

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/end-police-stops-for-minor-infractions>

Public Facing Advocacy Writing

Sandra Bland was pulled over because a police officer said she failed to signal a turn. Philando Castile was stopped for a malfunctioning brake light. Daunte Wright was driving a car with an expired registration tag.

When police stop people for things like broken taillights or dark window tinting, it creates unnecessary opportunities for deadly encounters. The list of people killed after police detained them for trivial reasons is far too long and continues to grow.

Police action should make people safer. Stops for minor infractions, as an excuse to look for evidence of bigger crimes, do not. That's why more and more law enforcement agencies and district attorneys are taking steps to eliminate non-public safety stops, sometimes called pretextual stops. They are wisely focusing police attention on violations of the law that cause danger.

As with many traumas inflicted by the criminal legal system, this pain weighs heaviest on communities of color. Police have great discretion in making non-public safety stops, leaving space for implicit and explicit racial biases to impact their decisions. Numerous studies show that [people of color are stopped, questioned, and searched by police at higher rates](#) than white people. [A large study of 100 million traffic stops across the country](#) found that Black drivers were less likely to be stopped after sunset, when a veil of darkness masks race, suggesting bias in stop decisions. This same study examined the rate at which stopped drivers were searched and the likelihood that searches turned up contraband, and found evidence that the bar for searching Black and Hispanic drivers was lower than it was for searching white drivers.

When researchers examined statistics surrounding must stop situations that presented a clear danger and non-public safety stops that did not, they found that virtually [all of the racial disparities in stops](#) could be attributed to non-public safety stops.

The vast majority of non-public safety stops do not result in the discovery of drugs or weapons. [Out of 297,000 frisks conducted in New York in 2012](#), for example, only 2 percent resulted in the discovery of a weapon. Meanwhile, victims of such stops can suffer [physical and psychological harm](#). Non-public safety stops also expose police officers to unnecessary danger. The most common proactive policing activity preceding a fatality is an officer-initiated traffic stop.

With such clear evidence that non-public safety stops create pointless risk without improving public safety, some law enforcement agencies are directing officers to cease stopping motorists for violations that don't present a clear danger and focus on safety risks.

More police chiefs and prosecutors should follow these examples and focus resources on offenses with an identifiable victim or that pose a danger to community members. Non-public safety stops create unnecessary points of contact with a criminal legal system that causes far too much unnecessary trauma and harm, particularly for Black people. These stops allow bias, are dangerous, and don't make us safer. Eliminating them across the country is a major step toward building a criminal legal system that delivers justice for all.

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