

INTRADEPARTMENTAL CORRESPONDENCE

February 14, 2022

1.14

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: PRETEXTUAL STOPS SUMMARY – SECOND BATCH

In looking at revising policy and possibly placing limits on pretextual traffic and pedestrian stops, the Department has provided a dedicated email as an additional avenue for public comment on the matter.

The email, stops@lapd.online, opened to the public on February 1, 2022, and will be available for comments until February 15, 2022, at 5 p.m. The Police Commission had requested rolling updates of the emails submitted. The Department received 31 emails between February 1-6, 2022, which were previously reported to the Police Commission via an Intradepartmental Correspondence.

This is the update for the second batch of emails received between February 7-13, 2022. In this timeframe, 19 additional emails were sent to the Department and the breakdown is as follows:

- 1 is in favor of the proposed policy to limit pretextual stops;
- 11 do not want to impose any additional limitations on officers conducting stops; and
- 7 are generally against the policy as written stating that it does not go far enough and that all pretext stops need to end.

One of the emails indicating that the policy does not go far enough was submitted on behalf of PUSH LA and is electronically undersigned by American Civil Liberties Union of Southern California (ACLA SoCal); Advancement Project CA; Black Lives Matter Los Angeles; Brotherhood Crusade; Brothers, Sons, Selves; Children's Defense Fund California; Community Coalition; Coalition for Humane Immigrant Rights Los Angeles (CHIRLA); LA Voice; Labor Community Strategy Center; Million Dollar Hoods; SEIU 2015; SEIU Local 99; Southern Christian Leadership Conference (SCLS) Southern California; and Social Justice Learning Institute.

Similarly, another letter came from the organization Stop LAPD Spying Coalition, Los Angeles Community Action Network, Black Lives Matter LA. Several of the emails received were sent by different individuals, however they used the same/similar verbiage from the Stop LAPD Spying Coalition correspondence.

The group's letter urges opposition against the policy and in part states, "While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise."

One of the emails advocating not to impose additional limitations came from a Los Angeles resident who identified himself as a former law enforcement officer. He indicated that a pretext stop resulted in the 1995 arrest of Timothy McVeigh after the Oklahoma City bombing.

Attached is the latest batch of emails collected between February 7-13. The email addresses and other identifying information (other than the person's name) have been redacted. One more report will be submitted to the Police Commission after the comment period closes on February 15, 2022.



MICHEL R. MOORE
Chief of Police

Attachments

From: stops
Subject: FW: PUSH LA public comment BPC #22-023
Date: Tuesday, February 8, 2022 5:19:02 PM
Attachments: [PUSH LA Public Comment 02-08-22.pdf](#)

From: Leslie Cooper <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:59 PM
To: stops <stops@lapd.online>
Subject: PUSH LA public comment BPC #22-023

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Submitted on behalf of the PUSH LA Coalition.

Leslie Cooper Johnson (she/her), MSW, ORDM
Vice President of Organizational Development

Community Coalition

[REDACTED]
[REDACTED]
[REDACTED]
CoCoSouthLA.org

PEOPLE | POWER | PROGRESS
Stay Connected [REDACTED]



February 8th, 2022

Chief of Police
Board of Police Commissioners
100 West First Street, Suite 1072
Los Angeles, CA 90012

SUBMITTED ELECTRONICALLY

RE: OPPOSITION- Relative to a policy revision regarding pretextual stops.

Members of the Los Angeles Board of Police Commissioners:

On behalf of the Promoting Unity, Safety & Health in Los Angeles ([PUSH LA](#)) Coalition, we write to express our strong opposition to Item BPC #22-023, a policy revision regarding pretextual stops, as it dismisses the lived realities of Black and Brown Angelenos, lacks mechanisms for enforcement, and undermines community advocacy efforts.

[PUSH LA](#) was formed in response to decades of racist policing that has plagued Black and Brown communities in Los Angeles and catalyzed by a flashpoint in 2019, when the LA Times released an analysis of the practices of the Metropolitan (Metro) Division of the LAPD. The analysis revealed that Metro officers stop Black drivers at a rate more than five times their share of the city's population, typically using an invasive tactic known as a pretextual stop, where a minor violation such as a broken tail light is used as a starting point to question the driver, escalate the situation, and potentially harass them. PUSH LA has since called for an end to pretextual stops as one of its core demands.

PUSH LA has deep concerns with the LAPD's recent proposal to limit the use of pretextual stops unless "intended to protect public safety." These concerns are grounded in the lived experience of many Black and Brown Angelenos and [data](#), which shows that the department's pretextual stop strategy 1) disproportionately targets drivers of color despite finding contraband more often among white drivers, 2) focuses

on low-income neighborhoods, placing a crippling financial burden on those families, and 3) is a waste of taxpayer resources through the hours spent on these frivolous searches. **Most egregious of all, this pretextual stops strategy has led to the harassment, abuse, and murder of Black and Brown Angelenos.**

The stops must stop and the LAPD's proposal to curtail them unless they're "intended to protect public safety" is incredibly vague and leaves wide-ranging operating room for more of the same racial profiling that's been a hallmark of the Los Angeles Police Department. The proposal at hand recommends that members of the institution— whose racist practices have been repeatedly called into question— should now be entrusted to use their discretion to employ a tactic that is both ineffective and trauma-inducing on multiple levels. Additionally, the call for training to implement this motion would likely direct more money to police coffers; this stands in contradiction to our community's call to divest from systems of policing and instead invest in systems of care that actually keep our communities safe. The mechanics and spirit of this proposal are antithetical to our goal to remove police from areas where they aren't needed or wanted.

Finally, the proposal has been developed without any community involvement from those with lived experience of traffic stops that have resulted in humiliation, abuse and worse. In contrast, there's predictably been significant outreach to and involvement with the Los Angeles Police Protective League. As the [LA Times' article](#) on this topic calls out: "[The] office was in communication with the union about the policy as it was being drafted...and that Chief Moore requested that the discussions between the department and the union about the policy be kept private." This is purposefully shutting out communities most impacted by these stops and shows a further disregard for their well-being and safety.

Overall, the proposal is in deep misalignment with the changes the PUSH LA Coalition has been demanding for years and specifically requested in our November 2020 letter to the Police Commission: *an end to all pretextual stops and consent searches*. During the summer of 2020 after George Floyd's murder and in the wake of the global movement for Black lives, our Coalition pressured City Council to introduce a motion to research and propose alternatives to traffic safety that did not involve police officers. It's been more than a year and a half since the motion was proposed and little meaningful action has taken place since. It took more than six months for City Council to act with enough urgency to pass the motion (note again that this motion only *researches* alternatives and took significant advocacy to get it passed), and it's now been a year since the LA Department of Transportation (LADOT) was instructed to produce the report. They've yet to hire the necessary consultant and

assemble the community task force. This is insulting and shows complete disregard for the safety of Black and Brown communities and their lives.

We urge LADOT to act with the attention this deserves as there is no time to wait when Black and Brown drivers are facing life and death situations in these stops every day. This proposal has many shortcomings, most of all with its reliance on the problem-makers continuing to make these stops and overfunding a department that's harmed Black and Brown people for decades. The near term solution is moving forward with urgent action on developing recommendations for alternatives to police in routine traffic stops.

Sincerely,

American Civil Liberties Union of Southern California (ACLU SoCal)
Advancement Project CA
Black Lives Matter Los Angeles
Brotherhood Crusade
Brothers, Sons, Selves
Children's Defense Fund California
Community Coalition
Coalition for Humane Immigrant Rights Los Angeles (CHIRLA)
LA Voice
Labor Community Strategy Center
Million Dollar Hoods
SEIU 2015
SEIU Local 99
Southern Christian Leadership Conference (SCLC), Southern California
Social Justice Learning Institute

Police Commissioners whether during their meeting (Zoom) or by sending in email(s) or letters. Your voices are important and need to be heard.

Respectfully,

Mike

On Feb 8, 2022, at 3:47 AM, Krishna Thangavelu <[REDACTED]> wrote:

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning Chief:

Hope you are well!

Seems a shame to leave you out of these community public safety discussions. I'm a big believer that leaders need good intel from the public in real time from the grassroots to make good decisions so here goes: Patrol cops in the Westside have been speaking to different community leaders about LAPD's plan to discontinue "pretextual stops".

1. Sharon Kilbride, co-President of our Pacific Palisades Task Force sent me this info last Thursday:

"We arrested a fellow this morning and found out that a new bill is going before the city council to vote on in the next few weeks that if passed will NOT allow officers to stop vehicles with expired registration. I also heard they will not be able to stop and question any individuals loitering on the streets unless it's called in by a citizen. It sounds like they are trying to tie the hands of officers. You might want to get clarification from Espin on this information.

One of the police officers this morning gave me the information. I sure Rusty knows about it too..

Our city council will probably pass this.. One of the officers was telling me about this proposed law..

It's hard enough for officers to do their job and it's only getting worse. What good is it if they are not allowed to do their jobs..."

2. At a community meeting last Thursday the owner of PaliPatrol Scott Wagenseller mentioned they he also heard this.

3. Our favorite officer Rusty Redican is totally concerned as is, apparently, the police Union. They claim that this is the end of "proactive policing". Which is of course, our favorite thing in the world, so we began the communication chain you'll see below.

3. We alerted the Sheriff who had not heard about the planned discontinuation of pretextual stops. We are awaiting feedback from him. CM Joe Buscaino is opposed to this and we are hoping he will connect with you, Union, and Sheriff to discuss.

We believe this issue is to come before the Police Board of Commisioners for a vote on early March (around 3/1).

Seasoned cops and the police Union believe this policy change will impact cops abilities to do proactive policing. Racial bias groups believe this will stop targeting of people based on ethnicity.

As we understand it, one side of the argument:

"70% of stops are of people of color. Imagine if you are an innocent person of color stopped because your taillight is out and the law enforcement official asks to search your car or question you based on their judgement or your past record? How would you feel about the police, especially when the majority of stops are of innocent people?

If someone opposes this policy, the alternative has to help the police to do their job and remedy historical bias against a group of people."

The other side of the argument:

"This policy will be the end of proactive policing.

The last few times goodwill measures were passed (like Prop 47) we the public got screwed. Political correctness is how we got Gascon, AB-109, Prop 47, Prop-57, and the degrading of the fabric of public safety"

We are concerned enough that some of us will be calling into the Police Board of Commissioners this morning (proactively, a few weeks before the vote) to ask them to slow their roll and take the union and Los Angeles County Sheriff's Department's opinion into consideration.

This community is not in favor of political correctness running our policing. In the middle of the single worst environment of lack of public safety where our public spaces are an outdoor mental asylum we want our cops to take proactive action. More community policing building relationships with residents , more foot patrols, more regulation of public space.

Scroll on below for our discussions. Thought I should bring the content to its correct audience!!

Warm Regards,

KT

Krishna Thangavelu, Ph.D.

[REDACTED]

M: [REDACTED]

E: [REDACTED]

Begin forwarded message:

On Monday, February 7, 2022, 11:56 PM, Jim Cragg <[REDACTED]> wrote:

I must be missing something in this. No one should be pulled over because of their race. But how can they regulate this when they track citizen stops in neighborhoods that are heavily populated by one demographic. For example, there was an uproar by the media a few years ago that the LAPD was pulling over more African Americans than Caucasian drivers in South Central. Now, these neighborhoods are predominantly African American inhabited. To add to it, the media singled out LAPD Metro's crime suppression unit – which was working in a high crime area (doing their job) in a neighborhood that is predominantly African American. Does the Crime Suppression Unit need to drive to Chatsworth just so they can show that they are pulling over a diverse cross section? And do I need to worry that when I leave my office in Carson that there are Police out there searching for me to pull me over because I'm Caucasian and one of the few Caucasians on the streets of South Central in the late hours. The media similarly vilified CHP for "targeting" Hispanic drivers driving north out of Mexico into California on an industrial route because the CHP didn't pull over a larger number of Caucasians. – I am hoping that whatever Chief Moore has signed off on, its accounted for these silly situations.

Jim Cragg

From: Krishna Thangavelu <[REDACTED]>

Sent: 7 February, 2022 3:35 PM

To: Lou Kamer <[REDACTED]>

Cc: Jessica Rogers <[REDACTED]>; Lucy Han
<[REDACTED]>; Debra Huston <[REDACTED]>; Courtney
Macker <[REDACTED]>; Jim Cragg
<[REDACTED]>; Sharon Kilbride <[REDACTED]>;
Traci Park <[REDACTED]>; Craig Greiwe
<[REDACTED]>

Subject: Re: Police Board of Commision meeting info for tomorrow
Tuesday, Feb 8, at 9:30 AM

Thanks so much for insight and background Lou! Much appreciate the additional data points.

What troubles me is that the patrol cops and union don't like this. And feel they will be handicapped in their effectiveness What studies have been done that we can review about patrol cops point of view on this?

I did hear from Rusty that the Union is working on this.

When I think of our own geography we can't wait for a citizen to alert a cop before a cop takes action. I still think this is a police force training issue to improve racial sensitivity rather than a blanket policy that limits cop actions. And of course, 100 percent of stops are not going to lead to arrests. What is the acceptable percentage of stop to arrest ratio. Did the Supreme Court specify?

We literally need a warrant or a lay citizen to report something before a cop can intervene in a suspicious situation?

Anyone else have any thoughts? I would like to know what the Sheriff has to say and what the Police Union has to say. I'm on their side 100 percent over political correctness that interferes with actionable safety and security. In the most dangerous public spaces this society has ever seen.

Warmly,

KT

[Sent from Yahoo Mail for iPhone](#)

On Monday, February 7, 2022, 2:06 PM, Lou Kamer <[REDACTED]> wrote:

KT,

This policy is currently open for public comment and will be on the agenda for a vote around 3/1/22. Chief Moore has approved it. The police union is currently negotiating.

It is part of a national policing strategy to come in line with the Supreme Court rulings on pretext stops and change public perception of police bias.

The alternative you suggest is already being implemented in many LAPD programs (see LAPD strategic plan 2021-2023). 70% of stops are of people of color. Imagine if you are an innocent person of color stopped because your taillight is out and the law enforcement official asks to search your car or question you based on their judgement or your past record? How would you feel about the police, especially when the majority of stops are of innocent people?

If someone opposes this policy, the alternative has to help the police to do their job and remedy historical bias against a group of people.

My 2 cents:

Lou

On Feb 7, 2022, at 12:10 PM, Krishna Thangavelu <[REDACTED]> wrote:

Hello all:

Jessica and I are calling in tomorrow to challenge LAPD plan to discontinue "pretext" stops of individuals perceived to be involved in shady behavior.

The policy change item is not on the agenda...we are calling "PROACTIVELY" to voice our concern about a policing model that is going to be like a fire station that responds after a crime is committed. We must have cops able to investigate suspicious activity proactively. I am also going to suggest that they focus instead on improving community policing by getting cops trained up on building co-operative relationships with the public, so more concerns will be shared with patrol cops proactively.

Also: TRAIN heavy handed cops in inner cities to not harass people and build cooperative relations instead with residents and community. Don't use policy measures where training of specific officers might be called for instead.

Zoom link is within the agenda here:

[LOS ANGELES POLICE DEPARTMENT \(\[REDACTED\]\)](#)

We have alerted CM Joe Buscaino who is opposed to this change of policing policy, and we have alerted the Sheriff who was not previously informed.

I am also asking Rusty to alert the Police Union.

Warmly,

KT

Krishna Thangavelu, Ph.D.

[REDACTED]

M: [REDACTED]

E: [REDACTED]

Subject: FW: Pre-textual Stops
Date: Tuesday, February 8, 2022 5:18:45 PM

From: Sheri Herman <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:18 PM
To: stops <stops@lapd.online>
Subject: Pre-textual Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi All Commissioners,

Pre-textual Stops involve officers citing minor traffic or code violations as a "pretext" for stopping motorists, bicyclists or pedestrians who they suspect may be involved in more serious crime. They have been used by the LAPD for decades, especially in South L.A. and other areas where gun violence is high.

Per the order 130.50 – **MOVEMENT OF TRAFFIC**: To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, **the Department must enforce traffic laws**, investigate traffic collisions, and direct traffic. To enforce compliance with the traffic laws and to develop driver awareness of the causes of traffic collisions, **the Department appropriately warns, cites, or arrest traffic law violators.** (and the order goes on which you can look up)
They are merely enforcing STATE LAW.

As you know, if you are on Facebook, you will see pictures of all the guns and drugs have been taken off the streets in all divisions. LAPD Headquarters has posted many incidents as well as the individual division's pages where our Officers are out there doing PRO-ACTIVE POLICE work. When I share the posts on social media, all the responses are "great job" and "thank you so much". NOTHING negative has been posted.

I am sure that you all are aware that Traffic Stops and Domestic Violence calls are the 2 most dangerous calls an officer responds to. Why traffic stops? As you can see by the attached photos, guns are involved. These are just a few of what the pre-text stops have resulted in.

It is a part of pro-active policing which seems to get harder for our officers to do every day.

If any of you haven't done:

1. a ride along with patrol in **ALL** of the 21 Divisions.

2. talked to the boots on the ground.
3. attend the police academy classes to see what our recruits are being taught.
4. attend some of the training that the officers continue to take.
5. go into the minority communities and talk to the people there (who aren't afraid of retaliation by gang members) and see how they feel about police presence in their neighborhoods.
6. do the FOS (Force Option Simulator).

All of these will give you a clear picture of what our officers do and to understand how your decisions will affect their effectiveness "to protect and serve" the whole community. I feel to be an honest and effective Board, each and every one of you should know be doing this on a continuous basis.

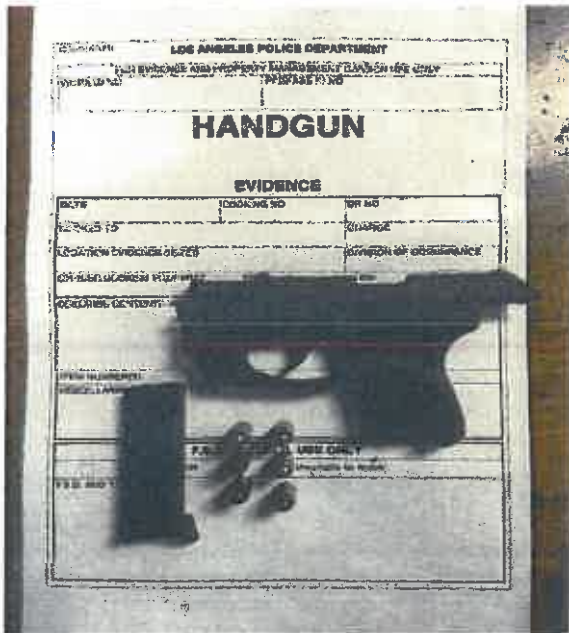
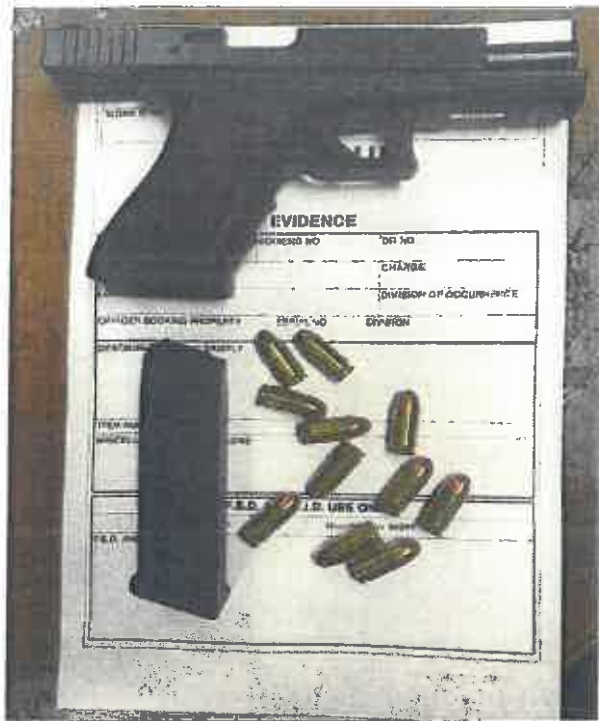
Please don't listen to the few loud voices that want to defund and eliminate the department altogether. I speak for the huge silent majority out there.

We need our officers to do what they need to do to keep us safe in these crazy times where people aren't feeling safe to even go for a walk in their own neighborhood.

Please stop tying the hands of our officers who put their lives on the line every day!! We need them. We want them. We support the LAPD.

Respectfully,

Sheri Herman



Subject: FW: Pre-textual traffic stops MUST not be eliminated
Date: Tuesday, February 8, 2022 5:18:50 PM

From: Bill Cotter <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:42 PM
To: stops <stops@lapd.online>
Subject: Pre-textual traffic stops MUST not be eliminated

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my concern and that of many other community members against the proposal to severely limit traffic stops.

It appears that the LAPD is throwing out the rulebook, and mountains of data, to appease a vocal but very small group alleging racial bias for traffic stops.

Look, let's be realistic. You have data on each stop, listing the officer who initiated it and the race of the people stopped. It is a very simple matter to look for people doing excessive stops and follow up accordingly.

Let's pick a hypothetical division and say it has x% of people of color. It would seem reasonable to stop x% in that area. If an officer is found to be stopping a number greatly in excess of that then investigate that officer. Don't throw out the policy.

It is unfathomable that people will say the city only has x% of that category across the whole city and then comment on how a higher number is stopped in one area. Let's face it – you have a higher chance of stopping someone from one category in say Olympic than you would in the valley.

It is so easy to track and identify offenders, if any exist. Let's look, though, at what happens if the stops are discontinued.

Assistant Chief Giamala talked today about the high volume of guns confiscated. How many of them were from stops and would thus have remained on the street without the actions taken by the officers?

How many more hit and runs will we have as people could drive without a license plate and thus be all but impossible to find?

How much harder will it be to solve a 459 if all witnesses and video evidence no longer can identify a car as it had no plate?

What about officer safety as they approach a car? No way to call in for a plate check if no plate and thus not receive advance word about what they may be dealing with.

What will this do to public perception of the LAPD when someone sees a car drive through a stop sign right in front of a marked LAPD vehicle but no action is taken?

Can we all now drive with an open alcohol container? It appears so based on the draft policy.

When an officer pulls up behind a car with a missing or expired plate, or equipment issue, can they even tell the race of the driver, especially at night?

Traffic officers will tell you when they spot a speeding car they focus on the car type and as much of the plate as they can see so they can stop the correct car. In many cases they don't know the driver's race until they then walk up to the vehicle.

This policy will undoubtedly put the public, including communities of color, at increased risk of traffic accidents and fatalities, and make it harder to solve crimes. Why on earth would you even consider such a thing?

All because some people say their feelings are hurt?

I'd like to point out that the department's motto is "To PROTECT and to Serve." You are throwing out the protect part.

Still think this is a good idea? Pilot it in one division and see what happens to crime rates. Just don't do it in mine.

Bill Cotter

From: stops
Subject: FW: END HUNCH STOPS!!!
Date: Wednesday, February 9, 2022 7:50:40 AM

From: GAVIN-CHRISTIAN JOSE <[REDACTED]>
Sent: Tuesday, February 8, 2022 10:40 PM
To: stops <stops@lapd.online>
Subject: END HUNCH STOPS!!!

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello, I am a student at Helen Bernstein High School. I would like to inform the department on how hunch stops only enforce fear among the city. This tactic isn't effective and only creates a negative impact on people of color. If you allow the community to collaborate, you can improve not only your jobs but this city as a whole. What you guys are doing is wrong and it seems that you are aware... Publicly humiliating people of color, primarily black civilians is absolutely inhumane. This tactic isn't preventing crime at all. Stop applying stereotypes among these people. Start acknowledging that what you guys are doing is harming more than helping the people of this city. This tactic is something that primarily targets my peers, brown and black teenagers. It is absolutely terrifying and simply sad to have noticed police not protect us, only highlight us as perpetrators. Do your jobs!!! Stop desperately searching for a reason to increase the amount of our brown and black brothers and sisters in areas that aren't fit for humanity to maintain sanity. Have some awareness among yourselves and realize that a majority of the time you guys just exacerbate situations. Look towards the community and their needs and how you'll be able to provide what's needed for them. Thank you.

From: stops
[REDACTED]
[REDACTED]
Subject: FW: I am not in favor of this
Date: Wednesday, February 9, 2022 7:50:28 AM

-----Original Message-----

From: John <[REDACTED]>
Sent: Tuesday, February 8, 2022 10:12 PM
To: stops <stops@lapd.online>
Subject: I am not in favor of this

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

City government continues to down grade the laws and bring more crime. You need to stop

John Manning

From: stops
Subject: FW: Concerned citizen
Date: Wednesday, February 9, 2022 7:50:55 AM

From: Cody Anderson <[REDACTED]>
Sent: Wednesday, February 9, 2022 7:19 AM
To: stops <stops@lapd.online>
Subject: Concerned citizen

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear BOPC,

As a concerned citizen who has lived in the City of Los Angeles for most of their life, I can attest to the change in policing LAPD has undergone. A lot of radical reform, some successful and some not. I do not want it becoming a New York. I have looked at the places where pretext stops have been restrictive but the geographical comparisons to our city are not comparable. They are distinctively different. Just because something might work there, does not mean it will here. Other agencies have tried to copy LAPD policy and failed. Lesson is that just because it works somewhere does not mean it will here. As crime is rising and victims are ignored, I do not support the initiative to modify pretext stops for officers.

I say no to any modifications to pretext stop for officers.

I thank you,
Cody

From: stops
[REDACTED]
[REDACTED]
Subject: FW: Pretextual tactics
Date: Thursday, February 10, 2022 5:01:44 PM

-----Original Message-----

From: David Shluker <[REDACTED]>
Sent: Wednesday, February 9, 2022 11:39 PM
To: stops <stops@lapd.online>
Subject: Pretextual tactics

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am outraged by the proposal to eliminate pretextual stops of motorists or pedestrians. This tactic is highly effective in preventing crime, catching criminals and illegal guns. Crime is rising and becoming out of control. This is not the time to eliminate an effective police tool that prevents crime. The people of Los Angeles must be protected. I demand that you do not eliminate pretextual stops!!!

Sent from my iPhone

From: stops
[REDACTED]
[REDACTED]
Subject: FW: Hunch stops
Date: Thursday, February 10, 2022 5:01:52 PM

-----Original Message-----

From: Ariannah Carter <[REDACTED]>
Sent: Thursday, February 10, 2022 12:41 PM
To: stops <stops@lapd.online>
Subject: Hunch stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi, my name is Ariannah Carter and I support the new policy and I would also want the LAPD to stop makin hunch stops. Typically as we all know and even though people don't want to admit it the hunch stop are jusss excuses to target brown and black people like myself. I feel like it isn't fair to me and especially not to the other people of my community. Nobody wants to be driving wondering if they'll get stopped or if they do get stopped wondering is it'll escalate to something else. Please take this little note I wrote into conversation.

[REDACTED]
[REDACTED]
Subject: FW: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops
Date: Thursday, February 10, 2022 5:10:41 PM
Attachments: [Letter to BOPC about BPC 22-023 LAPD Stops Policy - Feb 10, 2022.pdf](#)

Not sure if this is a dupe either. Both of these were from boss lady.

From: Lizabeth Rhodes
Sent: Thursday, February 10, 2022 4:44 PM
To: Sharon Sargent <[REDACTED]>
Subject: Fwd: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

Sent from my iPhone

Begin forwarded message:

From: Richard Tefank <[REDACTED]>
Date: February 10, 2022 at 4:23:46 PM PST
To: Eileen Decker <[REDACTED]>, "William J. Briggs, II" <[REDACTED]>, Dale Bonner <[REDACTED]>, Steve Soboroff <[REDACTED]>, Maria Lou Calanche <[REDACTED]>
Cc: Lizabeth Rhodes <[REDACTED]>
Subject: Fwd: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

FYI

Richard M. Tefank
Executive Director, Board of Police Commissioners
Office [REDACTED]
Fax [REDACTED]
[REDACTED]

Begin forwarded message:

From: StopLAPD Spying-Coalition <[REDACTED]>
Date: February 10, 2022 at 5:43:59 PM EST
To: stops <stops@lapd.online>
Cc: Richard Tefank <[REDACTED]>, Richard Tefank <[REDACTED]>, Eileen Decker <[REDACTED]>, Steve Soboroff <[REDACTED]>, Dale Bonner <[REDACTED]>, "William J. Briggs, II" <[REDACTED]>, Maria Lou Calanche <n6535@lapd.online>, Lizabeth Rhodes <[REDACTED]>, Michel Moore <[REDACTED]>, OCOP Scheduling <[REDACTED]>

[REDACTED], [REDACTED]
[REDACTED]
Subject: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Tefank Could you please forward this communication along with the attached PDF copy of the letter to all Commissioners. Thank you.

PDF COPY OF LETTER ATTACHED

February 10, 2022

Los Angeles Board of Police Commissioners
William J. Briggs II, President
Eileen Decker, Vice President
Dale Bonner, Commissioner
Maria Lou Calanche, Commissioner
Steve Soboroff, Commissioner

Richard Tefank, Executive Director

Los Angeles Police Department
Michel Moore, Chief of Police
Lizabeth Rhodes, Director for the Office of Constitutional Policing and Policy

Los Angeles Mayor Eric Garcetti

SENT BY EMAIL

RE BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

We urge you to reject Chief Moore's proposal for a policy authorizing use of "pretext stops" in certain circumstances. **While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise.** The Los Angeles Police Protective League's (LAPPL) aggressive opposition to this policy underscores the threat that police will exploit this guise to continue harassing our communities. And more broadly, that opposition – in line with LAPPL's efforts to build political power by decrying every possible effort to place rules on their work – is a sham intended to fool the

public into believing this policy will change officer behavior. Please see the full text of the letter attached.

Thank you,

Stop LAPD Spying Coalition

www.stoplapdspying.org

(424) 209-7450



February 10, 2022

Los Angeles Board of Police Commissioners

William J. Briggs II, President

Eileen Decker, Vice President

Dale Bonner, Commissioner

Maria Lou Calanche, Commissioner

Steve Soboroff, Commissioner

Richard Tefank, Executive Director

Los Angeles Police Department

Michel Moore, Chief of Police

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Los Angeles Mayor Eric Garcetti

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We urge you to reject Chief Moore's proposal for a policy authorizing use of "pretext stops" in certain circumstances. **While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise.** The Los Angeles Police Protective League's (LAPPL) aggressive opposition to this policy underscores the threat that police will exploit this guise to continue harassing our communities. And more broadly, that opposition – in line with LAPPL's efforts to build political power by decrying every possible effort to place rules on their work – is a sham intended to fool the public into believing this policy will change officer behavior.

We have long demanded that LAPD stop harassing our communities using pretext stops. As Chief Moore's proposed policy recognizes, these stops subject people "to

inconvenience, confusion, and anxiety.” More than that, they subject our communities to constant police harassment, abuse, and violence. LAPD’s own self-reported data has revealed:

- **These stops are plainly racist:** “Black people are 9% of the city population yet made up 27% of [LAPD] stops” in 2019, “while white people are 29% of the population and 8% of stops.”¹
- **These stops feed LAPD’s racist surveillance tactics:** LAPD uses pretext stops “to gather an individual’s personal and physical information, which is recorded on a Field Interview (FI) card and stored in databases accessible to LAPD.” In 2019, “LAPD filled out FI cards during 16% of stops of Black people” and “for white people in only 5% of stops.”²
- **These stops subject Black communities to worse violence than others:** “During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white.”³

LAPD’s proposed policy notes that “community members sometimes perceive stops as biased, racially motivated, or unfair.” This is yet another example of LAPD insulting our communities by treating people’s well-documented experience of police violence as a mere “perception.” The reference to perception of bias ignores the reality of abusive, discriminatory policing, which in line with LAPD’s record of sustaining exactly zero of the 4,882 individual complaints of biased policing that members of the public submitted between 2010 and 2019.⁴ If anyone “sometimes perceives stops” incorrectly here, it is LAPD, which has repeatedly been exposed to have lied about the scale of these stops.⁵

The proposed policy grants officers discretion to make these same abusive stops. The policy’s first paragraph, titled “Use of Traffic/Pedestrian Stops,” states that “officers should make stops for minor equipment violations or other infractions” whenever “the officer believes that such a violation significantly interferes with public safety.” This paragraph authorizes police to continue using minor traffic offenses to

¹ Black Lives Matter LA, Stop LAPD Spying Coalition, Los Angeles Community Action Network, and White People 4 Black Lives, LAPD Confirms Continued Criminalization, Harassment of the Black Community (November 2020), at 1.

² *Id.*

³ *Id.* at 2.

⁴ *Id.* at 1.

⁵ See Kevin Rector, “LAPD admits it made hundreds more traffic stops in South L.A. than it told The Times,” L.A. Times (Feb. 23, 2021).

target people they want to stop, so long as they don't admit a "pretextual" basis for the stop. Given how easy it is to find a basis for a stop in the Traffic Code – which is "so large and so difficult to obey perfectly that virtually everyone is guilty of a violation, permitting the police to single out almost whomever they wish for a stop"⁶ – as well as the impossibility of surfacing an officer's true personal motivations for stopping a person, this paragraph undermines any restrictions that the policy otherwise attempts to establish on "pretext stops."

This "Use of Traffic/Pedestrian Stops" paragraph will mean that an officer who wants to stop a person can assert they are in compliance with LAPD's proposed policy by finding a basis for the stop in the state's vast menu of equipment and regulatory violations and claiming that these rules are "intended to protect public safety." Given the aggressive resistance that LAPPL has already mounted to the prospect of a limit on their ability to harass the community with pretextual stops, it is safe to assume that police will abuse this loophole in this way.

The proposed policy only gets more meaningless as it goes on. In a section titled "Duration and Scope of All Stops," the policy notes that "[o]fficers' actions during all stops (e.g., questioning, searches, handcuffing, etc.) shall be limited to the original legal basis for the stop." But the U.S. Supreme Court held almost two decades ago that a traffic stop "that is justified solely by the interest in issuing a warning ticket to the driver can become unlawful if it is prolonged beyond the time reasonably required to complete that mission."⁷ More recently, the Supreme Court has held that "a police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution."⁸ That case established that even a single "dog sniff conducted after completion of a traffic stop" can violate the Fourth Amendment.

In other words, this "Duration and Scope of All Stops" paragraph is merely instructing officers to abide by minimal standards long ago set by the U.S. Supreme Court. The fact that LAPD is trying to sell this baseline compliance with the U.S. Constitution as some kind of generous reform speaks to the impunity and lack of accountability that LAPD is used to operating with.

The only sure way to end the harassment of pretextual stops is to strictly prohibit officers from pulling people over on the basis of harmless and trivial traffic charges. This is particularly imperative for charges such as failure to signal a turn, an overdue registration sticker, or tinted windows, all of which are disproportionately used to target

⁶ Whren v. United States, 517 U.S. 806, 818 (1996).

⁷ Illinois v. Caballes, 543 U.S. 405, 407 (2005).

⁸ Rodriguez v. United States, 575 U.S. 348, 350 (2015).

Black, brown, and poor people, and none of which require armed police forces stopping a car in transit. This "idea of removing traffic enforcement from the police is not new" and in fact was embraced by a former LAPD chief almost a century ago.⁹

In contrast, policies like the one proposed here continue a long line of sham "reforms" that LAPD has embraced as a means of sanitizing, expanding, and codifying its violence and discrimination. The fact that Chief Moore appears to view this issue as a "perception of bias" rather than a systematic pattern of deliberate discrimination might explain why the policy does nothing to actually address the problem. We are not fooled by this sham. Nor should you be.

Sincerely,

Stop LAPD Spying Coalition
Los Angeles Community Action Network
Black Lives Matter LA

⁹ Liz Mineo, "Historian urges end to police traffic-law enforcement" Harvard Gazette (Nov. 22, 2021).

From: stops
Subject: FW: Pretext Traffic Stop Policy
Date: Friday, February 11, 2022 11:59:33 AM

Hello,

Please see email below.

Respectfully,

Mary Tashchyan, [REDACTED]
Secretary
Los Angeles Police Department
Office of Constitutional Policing & Policy
[REDACTED]
[REDACTED]

From: jtfives [REDACTED] <[REDACTED]>
Sent: Friday, February 11, 2022 10:11 AM
To: stops <stops@lapd.online>
Subject: Pretext Traffic Stop Policy

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

My name is Timothy Fives and a resident of Los Angeles. I was a police officer in California for 37 years. I draw on my experience in objecting to the LA Police Commission's proposed policy that would prohibit LAPD officers from making traffic stops unless they were sure that a crime had been committed. It is a rash, heavy-handed, and bureaucratic attempt to prevent police officers from using their training and experience.

One memorable example of a police officer making a "routine traffic stop" that led to arresting a criminal involved in a much more horrific crime is Timothy McVeigh and the 1995 truck bombing of the federal building in Oklahoma City. Shortly after the bombing, McVeigh was fleeing in a car on I-35. An Oklahoma state trooper saw that McVeigh's vehicle registration had expired. He pulled McVeigh over to cite him for a simple vehicle code violation. The trooper saw that McVeigh had a handgun partially concealed under a jacket. The trooper's now escalated his threat assessment, ordering McVeigh out of the car at gunpoint. The trooper arrested McVeigh for the concealed weapon in a car violation. The trooper did not know yet about the bombing of the federal building. It was only after McVeigh was booked did the FBI learn that their principal suspect was already in custody, courtesy of the Oklahoma state police. Had the LA Police Commission's ill-conceived policy been in effect in Oklahoma in 1995, the state trooper could not have investigated McVeigh for anything past the traffic stop. A mass murderer would have escaped.

The simple truth of police work is that criminals commit many crimes. They steal cars. They fail to register their cars. They don't have insurance. They drive erratically. They carry guns and narcotics in their cars. A "routine traffic stop" often leads to the discovery of more crimes.

In my experience as a Sheriff's deputy in Los Angeles County, I recall one traffic stop in which we discovered that the driver had an outstanding warrant for murder. In another, an officer stopped a van near Gorman on I-5. Inside the van were the bodies of several murder victims. In another incident I recall from January 1991, the driver of a van failed to stop at a stop sign at a drive-through in Castaic. An alert deputy decided to stop the van for a vehicle code violation. Instead, the van driver decided to speed away. That led to a 50-mile pursuit at high speeds until the van crashed near the LA Coliseum. I was calling the pursuit. The van's driver was recent parolee with a long criminal history. He and his passenger were driving the van full of PCP precursor chemicals including hydrochloric acid in 55-gallon drums. The van was a rolling chemical weapon. The initial "routine traffic stop" led to the arrest of two felons, the seizure of gallons of precursor chemicals, and the interruption of a major drug deal.

I could go on with many other incidents. But they make the same point. Criminals drive vehicles and ride bikes as they continue their criminal activities. Traffic stops are a vital tactic in identifying and arresting criminals while protecting the public. Do not enact this dangerous policy.

From: stops
[REDACTED]
[REDACTED]
Subject: FW: Pre Text Stops
Date: Monday, February 14, 2022 9:31:13 AM

-----Original Message-----

From: Aleksandra Akopyan <[REDACTED]>
Sent: Sunday, February 13, 2022 1:29 PM
To: stops <stops@lapd.online>
Subject: Pre Text Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello as a Community member, I would like to express that I do NOT support any restrictions to LAPD Officers on their stops and how they can do them.

Do not make being a police officer harder than it already is, we need these officers out their being pro-active any way they can to prevent crime from happening.

The city of LA is a very dangerous place, DONT add any restrictions or change to the way officers do their jobs. In fact I would support change that allows them to do more. This city is out of control, and until we stop aiding criminals and making it easier for them to do what they do.. this city will continue to go down hill.

From: stops
Subject: FW: Policy BPC 22-023
Date: Monday, February 14, 2022 9:49:27 AM

From: Kim Holmes <[REDACTED]>
Sent: Sunday, February 13, 2022 10:08 PM
To: stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>; Mayor Garcetti <mayor.garcetti@lacity.org>
Subject: Policy BPC 22-023

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I oppose the proposed policy BPC 22-023 pretextual stops. These stops disproportionately harm Black people: "During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white. This is clearly racist. All the stops need to end.

Thanks,

Kim Holmes

Sent from my iPhone

From: stops
[REDACTED]
[REDACTED]
Subject: FW: Pre Text Stops
Date: Monday, February 14, 2022 9:30:54 AM

-----Original Message-----

From: tadeh [REDACTED] <[REDACTED]>
Sent: Sunday, February 13, 2022 1:07 PM
To: stops <stops@lapd.online>
Subject: Pre Text Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello, I would like to share my concern and thoughts on the idea of taking away or even applying any restrictions on the stops LAPD Officer are able to do.

I truly from the bottom of my heart believe this would be a horrible change. Police Officers need this to conduct proper crime suppression and prevent crimes from happening. This is one of the most useful techniques officers have to make observation style arrests on individuals/ groups carrying firearms, selling narcotics, preying around a neighborhood to commits burglaries, robberies and such.

As a community member I do NOT want more restrictions on these officers. They need to be out there being Pro active even in today's climate.

This change would not only make LAPD officers more reactive , but it would kill their morale, make their job harder to do than it already is. It is obvious that the less stops officers do, the less pro active arrests they make, crime will just go up more than it is.

The main people benefiting from this will be the criminals roaming around our city armed , knowing that they have a new cushion to prevent the officers from being able to find a illegally possessed firearm under their seat.

We all know this is not a good idea..let's not ignore that fact and go with the narrative and help give criminals even more leeway than they have already.

Ask your self, if you lived in a area with high crime with active gangs carrying firearms... would you want your local police department making pro active stops for minor traffic violations that lead to an arrest for narcotics sales , firearms, burglary tools on your street or would you want them to stop them for tinted windows and just give them a ticket and allow them on their way.

Ultimately, my answer is that I do NOT support any type of restrictions to any of the type of stops the officers make. Let them do their job.

From: stops
Subject: FW: pretextual stops
Date: Monday, February 14, 2022 9:30:20 AM

From: Sheila BLM <[REDACTED]>
Sent: Sunday, February 13, 2022 8:40 AM
To: stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>; mayor.garcetti@lacity.org
Subject: pretextual stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Commissioners,

The LAPD has a history of harassing, brutalizing and killing Black and Brown people. The community has been demanding an end to the so called pretextual stops, that are racist, and have resulted in the continued oppression and murder of Black and Brown people.

The LAPD is just now developing policy on pretextual stops. First of all the officers should not be allowed to use their own discretion, because the LAPD is a racist institutional. Black and Brown people will always be harmed and brutalized. Secondly, we demand an end to all stops, including those in traffic and pedestrians. Ezell Ford would be alive today if the LAPD had left him alone while he was walking and had not stopped him and killed him. We can not allow the LAPD to advance this policy. We want an immediate and complete end to all stops, not just some.

I urge the Commission to reject Chief Moore's proposed policy BPC 22-023 authorizing use of "pretext stops" in certain circumstances. While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise. It is the same song with a different melody. Because of the racist results and impact, all the stops must end.

I'm strongly opposed to item BPC #22-023 a policy revision regarding pretextual stops as it dismisses the lived realities of Black and brown Angelenos and continues the failed policies that have resulted in unjustly targeting Black and brown people with tragic consequences. End all pretextual stops. Do not allow police to define, target and make abusive stops.

These stops disproportionately harm Black people: "During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white. This is clearly racist. All the stops need to end.

Signed,

Sheila A. Bates

She/her/hers

"I believe in the sweat of love and in the fire of truth." -Assata Shakur

(Sent from my cell phone)

From: stops
Subject: FW: Stop the pretext stops
Date: Monday, February 14, 2022 9:30:38 AM

From: Allison Riley <[REDACTED]>
Sent: Sunday, February 13, 2022 12:01 PM
To: mayor.garcetti@lacity.org; stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>
Subject: Stop the pretext stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I urge the Commission to reject Chief Moore's proposed policy BPC 22-023 authorizing use of "pretext stops" in certain circumstances. While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise. It is the same song with a different melody. Because of the racist results and impact, all the stops must end.

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l|Angelénos and continues the failed policies that have resulted in unjustly targeting Black and Brown people with tragic consequences. End all pretextual stops. Do not allow police to define, target and make abusive stops.

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From: stops
Subject: FW: LAPD policy on pretextual stops
Date: Thursday, February 10, 2022 5:02:04 PM

FH1

From: Julie Buchwald
Sent: Thursday, February 10, 2022 12:46 PM
To: stops <stops@lapd.online>
Subject: FW: LAPD policy on pretextual stops

FYI, please see below from the League of Women's Voters.

From: Carolina Goodman <[REDACTED]>
Sent: Thursday, February 10, 2022 12:34 PM
To: William J. Briggs, II <[REDACTED]>; Mark Smith <[REDACTED]>; Michel Moore <[REDACTED]>; Elizabeth Rhodes <[REDACTED]>
Cc: Richard Tefank <[REDACTED]>; Julie Buchwald <[REDACTED]>; Mona Field <[REDACTED]>
Subject: LAPD policy on pretextual stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

The League of Women Voters of Greater Los Angeles is in full support of LAPD's intention to limit "pretextual stops" of motorists and pedestrians. In addition to the audit by LAPD's Inspector General, the findings were confirmed by the Racial and Identity Profiling Act, which required law enforcement agencies to collect and submit information about police stops. Recently published research by the Public Policy Institute of California also reveals that Black and Latino drivers are stopped more often despite being less likely to have contraband on them. With only 2% of traffic stops resulting in an arrest, we believe that LAPD officers can be more effective in other crime fighting strategies. NYU's Policing Project offers a model policy to curtail pretextual stops.

Thank you for not only being responsive to research-based policing practices, but also for listening to members of the community, who expressed the feeling of being over policed.

Sincerely,

Mona Field

Mona Field, President
League of Women Voters of Greater Los Angeles

From: [stops](#)
[REDACTED]
[REDACTED]
Subject: FW: PUSH LA public comment BPC #22-023
Date: Tuesday, February 8, 2022 5:19:02 PM
Attachments: [PUSH LA Public Comment 02-08-22.pdf](#)

From: Leslie Cooper <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:59 PM
To: stops <stops@lapd.online>
Subject: PUSH LA public comment BPC #22-023

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Submitted on behalf of the PUSH LA Coalition.

Leslie Cooper Johnson (she/her), MSW, ORDM
Vice President of Organizational Development

Community Coalition

[REDACTED]
[REDACTED]
[REDACTED]

CoCoSouthLA.org

PEOPLE | POWER | PROGRESS

Stay Connected [REDACTED]



February 8th, 2022

Chief of Police
Board of Police Commissioners
100 West First Street, Suite 1072
Los Angeles, CA 90012

SUBMITTED ELECTRONICALLY

RE: OPPOSITION- Relative to a policy revision regarding pretextual stops.

Members of the Los Angeles Board of Police Commissioners:

On behalf of the Promoting Unity, Safety & Health in Los Angeles ([PUSH LA](#)) Coalition, we write to express our strong opposition to Item BPC #22-023, a policy revision regarding pretextual stops, as it dismisses the lived realities of Black and Brown Angelenos, lacks mechanisms for enforcement, and undermines community advocacy efforts.

[PUSH LA](#) was formed in response to decades of racist policing that has plagued Black and Brown communities in Los Angeles and catalyzed by a flashpoint in 2019, when the LA Times released an analysis of the practices of the Metropolitan (Metro) Division of the LAPD. The analysis revealed that Metro officers stop Black drivers at a rate more than five times their share of the city's population, typically using an invasive tactic known as a pretextual stop, where a minor violation such as a broken tail light is used as a starting point to question the driver, escalate the situation, and potentially harass them. PUSH LA has since called for an end to pretextual stops as one of its core demands.

PUSH LA has deep concerns with the LAPD's recent proposal to limit the use of pretextual stops unless "intended to protect public safety." These concerns are grounded in the lived experience of many Black and Brown Angelenos and [data](#), which shows that the department's pretextual stop strategy 1) disproportionately targets drivers of color despite finding contraband more often among white drivers, 2) focuses

on low-income neighborhoods, placing a crippling financial burden on those families, and 3) is a waste of taxpayer resources through the hours spent on these frivolous searches. **Most egregious of all, this pretextual stops strategy has led to the harassment, abuse, and murder of Black and Brown Angelenos.**

The stops must stop and the LAPD's proposal to curtail them unless they're "intended to protect public safety" is incredibly vague and leaves wide-ranging operating room for more of the same racial profiling that's been a hallmark of the Los Angeles Police Department. The proposal at hand recommends that members of the institution— whose racist practices have been repeatedly called into question— should now be entrusted to use their discretion to employ a tactic that is both ineffective and trauma-inducing on multiple levels. Additionally, the call for training to implement this motion would likely direct more money to police coffers; this stands in contradiction to our community's call to divest from systems of policing and instead invest in systems of care that actually keep our communities safe. The mechanics and spirit of this proposal are antithetical to our goal to remove police from areas where they aren't needed or wanted.

Finally, the proposal has been developed without any community involvement from those with lived experience of traffic stops that have resulted in humiliation, abuse and worse. In contrast, there's predictably been significant outreach to and involvement with the Los Angeles Police Protective League. As the [LA Times' article](#) on this topic calls out: "[The] office was in communication with the union about the policy as it was being drafted...and that Chief Moore requested that the discussions between the department and the union about the policy be kept private." This is purposefully shutting out communities most impacted by these stops and shows a further disregard for their well-being and safety.

Overall, the proposal is in deep misalignment with the changes the PUSH LA Coalition has been demanding for years and specifically requested in our November 2020 letter to the Police Commission: *an end to all pretextual stops and consent searches*. During the summer of 2020 after George Floyd's murder and in the wake of the global movement for Black lives, our Coalition pressured City Council to introduce a motion to research and propose alternatives to traffic safety that did not involve police officers. It's been more than a year and a half since the motion was proposed and little meaningful action has taken place since. It took more than six months for City Council to act with enough urgency to pass the motion (note again that this motion only *researches* alternatives and took significant advocacy to get it passed), and it's now been a year since the LA Department of Transportation (LADOT) was instructed to produce the report. They've yet to hire the necessary consultant and

assemble the community task force. This is insulting and shows complete disregard for the safety of Black and Brown communities and their lives.

We urge LADOT to act with the attention this deserves as there is no time to wait when Black and Brown drivers are facing life and death situations in these stops every day. This proposal has many shortcomings, most of all with its reliance on the problem-makers continuing to make these stops and overfunding a department that's harmed Black and Brown people for decades. The near term solution is moving forward with urgent action on developing recommendations for alternatives to police in routine traffic stops.

Sincerely,

American Civil Liberties Union of Southern California (ACLU SoCal)
Advancement Project CA
Black Lives Matter Los Angeles
Brotherhood Crusade
Brothers, Sons, Selves
Children's Defense Fund California
Community Coalition
Coalition for Humane Immigrant Rights Los Angeles (CHIRLA)
LA Voice
Labor Community Strategy Center
Million Dollar Hoods
SEIU 2015
SEIU Local 99
Southern Christian Leadership Conference (SCLC), Southern California
Social Justice Learning Institute

Police Commissioners whether during their meeting (Zoom) or by sending in email(s) or letters. Your voices are important and need to be heard.

Respectfully,

Mike

On Feb 8, 2022, at 3:47 AM, Krishna Thangavelu <[REDACTED]> wrote:

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning Chief:

Hope you are well!

Seems a shame to leave you out of these community public safety discussions. I'm a big believer that leaders need good intel from the public in real time from the grassroots to make good decisions so here goes: Patrol cops in the Westside have been speaking to different community leaders about LAPD's plan to discontinue "pretextual stops".

1. Sharon Kilbride, co-President of our Pacific Palisades Task Force sent me this info last Thursday:

"We arrested a fellow this morning and found out that a new bill is going before the city council to vote on in the next few weeks that if passed will NOT allow officers to stop vehicles with expired registration. I also heard they will not be able to stop and question any individuals loitering on the streets unless it's called in by a citizen. It sounds like they are trying to tie the hands of officers. You might want to get clarification from Espin on this information.

One of the police officers this morning gave me the information. I sure Rusty knows about it too..

Our city council will probably pass this.. One of the officers was telling me about this proposed law..

It's hard enough for officers to do their job and it's only getting worse. What good is it if they are not allowed to do their jobs..."

2. At a community meeting last Thursday the owner of PaliPatrol Scott Wagenseller mentioned they he also heard this.

3. Our favorite officer Rusty Redican is totally concerned as is, apparently, the police Union. They claim that this is the end of “proactive policing”. Which is of course, our favorite thing in the world, so we began the communication chain you’ll see below.

3. We alerted the Sheriff who had not heard about the planned discontinuation of pretextual stops. We are awaiting feedback from him. CM Joe Buscaino is opposed to this and we are hoping he will connect with you, Union, and Sheriff to discuss.

We believe this issue is to come before the Police Board of Commisoners for a vote on early March (around 3/1).

Seasoned cops and the police Union believe this policy change will impact cops abilities to do proactive policing. Racial bias groups believe this will stop targeting of people based on ethnicity.

As we understand it, one side of the argument:

“70% of stops are of people of color. Imagine if you are an innocent person of color stopped because your taillight is out and the law enforcement official asks to search your car or question you based on their judgement or your past record? How would you feel about the police, especially when the majority of stops are of innocent people?

If someone opposes this policy, the alternative has to help the police to do their job and remedy historical bias against a group of people.”

The other side of the argument:

“This policy will be the end of proactive policing.

The last few times goodwill measures were passed (like Prop 47) we the public got screwed. Political correctness is how we got Gascon, AB-109, Prop 47, Prop-57, and the degrading of the fabric of public safety”

We are concerned enough that some of us will be calling into the Police Board of Commissioners this morning (proactively, a few weeks before the vote) to ask them to slow their roll and take the union and Los Angeles County Sheriff’s Department’s opinion into consideration.

This community is not in favor of political correctness running our policing. In the middle of the single worst environment of lack of public safety where our public spaces are an outdoor mental asylum we want our cops to take proactive action. More community policing building relationships with residents , more foot patrols, more regulation of public space.

Scroll on below for our discussions. Thought I should bring the content to its correct audience!!

Warm Regards,

KT

Krishna Thangavelu, Ph.D.

[REDACTED]

M: [REDACTED]

E: [REDACTED]

Begin forwarded message:

On Monday, February 7, 2022, 11:56 PM, Jim Cragg <[REDACTED]> wrote:

I must be missing something in this. No one should be pulled over because of their race. But how can they regulate this when they track citizen stops in neighborhoods that are heavily populated by one demographic. For example, there was an uproar by the media a few years ago that the LAPD was pulling over more African Americans than Caucasian drivers in South Central. Now, these neighborhoods are predominantly African American inhabited. To add to it, the media singled out LAPD Metro's crime suppression unit – which was working in a high crime area (doing their job) in a neighborhood that is predominantly African American. Does the Crime Suppression Unit need to drive to Chatsworth just so they can show that they are pulling over a diverse cross section? And do I need to worry that when I leave my office in Carson that there are Police out there searching for me to pull me over because I'm Caucasian and one of the few Caucasians on the streets of South Central in the late hours. The media similarly vilified CHP for "targeting" Hispanic drivers driving north out of Mexico into California on an industrial route because the CHP didn't pull over a larger number of Caucasians. – I am hoping that whatever Chief Moore has signed off on, its accounted for these silly situations.

Jim Cragg

From: Krishna Thangavelu <[REDACTED]>

Sent: 7 February, 2022 3:35 PM

To: Lou Kamer <[REDACTED]>

Cc: Jessica Rogers <[REDACTED]>; Lucy Han
<[REDACTED]>; Debra Huston <[REDACTED]>; Courtney
Macker <[REDACTED]>; Jim Cragg
<[REDACTED]>; Sharon Kilbride <[REDACTED]>;
Traci Park <[REDACTED]>; Craig Greiwe
<[REDACTED]>

Subject: Re: Police Board of Commision meeting info for tomorrow
Tuesday, Feb 8, at 9:30 AM

Thanks so much for insight and background Lou! Much appreciate the additional data points.

What troubles me is that the patrol cops and union don't like this. And feel they will be handicapped in their effectiveness. What studies have been done that we can review about patrol cops point of view on this?

I did hear from Rusty that the Union is working on this.

When I think of our own geography we can't wait for a citizen to alert a cop before a cop takes action. I still think this is a police force training issue to improve racial sensitivity rather than a blanket policy that limits cop actions. And of course, 100 percent of stops are not going to lead to arrests. What is the acceptable percentage of stop to arrest ratio. Did the Supreme Court specify?

We literally need a warrant or a lay citizen to report something before a cop can intervene in a suspicious situation?

Anyone else have any thoughts? I would like to know what the Sheriff has to say and what the Police Union has to say. I'm on their side 100 percent over political correctness that interferes with actionable safety and security. In the most dangerous public spaces this society has ever seen.

Warmly,

KT

[Sent from Yahoo Mail for iPhone](#)

On Monday, February 7, 2022, 2:06 PM, Lou Kamer <[REDACTED]> wrote:

KT,

This policy is currently open for public comment and will be on the agenda for a vote around 3/1/22. Chief Moore has approved it. The police union is currently negotiating.

It is part of a national policing strategy to come in line with the Supreme Court rulings on pretext stops and change public perception of police bias.

The alternative you suggest is already being implemented in many LAPD programs (see LAPD strategic plan 2021-2023). 70% of stops are of people of color. Imagine if you are an innocent person of color stopped because your taillight is out and the law enforcement official asks to search your car or question you based on their judgement or your past record? How would you feel about the police, especially when the majority of stops are of innocent people?

If someone opposes this policy, the alternative has to help the police to do their job and remedy historical bias against a group of people.

My 2 cents:

Lou

On Feb 7, 2022, at 12:10 PM, Krishna
Thangavelu <[REDACTED]> wrote:

Hello all:

Jessica and I are calling in tomorrow to challenge LAPD plan to discontinue "pretext" stops of individuals perceived to be involved in shady behavior.

The policy change item is not on the agenda...we are calling "PROACTIVELY" to voice our concern about a policing model that is going to be like a fire station that responds after a crime is committed. We must have cops able to investigate suspicious activity proactively. I am also going to suggest that they focus instead on improving community policing by getting cops trained up on building co-operative relationships with the public, so more concerns will be shared with patrol cops proactively.

Also: TRAIN heavy handed cops in inner cities to not harass people and build cooperative relations instead with residents and community. Don't use policy measures where training of specific officers might be called for instead.

Zoom link is within the agenda here:

[LOS ANGELES POLICE
DEPARTMENT \(\[REDACTED\]\)](#)

We have alerted CM Joe Buscaino who is opposed to this change of policing policy, and we have alerted the Sheriff who was not previously informed.

I am also asking Rusty to alert the Police Union.

Warmly,

KT

Krishna Thangavelu, Ph.D.

[REDACTED]

M: [REDACTED]

E: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
Subject: FW: Pre-textual Stops
Date: Tuesday, February 8, 2022 5:18:45 PM

From: Sheri Herman <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:18 PM
To: stops <stops@lapd.online>
Subject: Pre-textual Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi All Commissioners,

Pre-textual Stops involve officers citing minor traffic or code violations as a “pretext” for stopping motorists, bicyclists or pedestrians who they suspect may be involved in more serious crime. They have been used by the LAPD for decades, especially in South L.A. and other areas where gun violence is high.

Per the order 130.50 – **MOVEMENT OF TRAFFIC:** To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, **the Department must enforce traffic laws,** investigate traffic collisions, and direct traffic. To enforce compliance with the traffic laws and to develop driver awareness of the causes of traffic collisions, **the Department appropriately warns, cites, or arrest traffic law violators.** (and the order goes on which you can look up)
They are merely enforcing STATE LAW.

As you know, if you are on Facebook, you will see pictures of all the guns and drugs have been taken off the streets in all divisions. LAPD Headquarters has posted many incidents as well as the individual division’s pages where our Officers are out there doing PRO-ACTIVE POLICE work. When I share the posts on social media, all the responses are “great job” and “thank you so much”. NOTHING negative has been posted.

I am sure that you all are aware that Traffic Stops and Domestic Violence calls are the 2 most dangerous calls an officer responds to. Why traffic stops? As you can see by the attached photos, guns are involved. These are just a few of what the pre-text stops have resulted in.

It is a part of pro-active policing which seems to get harder for our officers to do every day.

If any of you haven’t done:

1. a ride along with patrol in **ALL** of the 21 Divisions.

2. talked to the boots on the ground.
3. attend the police academy classes to see what our recruits are being taught.
4. attend some of the training that the officers continue to take.
5. go into the minority communities and talk to the people there (who aren't afraid of retaliation by gang members) and see how they feel about police presence in their neighborhoods.
6. do the FOS (Force Option Simulator).

All of these will give you a clear picture of what our officers do and to understand how your decisions will affect their effectiveness "to protect and serve" the whole community. I feel to be an honest and effective Board, each and every one of you should know be doing this on a continuous basis.

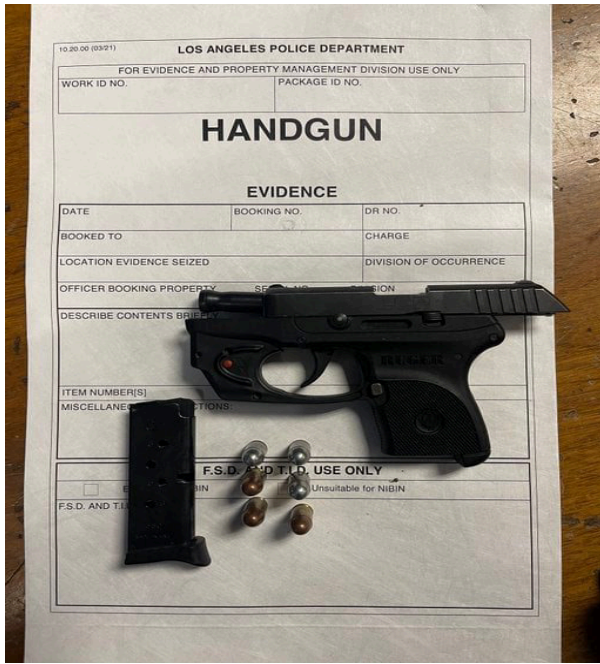
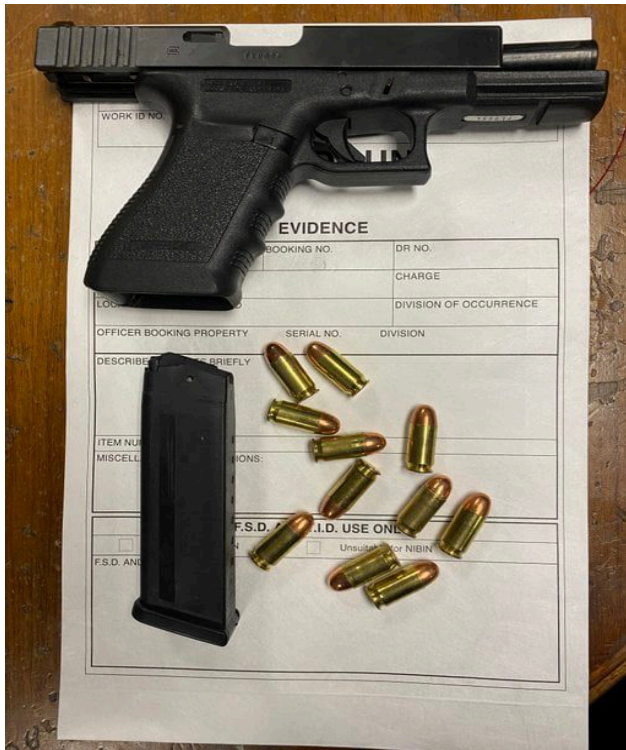
Please don't listen to the few loud voices that want to defund and eliminate the department altogether. I speak for the huge silent majority out there.

We need our officers to do what they need to do to keep us safe in these crazy times where people aren't feeling safe to even go for a walk in their own neighborhood.

Please stop tying the hands of our officers who put their lives on the line every day!! We need them. We want them. We support the LAPD.

Respectfully,

Sheri Herman



Subject: FW: Pre-textual traffic stops MUST not be eliminated
Date: Tuesday, February 8, 2022 5:18:50 PM

From: Bill Cotter <[REDACTED]>
Sent: Tuesday, February 8, 2022 4:42 PM
To: stops <stops@lapd.online>
Subject: Pre-textual traffic stops MUST not be eliminated

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my concern and that of many other community members against the proposal to severely limit traffic stops.

It appears that the LAPD is throwing out the rulebook, and mountains of data, to appease a vocal but very small group alleging racial bias for traffic stops.

Look, let's be realistic. You have data on each stop, listing the officer who initiated it and the race of the people stopped. It is a very simple matter to look for people doing excessive stops and follow up accordingly.

Let's pick a hypothetical division and say it has x% of people of color. It would seem reasonable to stop x% in that area. If an officer is found to be stopping a number greatly in excess of that then investigate that officer. Don't throw out the policy.

It is unfathomable that people will say the city only has x% of that category across the whole city and then comment on how a higher number is stopped in one area. Let's face it – you have a higher chance of stopping someone from one category in say Olympic than you would in the valley.

It is so easy to track and identify offenders, if any exist. Let's look, though, at what happens if the stops are discontinued.

Assistant Chief Giamala talked today about the high volume of guns confiscated. How many of them were from stops and would thus have remained on the street without the actions taken by the officers?

How many more hit and runs will we have as people could drive without a license plate and thus be all but impossible to find?

How much harder will it be to solve a 459 if all witnesses and video evidence no longer can identify a car as it had no plate?

What about officer safety as they approach a car? No way to call in for a plate check if no plate and thus not receive advance word about what they may be dealing with.

What will this do to public perception of the LAPD when someone sees a car drive through a stop sign right in front of a marked LAPD vehicle but no action is taken?

Can we all now drive with an open alcohol container? It appears so based on the draft policy.

When an officer pulls up behind a car with a missing or expired plate, or equipment issue, can they even tell the race of the driver, especially at night?

Traffic officers will tell you when they spot a speeding car they focus on the car type and as much of the plate as they can see so they can stop the correct car. In many cases they don't know the driver's race until they then walk up to the vehicle.

This policy will undoubtedly put the public, including communities of color, at increased risk of traffic accidents and fatalities, and make it harder to solve crimes. Why on earth would you even consider such a thing?

All because some people say their feelings are hurt?

I'd like to point out that the department's motto is "To PROTECT and to Serve." You are throwing out the protect part.

Still think this is a good idea? Pilot it in one division and see what happens to crime rates. Just don't do it in mine.

Bill Cotter

From: stops
[REDACTED]
[REDACTED]
Subject: FW: END HUNCH STOPS!!!
Date: Wednesday, February 9, 2022 7:50:40 AM

From: GAVIN-CHRISTIAN JOSE <[REDACTED]>
Sent: Tuesday, February 8, 2022 10:40 PM
To: stops <stops@lapd.online>
Subject: END HUNCH STOPS!!!

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello, I am a student at Helen Bernstein High School. I would like to inform the department on how hunch stops only enforce fear among the city. This tactic isn't effective and only creates a negative impact on people of color. If you allow the community to collaborate, you can improve not only your jobs but this city as a whole. What you guys are doing is wrong and it seems that you are aware... Publicly humiliating people of color, primarily black civilians is absolutely inhumane. This tactic isn't preventing crime at all. Stop applying stereotypes among these people. Start acknowledging that what you guys are doing is harming more than helping the people of this city. This tactic is something that primarily targets my peers, brown and black teenagers. It is absolutely terrifying and simply sad to have noticed police not protect us, only highlight us as perpetrators. Do your jobs!!! Stop desperately searching for a reason to increase the amount of our brown and black brothers and sisters in areas that aren't fit for humanity to maintain sanity. Have some awareness among yourselves and realize that a majority of the time you guys just exacerbate situations. Look towards the community and their needs and how you'll be able to provide what's needed for them. Thank you.

From: [stops](#)
[REDACTED]
[REDACTED]
Subject: FW: I am not in favor of this
Date: Wednesday, February 9, 2022 7:50:28 AM

-----Original Message-----

From: John <[REDACTED]>
Sent: Tuesday, February 8, 2022 10:12 PM
To: stops <stops@lapd.online>
Subject: I am not in favor of this

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

City government continues to down grade the laws and bring more crime. You need to stop

John Manning

From: stops

Subject: FW: Concerned citizen
Date: Wednesday, February 9, 2022 7:50:55 AM

From: Cody Anderson <[REDACTED]>

Sent: Wednesday, February 9, 2022 7:19 AM

To: stops <stops@lapd.online>

Subject: Concerned citizen

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear BOPC,

As a concerned citizen who has lived in the City of Los Angeles for most of their life, I can attest to the change in policing LAPD has undergone. A lot of radical reform, some successful and some not. I do not want it becoming a New York. I have looked at the places where pretexts stops have been restrictive but the geographical comparisons to our city are not comparable. They are distinctively different. Just because something might work there, does not mean it will here. Other agencies have tried to copy LAPD policy and failed. Lesson is that just because it works somewhere does not mean it will here. As crime is rising and victims are ignored, I do not support the initiative to modify pretext stops for officers.

I say no to any modifications to pretext stop for officers.

Thank you,

Cody

From: [stops](#)
[REDACTED]
[REDACTED]
Subject: FW: Pretextual tactics
Date: Thursday, February 10, 2022 5:01:44 PM

-----Original Message-----

From: David Shluker <[REDACTED]>
Sent: Wednesday, February 9, 2022 11:39 PM
To: stops <stops@lapd.online>
Subject: Pretextual tactics

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am outraged by the proposal to eliminate pretextual stops of motorists or pedestrians. This tactic is highly effective in preventing crime, catching criminals and illegal guns. Crime is rising and becoming out of control. This is not the time to eliminate an effective police tool that prevents crime. The people of Los Angeles must be protected. I demand that you do not eliminate pretextual stops!!!

Sent from my iPhone

From: [stops](#)

Subject: FW: Hunch stops

Date: Thursday, February 10, 2022 5:01:52 PM

-----Original Message-----

From: Ariannah Carter <[REDACTED]>

Sent: Thursday, February 10, 2022 12:41 PM

To: stops <stops@lapd.online>

Subject: Hunch stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi, my name is Ariannah Carter and I support the new policy and I would also want the LAPD to stop makin hunch stops. Typically as we all know and even though people don't want to admit it the hunch stop are jusss excuses to target brown and black people like myself. I feel like it isn't fair to me and especially not to the other people of my community. Nobody wants to be driving wondering if they'll get stopped or if they do get stopped wondering is it'll escalate to something else. Please take this little note I wrote into conversation.

[REDACTED]
[REDACTED]
Subject: FW: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops
Date: Thursday, February 10, 2022 5:10:41 PM
Attachments: [Letter to BOPC about BPC 22-023 LAPD Stops Policy - Feb 10, 2022.pdf](#)

Not sure if this is a dupe either. Both of these were from boss lady.

From: Lizabeth Rhodes
Sent: Thursday, February 10, 2022 4:44 PM
To: Sharon Sargent <[REDACTED]>
Subject: Fwd: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

Sent from my iPhone

Begin forwarded message:

From: Richard Tefank <[REDACTED]>
Date: February 10, 2022 at 4:23:46 PM PST
To: Eileen Decker <[REDACTED]>, "William J. Briggs, II" <[REDACTED]>, Dale Bonner <[REDACTED]>, Steve Soboroff <[REDACTED]>, Maria Lou Calanche <[REDACTED]>
Cc: Lizabeth Rhodes <[REDACTED]>
Subject: Fwd: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

FYI

Richard M. Tefank
Executive Director, Board of Police Commissioners
Office [REDACTED]
Fax [REDACTED]
[REDACTED]

Begin forwarded message:

From: StopLAPD Spying-Coalition <[REDACTED]>
Date: February 10, 2022 at 5:43:59 PM EST
To: stops <stops@lapd.online>
Cc: Richard Tefank <[REDACTED]>, Richard Tefank <[REDACTED]>, Eileen Decker <[REDACTED]>, Steve Soboroff <[REDACTED]>, Dale Bonner <[REDACTED]>, "William J. Briggs, II" <[REDACTED]>, Maria Lou Calanche <n6535@lapd.online>, Lizabeth Rhodes <[REDACTED]>, Michel Moore <[REDACTED]>, OCOP Scheduling <[REDACTED]>

██████████, ██████████
██████████
Subject: Ltr re BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Tefank Could you please forward this communication along with the attached PDF copy of the letter to all Commissioners. Thank you.

PDF COPY OF LETTER ATTACHED

February 10, 2022

Los Angeles Board of Police Commissioners
William J. Briggs II, President
Eileen Decker, Vice President
Dale Bonner, Commissioner
Maria Lou Calanche, Commissioner
Steve Soboroff, Commissioner

Richard Tefank, Executive Director

Los Angeles Police Department
Michel Moore, Chief of Police
Lizabeth Rhodes, Director for the Office of Constitutional Policing and Policy

Los Angeles Mayor Eric Garcetti

SENT BY EMAIL

RE BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

We urge you to reject Chief Moore's proposal for a policy authorizing use of "pretext stops" in certain circumstances. **While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise.** The Los Angeles Police Protective League's (LAPPL) aggressive opposition to this policy underscores the threat that police will exploit this guise to continue harassing our communities. And more broadly, that opposition – in line with LAPPL's efforts to build political power by decrying every possible effort to place rules on their work – is a sham intended to fool the

public into believing this policy will change officer behavior. Please see the full text of the letter attached.

Thank you,

Stop LAPD Spying Coalition

www.stoplapdspying.org

[REDACTED]



February 10, 2022

Los Angeles Board of Police Commissioners
William J. Briggs II, President
Eileen Decker, Vice President
Dale Bonner, Commissioner
Maria Lou Calanche, Commissioner
Steve Soboroff, Commissioner
Richard Tefank, Executive Director

Los Angeles Police Department
Michel Moore, Chief of Police
Lizabeth Rhodes, Director for the Office of Constitutional Policing and Policy

Los Angeles Mayor Eric Garcetti

SENT BY EMAIL

RE BPC 22-023: LAPD Proposed Policy on Limitation on Use of Pretextual Stops

We urge you to reject Chief Moore's proposal for a policy authorizing use of "pretext stops" in certain circumstances. **While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise.** The Los Angeles Police Protective League's (LAPPL) aggressive opposition to this policy underscores the threat that police will exploit this guise to continue harassing our communities. And more broadly, that opposition – in line with LAPPL's efforts to build political power by decrying every possible effort to place rules on their work – is a sham intended to fool the public into believing this policy will change officer behavior.

We have long demanded that LAPD stop harassing our communities using pretext stops. As Chief Moore's proposed policy recognizes, these stops subject people "to

inconvenience, confusion, and anxiety.” More than that, they subject our communities to constant police harassment, abuse, and violence. LAPD’s own self-reported data has revealed:

- **These stops are plainly racist:** “Black people are 9% of the city population yet made up 27% of [LAPD] stops” in 2019, “while white people are 29% of the population and 8% of stops.”¹
- **These stops feed LAPD’s racist surveillance tactics:** LAPD uses pretext stops “to gather an individual’s personal and physical information, which is recorded on a Field Interview (FI) card and stored in databases accessible to LAPD.” In 2019, “LAPD filled out FI cards during 16% of stops of Black people” and “for white people in only 5% of stops.”²
- **These stops subject Black communities to worse violence than others:** “During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white.”³

LAPD’s proposed policy notes that “community members sometimes perceive stops as biased, racially motivated, or unfair.” This is yet another example of LAPD insulting our communities by treating people’s well-documented experience of police violence as a mere “perception.” The reference to perception of bias ignores the reality of abusive, discriminatory policing, which in line with LAPD’s record of sustaining exactly zero of the 4,882 individual complaints of biased policing that members of the public submitted between 2010 and 2019.⁴ If anyone “sometimes perceives stops” incorrectly here, it is LAPD, which has repeatedly been exposed to have lied about the scale of these stops.⁵

The proposed policy grants officers discretion to make these same abusive stops. The policy’s first paragraph, titled “Use of Traffic/Pedestrian Stops,” states that “officers should make stops for minor equipment violations or other infractions” whenever “the officer believes that such a violation significantly interferes with public safety.” This paragraph authorizes police to continue using minor traffic offenses to

¹ Black Lives Matter LA, Stop LAPD Spying Coalition, Los Angeles Community Action Network, and White People 4 Black Lives, [LAPD Confirms Continued Criminalization, Harassment of the Black Community](#) (November 2020), at 1.

² Id.

³ Id. at 2.

⁴ Id. at 1.

⁵ See Kevin Rector, “[LAPD admits it made hundreds more traffic stops in South L.A. than it told The Times](#),” L.A. Times (Feb. 23, 2021).

target people they want to stop, so long as they don't admit a "pretextual" basis for the stop. Given how easy it is to find a basis for a stop in the Traffic Code – which is "so large and so difficult to obey perfectly that virtually everyone is guilty of a violation, permitting the police to single out almost whomever they wish for a stop"⁶ – as well as the impossibility of surfacing an officer's true personal motivations for stopping a person, this paragraph undermines any restrictions that the policy otherwise attempts to establish on "pretext stops."

This "Use of Traffic/Pedestrian Stops" paragraph will mean that an officer who wants to stop a person can assert they are in compliance with LAPD's proposed policy by finding a basis for the stop in the state's vast menu of equipment and regulatory violations and claiming that these rules are "intended to protect public safety." Given the aggressive resistance that LAPPL has already mounted to the prospect of a limit on their ability to harass the community with pretextual stops, it is safe to assume that police will abuse this loophole in this way.

The proposed policy only gets more meaningless as it goes on. In a section titled "Duration and Scope of All Stops," the policy notes that "[o]fficers' actions during all stops (e.g., questioning, searches, handcuffing, etc.) shall be limited to the original legal basis for the stop." But the U.S. Supreme Court held almost two decades ago that a traffic stop "that is justified solely by the interest in issuing a warning ticket to the driver can become unlawful if it is prolonged beyond the time reasonably required to complete that mission."⁷ More recently, the Supreme Court has held that "a police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution."⁸ That case established that even a single "dog sniff conducted after completion of a traffic stop" can violate the Fourth Amendment.

In other words, this "Duration and Scope of All Stops" paragraph is merely instructing officers to abide by minimal standards long ago set by the U.S. Supreme Court. The fact that LAPD is trying to sell this baseline compliance with the U.S. Constitution as some kind of generous reform speaks to the impunity and lack of accountability that LAPD is used to operating with.

The only sure way to end the harassment of pretextual stops is to strictly prohibit officers from pulling people over on the basis of harmless and trivial traffic charges. This is particularly imperative for charges such as failure to signal a turn, an overdue registration sticker, or tinted windows, all of which are disproportionately used to target

⁶ Whren v. United States, 517 U.S. 806, 818 (1996).

⁷ Illinois v. Caballes, 543 U.S. 405, 407 (2005).

⁸ Rodriguez v. United States, 575 U.S. 348, 350 (2015).

Black, brown, and poor people, and none of which require armed police forces stopping a car in transit. This “idea of removing traffic enforcement from the police is not new” and in fact was embraced by a former LAPD chief almost a century ago.⁹

In contrast, policies like the one proposed here continue a long line of sham “reforms” that LAPD has embraced as a means of sanitizing, expanding, and codifying its violence and discrimination. The fact that Chief Moore appears to view this issue as a “perception of bias” rather than a systematic pattern of deliberate discrimination might explain why the policy does nothing to actually address the problem. We are not fooled by this sham. Nor should you be.

Sincerely,

Stop LAPD Spying Coalition
Los Angeles Community Action Network
Black Lives Matter LA

⁹ Liz Mineo, “[Historian urges end to police traffic-law enforcement](#)” Harvard Gazette (Nov. 22, 2021).

From: stops
Subject: FW: Pretext Traffic Stop Policy
Date: Friday, February 11, 2022 11:59:33 AM

Hello,

Please see email below.

Respectfully,

Mary Tashchyan, [REDACTED]
Secretary
Los Angeles Police Department
Office of Constitutional Policing & Policy
[REDACTED]
[REDACTED]

From: jtfives [REDACTED] <[REDACTED]>
Sent: Friday, February 11, 2022 10:11 AM
To: stops <stops@lapd.online>
Subject: Pretext Traffic Stop Policy

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

My name is Timothy Fives and a resident of Los Angeles. I was a police officer in California for 37 years. I draw on my experience in objecting to the LA Police Commission's proposed policy that would prohibit LAPD officers from making traffic stops unless they were sure that a crime had been committed. It is a rash, heavy-handed, and bureaucratic attempt to prevent police officers from using their training and experience.

One memorable example of a police officer making a "routine traffic stop" that led to arresting a criminal involved in a much more horrific crime is Timothy McVeigh and the 1995 truck bombing of the federal building in Oklahoma City. Shortly after the bombing, McVeigh was fleeing in a car on I-35. An Oklahoma state trooper saw that McVeigh's vehicle registration had expired. He pulled McVeigh over to cite him for a simple vehicle code violation. The trooper saw that McVeigh had a handgun partially concealed under a jacket. The trooper's now escalated his threat assessment, ordering McVeigh out of the car at gunpoint. The trooper arrested McVeigh for the concealed weapon in a car violation. The trooper did not know yet about the bombing of the federal building. It was only after McVeigh was booked did the FBI learn that their principal suspect was already in custody, courtesy of the Oklahoma state police. Had the LA Police Commission's ill-conceived policy been in effect in Oklahoma in 1995, the state trooper could not have investigated McVeigh for anything past the traffic stop. A mass murderer would have escaped.

The simple truth of police work is that criminals commit many crimes. They steal cars. They fail to register their cars. They don't have insurance. They drive erratically. They carry guns and narcotics in their cars. A "routine traffic stop" often leads to the discovery of more crimes.

In my experience as a Sheriff's deputy in Los Angeles County, I recall one traffic stop in which we discovered that the driver had an outstanding warrant for murder. In another, an officer stopped a van near Gorman on I-5. Inside the van were the bodies of several murder victims. In another incident I recall from January 1991, the driver of a van failed to stop at a stop sign at a drive-through in Castaic. An alert deputy decided to stop the van for a vehicle code violation. Instead, the van driver decided to speed away. That led to a 50-mile pursuit at high speeds until the van crashed near the LA Coliseum. I was calling the pursuit. The van's driver was recent parolee with a long criminal history. He and his passenger were driving the van full of PCP precursor chemicals including hydrochloric acid in 55-gallon drums. The van was a rolling chemical weapon. The initial "routine traffic stop" led to the arrest of two felons, the seizure of gallons of precursor chemicals, and the interruption of a major drug deal.

I could go on with many other incidents. But they make the same point. Criminals drive vehicles and ride bikes as they continue their criminal activities. Traffic stops are a vital tactic in identifying and arresting criminals while protecting the public. Do not enact this dangerous policy.

From: [stops](#)

Subject: FW: Pre Text Stops

Date: Monday, February 14, 2022 9:31:13 AM

-----Original Message-----

From: Aleksandra Akopyan <[REDACTED]>

Sent: Sunday, February 13, 2022 1:29 PM

To: stops <stops@lapd.online>

Subject: Pre Text Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello as a Community member, I would like to express that I do NOT support any restrictions to LAPD Officers on their stops and how they can do them.

Do not make being a police officer harder than it already is, we need these officers out their being pro-active any way they can to prevent crime from happening.

The city of LA is a very dangerous place, DONT add any restrictions or change to the way officers do their jobs. In fact I would support change that allows them to do more. This city is out of control, and until we stop aiding criminals and making it easier for them to do what they do.. this city will continue to go down hill.

From: [stops](#)

Subject: FW: Policy BPC 22-023

Date: Monday, February 14, 2022 9:49:27 AM

From: Kim Holmes <[REDACTED]>

Sent: Sunday, February 13, 2022 10:08 PM

To: stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>; Mayor Garcetti <mayor.garcetti@lacity.org>

Subject: Policy BPC 22-023

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I oppose the proposed policy BPC 22-023 pretextual stops. These stops disproportionately harm Black people: "During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white. This is clearly racist. All the stops need to end.

Thanks,

Kim Holmes

Sent from my iPhone

From: stops
[REDACTED]
[REDACTED]
Subject: FW: Pre Text Stops
Date: Monday, February 14, 2022 9:30:54 AM

-----Original Message-----

From: tadeh [REDACTED] <[REDACTED]>
Sent: Sunday, February 13, 2022 1:07 PM
To: stops <stops@lapd.online>
Subject: Pre Text Stops

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello, I would like to share my concern and thoughts on the idea of taking away or even applying any restrictions on the stops LAPD Officer are able to do.

I truly from the bottom of my heart believe this would be a horrible change. Police Officers need this to conduct proper crime suppression and prevent crimes from happening. This is one of the most useful techniques officers have to make observation style arrests on individuals/ groups carrying firearms, selling narcotics, preying around a neighborhood to commits burglaries, robberies and such.

As a community member I do NOT want more restrictions on these officers. They need to be out there being Pro active even in today's climate.

This change would not only make LAPD officers more reactive , but it would kill their morale, make their job harder to do than it already is. It is obvious that the less stops officers do, the less pro active arrests they make, crime will just go up more than it is.

The main people benefiting from this will be the criminals roaming around our city armed , knowing that they have a new cushion to prevent the officers from being able to find a illegally possessed firearm under their seat.

We all know this is not a good idea..let's not ignore that fact and go with the narrative and help give criminals even more leeway than they have already.

Ask your self, if you lived in a area with high crime with active gangs carrying firearms... would you want your local police department making pro active stops for minor traffic violations that lead to an arrest for narcotics sales , firearms, burglary tools on your street or would you want them to stop them for tinted windows and just give them a ticket and allow them on their way.

Ultimately, my answer is that I do NOT support any type of restrictions to any of the type of stops the officers make. Let them do their job.

From: [stops](#)
[REDACTED]
[REDACTED]
Subject: FW: pretextual stops
Date: Monday, February 14, 2022 9:30:20 AM

From: Sheila BLM <[REDACTED]>
Sent: Sunday, February 13, 2022 8:40 AM
To: stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>; mayor.garcetti@lacity.org
Subject: pretextual stops

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Commissioners,

The LAPD has a history of harassing, brutalizing and killing Black and Brown people. The community has been demanding an end to the so called pretextual stops, that are racist, and have resulted in the continued oppression and murder of Black and Brown people.

The LAPD is just now developing policy on pretextual stops. First of all the officers should not be allowed to use their own discretion, because the LAPD is a racist institutional. Black and Brown people will always be harmed and brutalized. Secondly, we demand an end to all stops, including those in traffic and pedestrians. Ezell Ford would be alive today if the LAPD had left him alone while he was walking and had not stopped him and killed him. We can not allow the LAPD to advance this policy. We want an immediate and complete end to all stops, not just some.

I urge the Commission to reject Chief Moore's proposed policy BPC 22-023 authorizing use of "pretext stops" in certain circumstances. While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise. It is the same song with a different melody. Because of the racist results and impact, all the stops must end.

I'm strongly opposed to item BPC #22-023 a policy revision regarding pretextual stops as it dismisses the lived realities of Black and brown Angelenos and continues the failed policies that have resulted in unjustly targeting Black and brown people with tragic consequences. End all pretextual stops. Do not allow police to define, target and make abusive stops.

These stops disproportionately harm Black people: "During traffic stops, police pointed guns at over 5 times as many Black people as white people. Of 54 times when police dogs bit or held a person during an officer-initiated stop, 23 were Black people; 3 were white. This is clearly racist. All the stops need to end.

Signed,

Sheila A. Bates

She/her/hers

"I believe in the sweat of love and in the fire of truth." -Assata Shakur

(Sent from my cell phone)

From: [stops](#)
[REDACTED]
[REDACTED]
Subject: FW: Stop the pretext stops
Date: Monday, February 14, 2022 9:30:38 AM

From: Allison Riley <[REDACTED]>
Sent: Sunday, February 13, 2022 12:01 PM
To: mayor.garcetti@lacity.org; stops <stops@lapd.online>; Police Commission <policecommission@lapd.online>
Subject: Stop the pretext stops

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I urge the Commission to reject Chief Moore's proposed policy BPC 22-023 authorizing use of "pretext stops" in certain circumstances. While claiming to restrict or limit these stops, the policy in fact spells out how officers can continue the same abusive behavior under a new guise. It is the same song with a different melody. Because of the racist results and impact, all the stops must end.

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From: stops
Subject: FW: LAPD policy on pretextual stops
Date: Thursday, February 10, 2022 5:02:04 PM

From: Julie Buchwald
Sent: Thursday, February 10, 2022 12:46 PM
To: stops <stops@lapd.online>
Subject: FW: LAPD policy on pretextual stops

FYI, please see below from the League of Women's Voters.

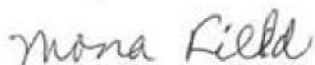
From: Carolina Goodman <[REDACTED]>
Sent: Thursday, February 10, 2022 12:34 PM
To: William J. Briggs, II <[REDACTED]>; Mark Smith <[REDACTED]>; Michel Moore <[REDACTED]>; Lizabeth Rhodes <[REDACTED]>
Cc: Richard Tefank <[REDACTED]>; Julie Buchwald <[REDACTED]>; Mona Field <[REDACTED]>
Subject: LAPD policy on pretextual stops

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The League of Women Voters of Greater Los Angeles is in full support of LAPD's intention to limit "pretextual stops" of motorists and pedestrians. In addition to the audit by LAPD's Inspector General, the [findings were confirmed by the Racial and Identity Profiling Act](#), which required law enforcement agencies to collect and submit information about police stops. Recently published [research by the Public Policy Institute of California](#) also reveals that Black and Latino drivers are stopped more often despite being less likely to have contraband on them. With only 2% of traffic stops resulting in an arrest, we believe that LAPD officers can be more effective in other crime fighting strategies. NYU's Policing Project offers a [model policy to curtail pretextual stops](#).

Thank you for not only being responsive to research-based policing practices, but also for listening to members of the community, who expressed the feeling of being over policed.

Sincerely,



Mona Field, President
League of Women Voters of Greater Los Angeles