

## INTRADEPARTMENTAL CORRESPONDENCE

January 15, 2026

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**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** TRAFFIC ENFORCEMENT ALTERNATIVES (Council File No. 20-0875)

### RECOMMENDED ACTION

- I. That the Board of Police Commissioners REVIEW and APPROVE the attached report in response to Council File No. 20-0875 (Report).
- II. That the Board of Police Commissioners TRANSMIT the Report to the City Council.

### DISCUSSION

On June 12, 2024, the City Council adopted 13 recommendations contained within the joint report of the Transportation and Public Safety Committees. Multiple City entities, including the Chief Legislative Analyst, the City Attorney, and the Los Angeles Department of Transportation, received instructions to analyze specific components of the 13 recommendations. Though Council directed the Department's Office of the Inspector General to address Recommendation No. 3, discussions between the Chief of Staff, Inspector General, and the Executive Director of the Board of Police Commissioners led to the conclusion that the Constitutional Policing and Policy Bureau (CPPB) was the appropriate entity to complete the report on behalf of the Department.

Recommendation No. 3 requested a report on:

- a) An evaluation of the 2022 pretextual stop policy, including all available data on all traffic stops conducted since the 2022 policy change. The report was also to include an analysis of pending state legislation that would have the potential to ban or curtail pretextual stops, as well as information on other jurisdictions that have banned or significantly reduced pretextual stops.
- b) All oversight protocols law enforcement officers are required to follow at all stages before, during, or after a traffic stop. The report was to include a list of all traffic safety reasons why law enforcement would currently pull someone over, as well as the prioritization for handling traffic safety issues.

In response to Recommendation No. 3, the attached report provides background on the genesis of the Department's pretext stop policy; details of the policy that are relevant to the Council's areas of inquiry; an analysis of stop data from 2019 through 2025; the legal basis of pretext stops as an

The Honorable Board of Police Commissioners

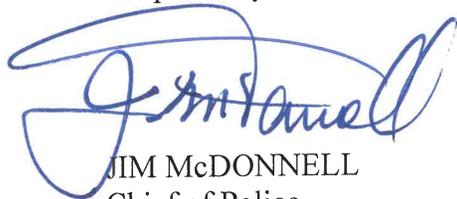
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investigative method; the use of pretext stops as a part of a comprehensive crime reduction strategy; relevant case studies on the impact of pretext stop policies on public safety; traffic safety prioritization; oversight protocols; and pending state legislation. Collectively, the report's sections should provide a broad foundation for advancing ongoing conversations about traffic enforcement alternatives.

Should you have additional questions regarding this matter, please contact Captain Shannon White, Commanding Officer, Strategic Planning and Policies Division, at (213) 486-8720.

Respectfully,



JIM McDONNELL  
Chief of Police

Attachments

Constitutional Policing and Policy Bureau  
Traffic Enforcement Alternatives  
Fact Sheet Response to Council File No. 20-0875  
January 5, 2026

**Background**

On March 9, 2022, the Department issued Special Order No. 3, *Policy – Limitation on Use of Pretextual Stops – Established*, also referred to as the Department’s “pretext” policy. The Department developed the pretext stop policy in response to growing concerns from community members in Los Angeles and across the nation regarding the manner and frequency of stops for perceived minor violations, which many believed were arbitrary, capricious, or influenced by implicit or explicit bias.

These concerns intensified after several national events between 2014 and 2020 that highlighted the need for policing practices grounded in transparency, fairness, and community trust. Additionally, the California Racial and Identity Profiling Act of 2015 (Assembly Bill 953) increased scrutiny by requiring detailed stop data reporting, which revealed racial and identity-based disparities and raised expectations for clearer articulation and increased safeguards that ensured bias free enforcement.

Internal reviews further added to these pressures, identifying deficiencies in stop articulation, and raising questions about the effectiveness of pretext stops as a crime reduction strategy. Taken together, community concerns, national reform efforts, state mandated transparency requirements, and internal oversight findings prompted the Department to adopt a more measured approach to pretextual stops, with the hope that the policy would reduce both actual and perceived disparities in policing while maintaining public safety.

**Pretext Policy**

The legality of pretext stops was reaffirmed by the United States Supreme Court’s decision in *Whren v. United States* (1996). The case centered on a traffic stop that led to a search. During the search, officers discovered narcotics inside the vehicle and on the passenger’s person. The defendants in the initial case argued against the officers’ ability to use the pretense of traffic stop as a legal avenue to investigate other crimes.

In its decision, the Court found that, though the officers may have had reasons beyond the traffic violation to want to stop the driver, the involved officers had established probable cause to believe the defendants violated the vehicle code. Therefore, the stop was reasonable under the Fourth Amendment. *Whren* ultimately reinforces the broad definition of pretextual traffic stops – “that is, stops justified by technical violations of the law but executed primarily so that the officers can investigate an unsubstantiated hunch (a hunch that, by itself, would not create constitutionally adequate suspicion.)<sup>1</sup>”

The Department’s definition of pretext stops largely aligns with the Court; however, it removes all reference of hunches. Rather than allow for the broadest legal application of pretextual stops, the Department restricts the use of pretext stops “unless officers are acting upon articulable information in addition to the traffic violation, which may or may not amount to reasonable

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<sup>1</sup> Rushin, Stephen, and Griffin Sims Edwards. “An Empirical Assessment of Pretextual Stops and Racial Profiling.” SSRN Electronic Journal, vol. 73, no. 3, 2019, <https://doi.org/10.2139/ssrn.3506876>.

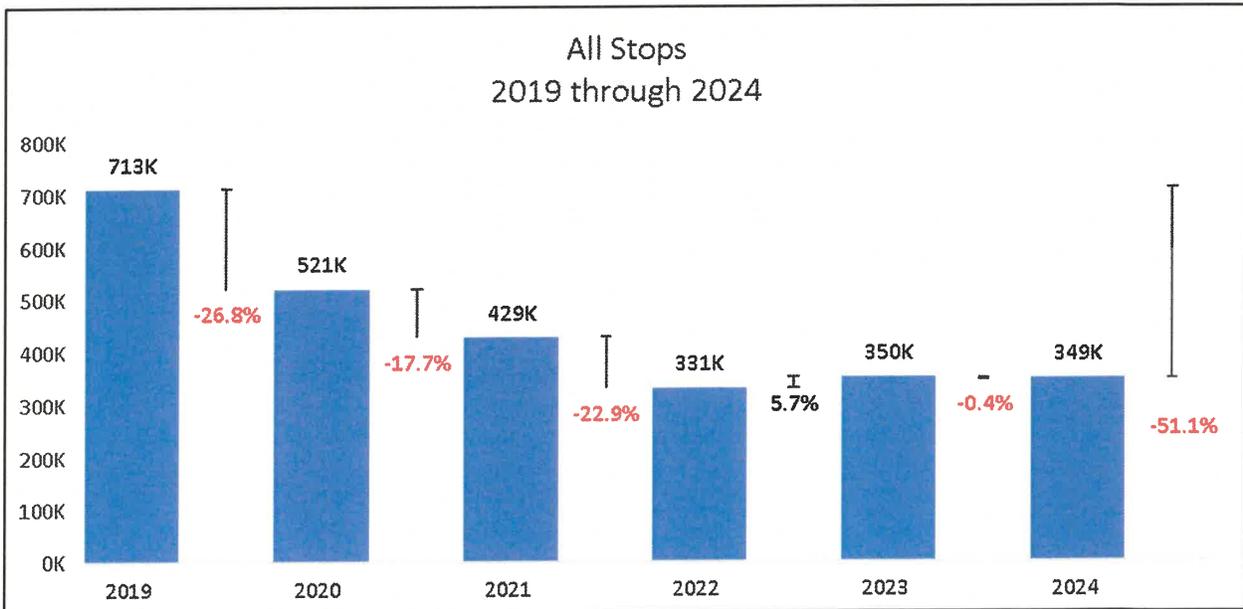
suspicion, regarding a serious crime (i.e., a crime with potential for great bodily injury or death) ...Such decisions should not be based on a mere hunch or on generalized characteristics...”

It should be noted that the Department’s pretext stop policy does not expressly prohibit the use of pretextual stops, rather it establishes articulation requirements to ensure officers can explain the public safety basis for any stop and accurately distinguish when a stop involves pretext. Under the policy, the articulation for both pretext and non-pretext stops should be captured on body-worn video (BWV). Pretext stops may only occur when officers have articulable information, beyond the minor traffic violation, suggesting that the people stopped and/or their vehicle have a potential nexus to a serious crime. These requirements are intended to reduce the risk of stops being based on hunches or generalized characteristics and enhance the Department’s ability to accurately categorize, assess, and review the stops officers make. Overall, the policy emphasizes improved articulation, documentation, and transparency. It also reinforces that, though discretionary stops remain permissible, they must be clearly justified and consistent with constitutional standards and Department expectations.

**Stop Data 2019 through 2025**

As reflected in Table No. 1 – *All Stops (Citywide) January 1, 2019, through December 31, 2024*, the number of all stops declined substantially between 2019 and 2024, resulting in a 51.1 percent decrease over that period. The steep early declines were driven by several factors, including the COVID-19 pandemic, reduced Department personnel, and policy changes. By 2022, total stops were already at historically low levels and did not experience further material decline following the pretext policy implementation.

**Table No. 1 – All Stops (Citywide) January 1, 2019, through December 31, 2024**



The Department began formally tracking pretext stops on April 1, 2022. Accordingly, Table No. 2 – *Traffic Violation Stops* reflects traffic stop activity from April 1, 2022, through November 30, 2025, across the four geographic bureaus. As pretext stops were not classified prior to implementation of the policy, analyses are limited to post policy trends as the means of assessing how traffic enforcement has changed since the policy’s adoption. The lower percentage of pretext stops observed in 2022 likely reflects an initial learning period related to identifying and documenting pretext stops, rather than a sustained difference in enforcement practices. Beginning in 2023, pretext stops consistently accounted for approximately 10 percent of total traffic stops.

**Table No. 2 – Traffic Violation Stops  
April 1, 2022, through November 30, 2025**

| Bureau       | 2022*        |                    |             | 2023          |                    |              | 2024          |                    |             | 2025**        |                    |              |
|--------------|--------------|--------------------|-------------|---------------|--------------------|--------------|---------------|--------------------|-------------|---------------|--------------------|--------------|
|              | Pretext      | Total People Stops | % Pretext   | Pretext       | Total People Stops | % Pretext    | Pretext       | Total People Stops | % Pretext   | Pretext       | Total People Stops | % Pretext    |
| OCB          | 2,969        | 42,406             | 7.0%        | 7,917         | 56,646             | 14.0%        | 7,790         | 53,387             | 14.6%       | 6,933         | 49,718             | 13.9%        |
| OSB          | 3,510        | 34,904             | 10.1%       | 6,550         | 44,864             | 14.6%        | 5,097         | 44,916             | 11.3%       | 5,432         | 35,243             | 15.4%        |
| OWB          | 1,048        | 35,270             | 3.0%        | 3,085         | 52,174             | 5.9%         | 3,332         | 52,604             | 6.3%        | 3,123         | 40,473             | 7.7%         |
| OVB          | 2,221        | 49,420             | 4.5%        | 7,198         | 74,162             | 9.7%         | 5,116         | 66,957             | 7.6%        | 4,213         | 56,348             | 7.5%         |
| <b>Total</b> | <b>9,748</b> | <b>162,000</b>     | <b>6.0%</b> | <b>24,750</b> | <b>227,846</b>     | <b>10.9%</b> | <b>21,335</b> | <b>217,864</b>     | <b>9.8%</b> | <b>19,701</b> | <b>181,782</b>     | <b>10.8%</b> |

\*Stop data for the period April 1, 2022, through December 31, 2022

\*\*Stop data for the period January 1, 2025, through November 30, 2025

Discovery rates are a commonly used indicator for examining enforcement outcomes associated with pretext traffic stops. “Discovery” refers to instances in which a pretextual traffic stop resulted in the recovery of contraband such as narcotics, a weapon, and/or other evidence.

Please refer to Table No. 3 – *Discovery Rates for Pretext Traffic* stops for details.

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**Table No. 3 – Discovery Rates<sup>2</sup> for Pretext Traffic Stops  
April 1, 2022, through November 30, 2025**

| Evidence Discovered    | 2022  | %     | 2023  | %     | 2024  | %     | 2025  | %     |
|------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| <b>None</b>            | 2,738 | 69.8% | 6,715 | 74.0% | 3,742 | 68.2% | 3,483 | 67.7% |
| <b>Narco-Related</b>   | 782   | 19.9% | 1,573 | 17.3% | 1,157 | 21.1% | 1,121 | 21.8% |
| <b>Other</b>           | 318   | 8.1%  | 577   | 6.4%  | 467   | 8.5%  | 469   | 9.1%  |
| <b>Weapons Related</b> | 299   | 7.6%  | 504   | 5.6%  | 313   | 5.7%  | 300   | 5.8%  |
| <b>Firearms</b>        | 284   | 7.2%  | 476   | 5.2%  | 303   | 5.5%  | 256   | 5.0%  |

**Table No. 4 – Aggregated Discovery Rates of Pretext Traffic Stops  
April 1, 2022, through November 30, 2025**

| Discovery Rate             | 2022  | %     | 2023  | %     | 2024  | %     | 2025  | %     |
|----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| <b>Evidence Discovered</b> | 1,184 | 30.2% | 2,362 | 26.0% | 1,748 | 31.8% | 1,662 | 32.3% |

National traffic stop research<sup>3</sup> indicates that aggregate discovery rates typically range from approximately 15 to 22 percent in stops where searches are conducted. While the aggregated discovery rates observed in Table No. 4 – *Aggregated Discovery Rates of Pretext Traffic Stops* range from approximately 26 to 32 percent, differences in scope and methodology limit direct comparability.

Overall, pretext traffic stops represent a limited portion of the Department’s traffic enforcement activity, and discovery outcomes associated with pretext related searches appear to be broadly consistent with national research when interpreted in context.

**Investigative Method**

In *Whren v. United States* (1996)<sup>4</sup>, the U.S. Supreme Court held that any traffic violation gives officers a legitimate legal basis to stop a vehicle, even if the officer also hopes to investigate other crimes. The Court said the officer’s subjective motive does not matter under the Fourth Amendment, as long as there is objective probable cause for the traffic violation. As such, from a legal perspective, pretext stops are treated as a lawful investigative tool, provided the underlying stop is objectively justified and not selectively enforced in violation of equal protection.

<sup>2</sup> Discovery rates presented are based on searches conducted during traffic stops classified by the officers as pretext stops and are intended to reflect outcomes associated with those searches. Evidence categories are not mutually exclusive. As such, percentages may exceed 100%, as multiple types of evidence may be associated with a single traffic stop.

<sup>3</sup> Public Policy Institute of California. (2022). *Racial Disparities in Traffic Stops*.

<sup>4</sup> Justia U.S. Supreme Court Center. (n.d.). *Whren v. United States*, 517 U.S. 806 (1996). Justia, from <https://supreme.justia.com/cases/federal/us/517/806/>

## **Crime Reduction Strategy**

Research on directed patrol and hot spot strategies, including the Kansas City Gun Experiment (1992)<sup>5</sup> and the Indianapolis Directed Patrol Project (1997)<sup>6</sup>, has shown that proactive traffic and pedestrian stops used in a focused way can increase illegal gun seizures and are associated with short-term reductions in gun crime in targeted areas. Although these case studies are older, they remain relevant because they are among the most rigorously evaluated experiments on proactive stop strategies. The studies' core principles of focused enforcement in clearly defined hot spots and the use of traffic stops as part of a broader gun recovery strategy continue to inform modern policing research and practice. More recent systematic reviews of proactive policing reached similar conclusions, finding that strategically deployed stop activity can reduce crime, particularly in clearly defined hot spots.

Contemporary reform efforts offer a contrasting perspective. Several jurisdictions have examined the effects of reducing non-public-safety stops – a category that often includes pretextual stops – and found no increase in crime and, in some cases, improved outcomes. In Ramsey County, Minnesota<sup>7</sup>, a policy limiting non-public-safety traffic stops resulted in an 86% reduction in overall stops with no corresponding increase in crime. Black drivers experienced the largest decrease in stop activity, suggesting that enforcement strategies can be realigned without harming public safety. Other jurisdictions, such as Ann Arbor<sup>8</sup>, have implemented similar changes, with early data indicating potential safety benefits and no negative impact on crime levels.

### *Case Studies:*

- Kansas City Gun Experiment (1992)
  - The Kansas City Gun Experiment concentrated intensive patrol efforts in an 80-block hotspot where the homicide rate was approximately 20 times the national average. Within this area, officers increased gun recoveries through frisks associated with arrests and by observing firearms in plain view during routine traffic and safety stops.
  
- Indianapolis Directed Patrol Project (1997)
  - The Indianapolis Directed Patrol Project was a 1997 experiment evaluating two proactive policing strategies in high-gun-crime areas. One area used a problem-oriented approach focused on specific offenders and locations, while the other relied more heavily on traffic stops and field interrogations as part of directed patrol. Both strategies led to increases in gun seizures, and the areas that received

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<sup>5</sup> Office of Juvenile Justice and Delinquency Prevention. (n.d.). Gun violence, 1994–2019. U.S. Department of Justice, from [https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/gun\\_violence/profile20.html](https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/gun_violence/profile20.html)

<sup>6</sup> McGarrell, E. F., Chermak, S., Weiss, A., & Wilson, J. A. (2001). Reducing Gun Violence. U.S. Department of Justice, National Institute of Justice. <https://www.ojp.gov/pdffiles1/nij/188740.pdf>

<sup>7</sup> Ramsey County Attorney's Office. (2022). Report on the impact of the Ramsey County nonpublic safety traffic stop policy. Ramsey County, Minnesota. <https://knowledgehub.justiceinnovationlab.org/reports/traffic-stop-policy-ramsey-county>

<sup>8</sup> City of Ann Arbor, *Driving Equality Ordinance*, adopted July 17, 2023, which restricts traffic stops for certain non-dangerous violations as part of efforts to reduce inequitable traffic enforcement. <https://www.a2gov.org/media/coqdj0s4/ord-23-20-approval-notice.pdf>

directed patrol experienced significant reductions in gun crime compared with control areas. The findings suggested that focused, goal-driven patrol activity, including strategically applied traffic stops, can reduce firearm violence when concentrated in clearly defined hotspots.

- Ramsey County, Minnesota (2022)
  - In September 2021, Ramsey County implemented a policy limiting prosecution of cases arising solely from non-public-safety traffic stops or consent only vehicle searches, aiming to reduce racially disproportionate enforcement while maintaining public safety. Analysis of over 200,000 traffic stops between the years 2018 to 2022 shows that policy aligned departments, particularly the Saint Paul Police Department, experienced substantial declines in minor vehicle equipment stops, narrowing racial disparities, especially for Black drivers, without measurable increases in crime. Additionally, trends in 911 calls and firearm seizures showed no discernible link between the policy change and increases in violent crime or reductions in public safety. These results suggest that the policy successfully reduced discretionary, low value stops while allowing resources to be focused on higher-risk public safety concerns.
  
- Ann Arbor, MI (2023)
  - Ann Arbor's Driving Equality Ordinance, adopted in July 2023, restricts police from stopping drivers for minor, non-safety-related equipment and registration issues with limited exceptions for immediate safety risks or independent reasonable suspicion of criminal activity. The ordinance was intended to reduce racially disproportionate, discretionary traffic stops while allowing officers to focus on public safety concerns. To fully align departmental practice with the ordinance, the Ann Arbor police department revised its traffic stop policy in 2025, closing a loophole that had allowed stops based on multiple equipment violations and effectively eliminating equipment only traffic stops.

Notably, the existing Department policy concerning pretext stops largely aligns with the approaches taken by both Ramsey County and Ann Arbor. Neither Ramsey County nor Ann Arbor agencies strictly prohibit the use of pretext stops; instead, like the Los Angeles Police Department, they prohibit officers from stopping a vehicle solely on the basis of a minor equipment violation. In aggregate, the four case studies support the overall value of proactive policing and the benefits that come from implementing policies similar to the Department's as a means of reducing harm while still ensuring community safety.

### **Traffic Safety Prioritization & Oversight Protocols**

The Department permits officers to use all aspects of the current California Vehicle Code that are not otherwise limited by Department policy. Officers are encouraged to enforce moving violations in High Injury Networks or along other streets and intersections identified by community members as dangerous to pedestrians, cyclists, and motorists. Officers are also encouraged to conduct lawful investigative stops based on specific and articulable facts that may tie the person or vehicle being stopped to a crime.

For most officers assigned to patrol functions, there is no fixed prioritization of the type of stop they conduct. Area leadership works in conjunction with their Area Crime & Community Intelligence Center personnel and their respective Traffic Division to develop missions and objectives for officers. Those missions are continuously assessed and reflect the unique needs of that particular community.

To ensure compliance with the law, policies, procedural justice tenets, and organizational values, the Department has implemented a multi-layered review of officers' stops. Audit Division produces quarterly audit results for traffic stops conducted by patrol and Gang Enforcement Detail personnel. These audits evaluate compliance with California Assembly Bill 2773, which requires officers to inform the detained party of the reason for the stop before engaging in any questioning related to a criminal investigation or traffic violation. The audits also evaluate officers' adherence to the Department's pretext policy. The results are subsequently incorporated in the quarterly COMPSTAT inspections of the 21 Areas under the Office of Operations.

In addition to the oversight conducted by Audit Division, the Office of Operations is currently engaged in a Stops Review Pilot Program. The pilot program expands beyond what is reviewed by Audit Division and includes assessments of the officers' adherence to the tenets of procedural justice, the accuracy of their State-required documentation related to the stop, and their tactics. In doing so, the pilot is providing avenues for early identification of officers who may benefit from additional training so they can properly balance their efforts to keep the community safe with what is needed to maintain community trust.

### **Pending State Legislation**

As of late 2025, no new state law has yet been passed that outright bans or deters pretextual stops statewide. However, a few developments and proposals indicate legislative interest or advisory recommendations that could curtail or limit them in the future. The California Racial and Identity Profiling Advisory Board's draft 2026 report includes policy recommendations urging the legislature to prohibit pretextual stops or limit stops to specific offenses that impact public safety, similar to policies in some cities and states. This is a *recommendation*, not yet law, but it signals an active discussion of broader limits on pretextual stops statewide.

### **Conclusion**

The Department's existing limitations on pretext stops reflect its commitment to listening to community concerns and responding with strategies that meet their needs while advancing public safety. Our systems of oversight, audits, and reporting typify our desire to continually evaluate our performance and proactively seek opportunities for improvement. Most significantly, other agencies' application of similar pretext stop policies shows that the limitation, rather than the prohibition, of such stops can reduce community harm and increase trust between the community and the police while still maintaining what is a lawful and effective investigative tool for law enforcement.