



How racist traffic stops criminalize black people, and what to do about it

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When Philando Castile was **killed by a Minneapolis cop** after a traffic stop, we learned that he had been stopped 46 times before and had been fined for driving without a license.

Castile isn't the only black man in America to be subjected to multiple stops, nor to multiple fines -- including fines and stops for failing to pay fines, resulting in more fines. The Ferguson uprising **brought attention on the city's "debtors prisons"**, which were the inevitable result of the city's reliance on fines levied against poor black families as the means of paying its bills (when you want to incentivize people who can't afford fines to take desperate measures to pay up, it helps to have inhumane prisons with forced labor and other unconstitutional practices to use as a threat).

It's not just Ferguson and it's not just Minneapolis: **the blacker a city is, the more fines it levies against its residents**, and the fines are disproportionately directed at black residents.

You can only find crime where you look for it: racially profiled traffic stops and stop-and-frisks lead to overpolicing of racialized people. That means that racialized people are assessed more fines. That means that racialized people are more likely to fail to pay their fines. That means racialized people are more likely to be stopped -- by profile stops, or by "empirical" tools like automated number plate recorders -- for failure to pay fines.

Lather, rinse, repeat: now you've got a country where significant numbers of already poor black people end up in the criminal system for seemingly objective reasons like traffic infractions and failure to pay fines.

The right way to fix this is to eliminate racism. But while we're waiting for that day, Loyola law professor Alexandra Natapoff and other experts have six suggestions for course-correcting a racist system.

* Address racial bias. Just about everyone has subconscious racial biases. There's no foolproof way to overcome these biases, but police can be trained to become more aware of their biases and at least try to overcome them. "Jurisdictions need to get extremely serious about acknowledging racial bias in traffic stops," Gonzales Van Cleve said. "It's incumbent on police departments to study this in a serious way, and then train the officers in the findings."

* Stop evaluating officers based on how many people they stop and arrest. If cops don't feel pressure to stop and arrest a lot of people on any given day, they might be less likely to turn to low-level crime enforcement in disadvantaged neighborhoods.

* Look to decriminalization. Governments could repeal laws that criminalize or impose harsh fines on low-level offenses, and find other ways to encourage people to, for example, fix a broken taillight.

* Stop or limit pretextual stops. These types of stops are ingrained in American policing, but they can lead to police stopping otherwise innocent people on a faulty, dishonest basis. Eliminating or limiting the use of pretextual stops altogether, as Jonathan Blanks explains, could go a long way to repairing police-community relations and reducing over-aggressive policing.

* Change how fines and fees are administered. "One of the potential reforms that is gaining some traction is the use of day fines, which is the mechanism Europe uses," Natapoff said. "The fines that anyone incurs for any particular conduct depends on their income — so you're fined a day of your salary or six days of your salary or a month of your salary or half a day. But it depends on your income, rather than a flat fine that applies to everyone."

* Police could use their discretion more, and better understand the consequences of their actions. Cops have the power to simply let people off with a warning. Perhaps if officers were trained in the vicious cycle that just one ticket can impose on someone who's poor, they'd be more willing to use that discretion more often. And police departments could encourage this laxer behavior through their policies and guidelines.

The tyranny of a traffic ticket [German Lopez/Vox]