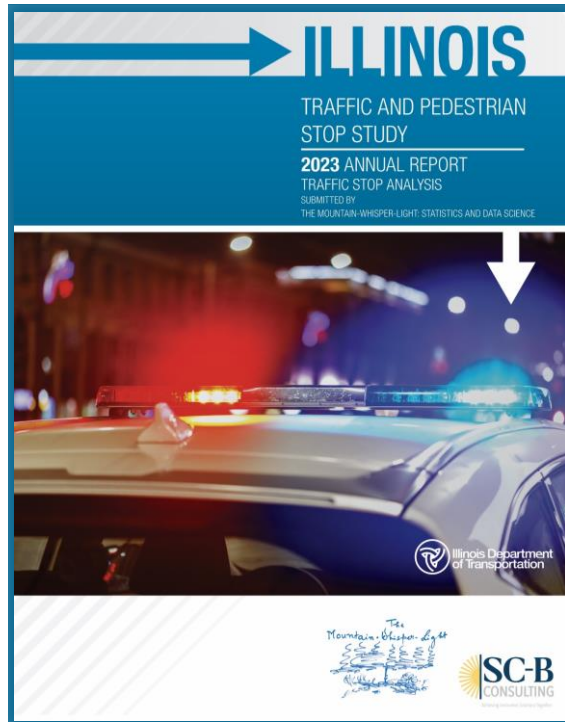
by

The Mountain-Whisper-Light: Statistics & Data Science

in cooperation with **SC-B** Consulting, Inc.

2023 Study Team

The Mountain-Whisper-Light (Seattle, WA)

- Nayak L. Polissar, PhD, Principal Investigator
- Nirnaya Miljacic, MS, PhD
- Daniel S. Hippe, MS
- Shannon Golden, MA
- Cindy Elder, MA
- Mengran Zhang, MA

SC-B Consulting (Champaign, IL)

- Sharie Carter-Bane, President

Where did the data come from? Traffic stops.

Table 2. *Agency status on reporting.* **Illinois, all agencies, Traffic stops, 2022 and 2023.**

Status of Agency	2022		2023	
	Number of agencies	Percent of agencies	Number of agencies	Percent of agencies
Complete reporting[a]	793	78.9%	779	78.1%
Zero stops[b]	24	2.4%	37	3.7%
Incomplete[c]	21	2.1%	23	2.3%
Non-compliant[d]	188	18.7%	158	15.8%
All agencies combined	1,005	100%	997	100%

[a]Agency with one or more stops that were completely reported.
[b]Agency performed no stops over the year.
[c]Agency submitted some but not all of their stops for the year.

2023 Traffic Stop Study, Part I, page 12

Where did the data come from? Pedestrian stops.

Table 2. *Agency status on reporting.* Illinois, all agencies, Pedestrian stops, 2022 and 2023.

Status of Agency	2022		2023	
	Number of agencies	Percent of agencies	Number of agencies	Percent of agencies
Complete reporting[a]	244	24.3%	242	24.3%
Zero stops[b]	302	30.0%	270	27.1%
Incomplete[c]	0	0	0	0
Non-compliant[d]	459	45.7%	485	48.6%
All agencies combined	1,005	100%	997	100%

[a]Agency with one or more stops that were completely reported.
[b]Agency performed no stops over the year.
[c]Agency submitted some but not all of their stops for the year.
[d]Agency made stops, but no stops data were submitted.

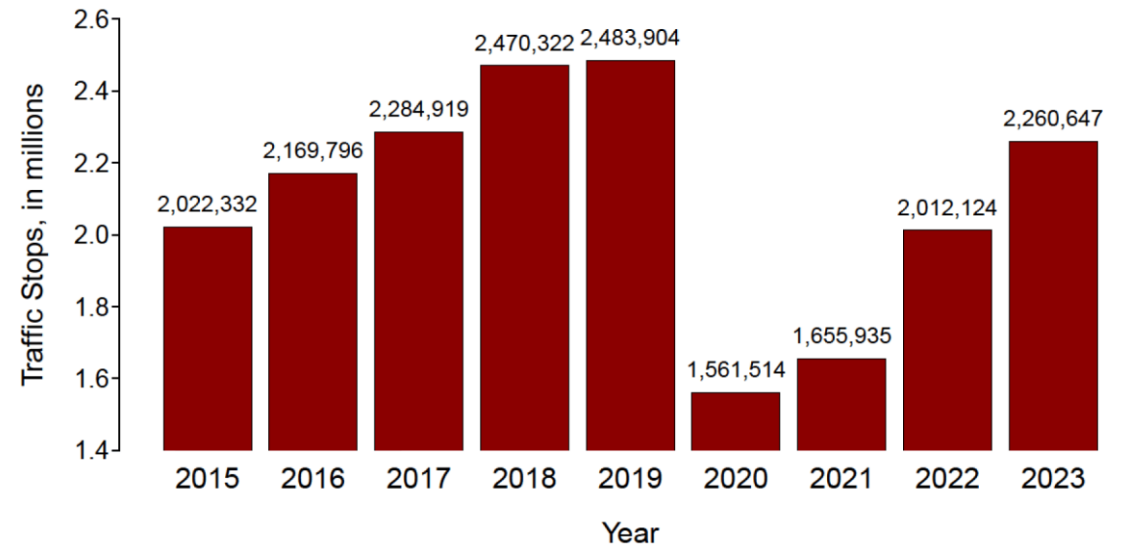2023 Pedestrian Stop Study, Part I, page 11

How many stops?

- 2023 traffic stops: **2,260,647***

- 2023 pedestrian stops: **83,149**** (≈ 27 times smaller than traffic stops)

*2023 Traffic Stop Study, Part I, page 3

**2023 Pedestrian Stop Study, Part I, page 3

Figure 1a. *Illinois, number of traffic stops, 2015-2023.*

2023 Traffic Stop Study, Part I, page 14

Benchmarks—what data sources are used?

Estimating Benchmarks* uses data from:

"

• US Census Bureau data on ZIP code populations (who lives where?)

• IL Drivers License data (what percent of locals are drivers?)

• IDOT records of crashes (who is revealed driving where?)

• Calculated distance from a Police agency to a ZIP code (driving how far from home?)

*For benchmark data, info and methods, see:

• 2023 Traffic Stop Study, Part I, Section V and Appendix C

• 2023 Pedestrian Stop Study, Part I, Section V and Appendix C

COMPARE: (stop rates of Minority drivers)   TO   (stop rate of White drivers)

Summary of Traffic Stops for 2023 - ILLINOIS STATEWIDE RESULTS						Benchmark: Crash-based*
	White	Black or African American	Hispanic or Latino	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
Panel: 1 Summary of Traffic Stops, Rates, and Rate Ratios with 95% Confidence Intervals. Total stops: 2,260,647. Total benchmark population: 9,783,254.						
Stops (% of Total)	1,030,005 (46%)	661,412 (29%)	471,208 (21%)	82,152 (3.6%)	9,695 (0.4%)	6,175 (0.3%)
Benchmark (% of Total)	5,217,253 (53%)	1,931,447 (20%)	2,006,266 (21%)	590,359 (6%)	32,209 (0.3%)	5,720 (0.06%)
Stop Rate (95% Confidence Interval)	0.1974 (0.197 - 0.1978)	0.3424 (0.3416 - 0.3433)	0.235 (0.234 - 0.236)	0.139 (0.138 - 0.14)	0.301 (0.295 - 0.307)	1.08 (1.05 - 1.11)
Stop Rate Ratio vs White (95% Confidence Interval)	1.0	1.73 (1.72 - 1.75)	1.19 (1.18 - 1.2)	0.705 (0.698 - 0.712)	1.52 (1.49 - 1.56)	5.5 (5.3 - 5.6)

2023 Traffic Stop Study, Part II, page 1

COMPARE: (citation rates in Minority stops) TO (citation rate in White stops)

Summary of Traffic Stops for 2023 - ILLINOIS STATEWIDE RESULTS						Benchmark: Crash-based*
	White	Black or African American	Hispanic or Latino	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
Panel: 3 Summary of Outcome of Stop - Number (Percentage of All Stops for the Racial Group with the Noted Outcome of Stop) [95% Confidence Interval]						
Verbal Warning	277,568 (26.9%) [26.8% - 27%]	359,648 (54.4%) [54.2% - 54.6%]	228,999 (48.6%) [48.4% - 48.8%]	34,250 (41.7%) [41.3% - 42.1%]	4,647 (48%) [47% - 49%]	3,300 (53%) [52% - 55%]
Written Warning	399,712 (38.8%) [38.7% - 38.9%]	139,166 (21%) [20.9% - 21.2%]	104,373 (22.2%) [22% - 22.3%]	25,260 (30.7%) [30.4% - 31.1%]	2,488 (26%) [25% - 27%]	1,354 (22%) [21% - 23%]
Citation	352,725 (34.2%) [34.1% - 34.4%]	162,598 (24.6%) [24.5% - 24.7%]	137,836 (29.3%) [29.1% - 29.4%]	22,642 (27.6%) [27.2% - 27.9%]	2,560 (26%) [25% - 27%]	1,521 (25%) [23% - 26%]
Citation Ratio vs White (95% Confidence Interval)	1.0	0.718 (0.714 - 0.722)	0.854 (0.849 - 0.86)	0.8 (0.79 - 0.82)	0.77 (0.74 - 0.8)	0.72 (0.68 - 0.76)

2023 Traffic Stop Study, Part II, page 1

COMPARE: (contraband rates in Minority searches) TO (contraband rate in White searches)

Summary of Traffic Stops for 2023 - ILLINOIS STATEWIDE RESULTS						Benchmark: Crash-based*
	White	**Black or African American**	**Hispanic or Latino**	**Asian**	**American Indian or Alaska Native**	**Native Hawaiian or Other Pacific Islander**
Panel: 4 Summary of Vehicle Search Events - Number (Percentage for the Racial Group) [95% Confidence Interval]						
Consent Search (% of Stops)	9,300 (0.9%) [0.88% - 0.92%]	8,751 (1.32%) [1.3% - 1.35%]	5,127 (1.09%) [1.06% - 1.12%]	413 (0.5%) [0.46% - 0.55%]	74 (0.76%) [0.6% - 0.96%]	62 (1%) [0.77% - 1.3%]
All Searches (% of Stops)	57,426 (5.58%) [5.53% - 5.62%]	35,448 (5.36%) [5.3% - 5.42%]	19,073 (4.05%) [3.99% - 4.11%]	1,169 (1.4%) [1.3% - 1.5%]	255 (2.6%) [2.3% - 3%]	157 (2.5%) [2.2% - 3%]
Contraband Found (% of All Searches)	11,694 (20.4%) [20 - 20.7%]	15,585 (44%) [43% - 45%]	6,093 (32%) [31% - 33%]	214 (18%) [16% - 21%]	57 (22%) [17% - 29%]	41 (26%) [19% - 35%]
Contraband Found Ratio vs White (95% Confidence Interval)	1.0	**2.16 (2.11 - 2.21)**	**1.57 (1.52 - 1.62)**	0.9 (0.78 - 1)	1.1 (0.83 - 1.4)	1.3 (0.92 - 1.7)

2023 Traffic Stop Study, Part II, page 1

COMPARE: (stop rates of Minority pedestrians)   TO   (stop rate of White pedestrians)

Summary of Pedestrian Stops for 2023 - ILLINOIS STATEWIDE RESULTS						Benchmark: Territory-based*
	White	Black or African American	Hispanic or Latino	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
Panel: 1 Summary of Pedestrian Stops, Rates, and Rate Ratios with 95% Confidence Intervals. Total stops: 83,149. Total benchmark population: 10,530,093.						
Stops (% of Total)	8,227 (9.9%)	53,351 (64%)	20,458 (25%)	874 (1.1%)	104 (0.1%)	135 (0.2%)
Benchmark (% of Total)	6,519,672 (62%)	1,486,619 (14%)	1,809,087 (17%)	659,132 (6.3%)	50,013 (0.5%)	5,570 (0.05%)
Stop Rate (95% Confidence Interval)	0.00126 (0.00123 - 0.00129)	0.0359 (0.0356 - 0.0362)	0.0113 (0.0112 - 0.0115)	0.0013 (0.0012 - 0.0014)	0.0021 (0.0017 - 0.0025)	0.024 (0.02 - 0.029)
Stop Rate Ratio vs White (95% Confidence Interval)	1.0	*28.4 (27.8 - 29.1)*	*9 (8.7 - 9.2)*	1.05 (0.979 - 1.13)	*1.6 (1.3 - 2)*	*19 (16 - 23)*

2023 Pedestrian Stop Study, Part II, page 1

95% of all pedestrian stops are Chicago PD stops.

COMPARE: (contraband rates in Minority pedestrian pat down searches) TO
(contraband rate in White pedestrian pat down search)

Summary of Pedestrian Stops for 2023 - ILLINOIS STATEWIDE RESULTS					Benchmark: Territory-based*	
	White	Black or African American	Hispanic or Latino	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
Panel: 2 Summary of Pat Down Events - Number (Percentage for the Racial Group) [95% Confidence Interval]						
Pat Down (% of Stops)	1,957 (24%) [23% - 25%]	22,177 (41.6%) [41% - 42.1%]	7,350 (36%) [35% - 37%]	205 (23%) [20% - 27%]	21 (20%) [12% - 31%]	30 (22%) [15% - 32%]
Search Beyond Pat Down (% of Stops)	2,212 (27%) [26% - 28%]	25,311 (47.4%) [46.9% - 48%]	8,877 (43%) [42% - 44%]	231 (26%) [23% - 30%]	24 (23%) [15% - 34%]	26 (19%) [13% - 28%]
Contraband Found (% of Searches, preceding row)	794 (36%) [33% - 38%]	12,433 (49%) [48% - 50%]	4,421 (50%) [48% - 51%]	97 (42%) [34% - 51%]	7 (29%) [12% - 60%]	15 (58%) [32% - 95%]
Contraband Found Ratio vs White (95% Confidence Interval)	1.0	1.4 (1.3 - 1.5)	1.4 (1.3 - 1.5)	1.2 (0.94 - 1.4)	0.81 (0.33 - 1.7)	1.6 (0.9 - 2.7)

2023 Pedestrian Stop Study, Part II, page 1

Among three largest racial groups (White, Black, Hispanic/Latino), White pedestrians are:
- the least frequently stopped,
- when stopped, least frequently searched;
- when stopped and then searched, the contraband is least frequently found.

Among 958 traffic stop rate ratios involving at least 50 stops of White drivers and 50 stops of the Minority compared: 78% of ratios showed Minority drivers stopped at higher rates.

Table 5.a Distribution of stop rate ratios. (Each nonwhite racial group compared to whites for an agency). Illinois, Traffic stops, 2022 and 2023.

Stop rate ratios	A. All agencies and racial groups*		B. Agencies and racial groups with at least 50 stops**	
	2022	2023	2022	2023
<0.25	35.0%	32.8%	1.2%	0.9%
0.25 to <0.5	8.0%	8.1%	4.6%	4.1%
0.5 to <1.0	14.0%	14.4%	17.8%	16.7%
1.0 to <2.0	18.5%	18.1%	33.6%	35.2%
2.0 to <4.0	14.6%	15.7%	32.2%	33.0%
≥4.0	9.9%	10.9%	10.5%	10.1%
All ratios***	100%	100%	100%	100%

2023 Traffic Stop Study, Part I, page 19

Among larger agencies, reporting at least 50 White and 50 Black drivers stops:

95% of them showed Black drivers stopped at higher rates (table not shown).

Interviews with Officers involved in traffic stops

- Eight police officers in seven agencies interviewed by phone/zoom, eager to share experiences/thoughts.

- Officers: We rarely know the race of any driver until probable cause is already established.

- Keen awareness of intense public scrutiny: We are villainized in the news.

- These are sometimes tailed and profiled but cannot be stopped without probable cause:
  - "regular offenders"
  - unrecognized vehicles in drug-dealing neighborhoods
  - "junky cars" in affluent neighborhoods
  - risky behaviors (active avoidance, excessive nervousness/agitation)

"You gotta go beyond the numbers. Numbers don't tell the whole story."

"I'm mainly dealing with good people having a bad day."

"There are no such things as 'routine' traffic stops. Everything is unique. Everyone is different."

"A traffic stop is not just about writing tickets or warnings. A traffic stop is created to correct behavior."

"I'm just tasked with a duty and a job that I'm here to enforce the laws."

Multiple stopping of individual drivers

Partially motivated by interviews with officers.

Tailing/profiling specific vehicles, drivers, and behaviors may indirectly have a racial aspect.

Figure 3. *Proportion of individual drivers stopped a particular number of times, among all stopped drivers of a particular racial group.* First panel is drivers stopped exactly once, second panel is drivers stopped 2-3 times, third panel is drivers stopped 4-10 times, fourth panel is drivers stopped over 10 times. Illinois, Traffic stops, 2023.
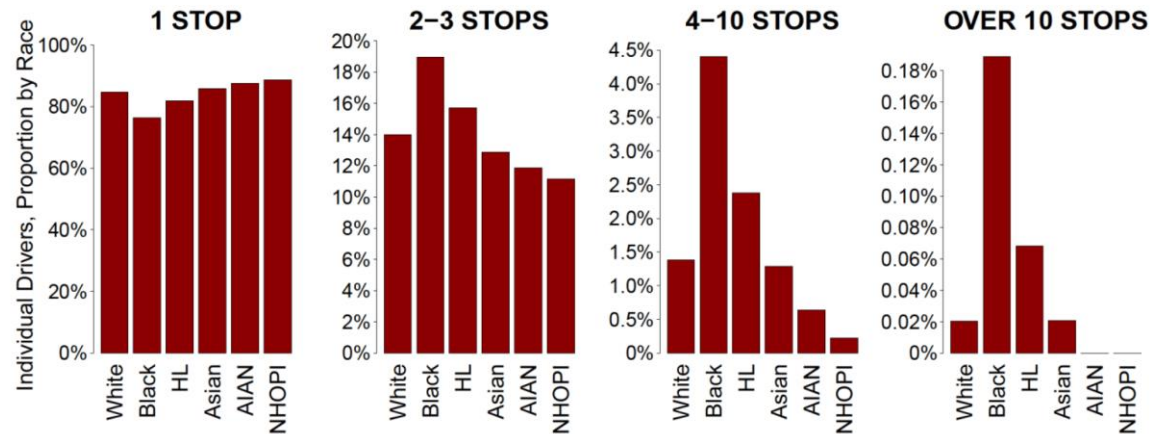
Multiple stopping of individual drivers

Q: Is the race of a multiply stopped driver always reported the same?

A: For 12.6% of these drivers – it is not.

Table 4. Distribution of drivers whose race was officer-assigned more than once, according to how many different race groups they were assigned on at least one occasion. **Illinois, Traffic stops, 2023.**

All drivers with officer-assigned race more than once	Assigned to 1 race group	Assigned to 2 race groups	Assigned to 3 race groups	Assigned to 4 race groups	Assigned to 5 race groups	Assigned to 6 race groups
314,224 (100%)	274,644 (87%)	37,843 (12%)	1,645 (0.52%)	83 (0.03%)	7 (0.00%)	2 (0.00%)

2023 Traffic Stop Study, Part I, page 17

8.9% of IL population has more than one race (2020 Decennial Census).

ILACP letter

On January 23rd, IL Association of Chiefs of Police voiced concerns about the evolving benchmark methodology and the overall statistical methodology.

We pointed out that better benchmarks mean higher accuracy and higher resolution, especially important for small agencies. This is a matter of constant evolution: as relevant datasets become publicly available, they are used to improve benchmarks.

However, this evolution indeed should be aware of agencies' needs to observe trends in their data over time.

We cleared some misinterpretations of various technical aspects of the study.

We cleared some misconceptions about the previous (2004-2018) measure of potential racial bias, and the drawbacks of setting this measure inefficiently mathematically and of lumping all minorities together.

Thank you.