



Illinois Criminal Justice Information Authority

**MINUTES FOR ILLINOIS TRAFFIC DATA STOP STATISTICAL STUDY:
625 ILCS 5/11-212(h-1)**

THURSDAY August 22, 2024, 11:30am – 12:30pm

Public notice is hereby given that the Illinois Traffic Data Stop Task Force will conduct a public meeting on Thursday July 25, 2024, at 11:30 am by WebEx. All interested parties are invited to attend and will be given the opportunity for public comment.

WebEx Video Conference/Teleconference:

Videoconference	Teleconference
Link available https://illinois.webex.com/Public/Traffic Pedestrian Data Stop Aug. 22, 2024-ca5d	Conference Phone Number: 1-312-535-8110
	Access Code: 2633 482 5914

Task Force Member Attendance	WebEx	Absent
[A] Dr. Christopher Donner, Department of Criminal Justice & Criminology Loyola University Chicago	Y, X	
[A] Jack McDevitt, Professor of Criminology and Criminal Justice at Northeastern University; Director of Institute on Race and Justice	Y, X	
[B] Tyrone Forman: Professor of Sociology and African American Studies, UIC		X
[C] Major Jody Huffman, #5964 Illinois State Police North Central Patrol Command	Y, X	
[D] Stephen Chung, Commander, Chicago Police Department		X
E) Joe Leonas, representative from the Illinois Association of Chiefs of Police	X	
[F] Jim Kaitschuk, Executive Director, Illinois Sheriffs Association	X	
[H] Donald "Ike" Hackett, Illinois Fraternal Order of Police		X

[I] Khadine Bennett, Director of Advocacy and Intergovernmental Affairs, ACLU	Y, X	
[J]Rev. Ciera Bates-Chamberlain, Executive Director, Live Free Illinois	Y, X	
[J] Gregory Chambers - Ill coalition to end permanent Punishments	X	
[J] Amy Thompson, Impact for Equity Staff Counsel, Criminal Legal System	Y, X	

Also present were:

Sheriff Brian VanVickle, Ogle County Sheriff's Office

Anne Fitzgerald, Cook County Sheriff Office

Sean Berberet, Illinois Department of Transportation

ICJIA Staff Present:

Kimberly Atkins, ICJIA, Strategic Project Administrator, Editor

Jacob Derrick, ICJIA Director, Policy Government Affairs

Dawn English, ICJIA Associate General Counsel

Mary Ratliff, ICJIA, Strategic Project Director

Emilee Green, ICJIA Research (Facilitating)

Gowri Kuda-Singappulige, ICJIA Research

Minutes by: Kimberly Atkins ICJIA Strategic Project Administrator

I. CALL TO ORDER/ ROLL CALL

- Tim Lavery, ICJIA Director Research, Facilitated the second meeting of the Traffic Data Stop Taskforce Meeting and called the meeting to order **11:34 A.M.** The meeting was called to order and Mr. Lavery stated meeting was recorded by Kimberly Atkins.
- **Call on Counsel:** Dawn English took roll call and announces quorum has been achieved

II. MEETING MINUTES

Dawn English asks for a motion to approve minutes sent out to members

Motion: To approve July 25, 2024, Task Force Meeting Minutes.

Motion by: Jack McDevitt

Seconded by: Khadine Bennett

Roll call vote conducted

Motion carries /passes

III. WELCOME AND INTRODUCTIONS

- Dawn English, ICJIA presented new member Chief Joe Leonas, Illinois Association of Chief of Police. Chief Leonas provided background Thanked the group for having him on the call. Chief Leonas is chief of police for the Village of Lincolnshire in Lake County Illinois. I've had the opportunity to speak with Emily and Dr. McDevitt our traffic stops study and happy to help in any capacity. Carl Waldorf, Chief of Lake Forest retired and so I was selected by the Illinois Chiefs Association to take his place. Chief Leonas is currently Chief Association Vice President. The meeting was handed back to Facilitator Lavery

IV. CHAIRPERSON NOMINATIONS

- Facilitator Lavery: Nominations are being sought for nominations of yourself or, a person who you deem appropriate on the task force for chairperson position or shared chairperson. Responsibility of the chair or the co-chairs is to lead the meetings and act as a thought partner to the process. Time commitment is additional 30 minutes to meet with ICJIA hosted pre planning meetings to plan agenda and assist in the direction.
- Re addressed poll for additional Chairpersons and includes replies through outreach who have declined.

V. NEW BUSINESS

- **Facilitator Time Lavery** – Review task force, as stated by Illinois legislation, ICJIA, in consultation with law enforcement agencies, community groups, and other experts shall undertake a study to determine the best use of technology to collect, compile, and to analyze traffic and pedestrian stop data. The framing for the group is foremost an important aspect of the group because with operations on a taskforce convening under a more truncated schedule. The report is due by February 2025. The taskforce has approximately six-seven months or so to complete the report. Narrow down of the scope is essential. Emilee Green will present on two things. Firstly, the feedback of results from the disseminated short survey on members preferred priorities. The survey priorities should provide grounding for the taskforce conversations. Secondly, Ms. Green reviews grouped recommendations previously presented from the last report and summarize status. This stands the

most logical process in proceed with the taskforce, reviewing status and what may need to be achieved moving forward.

- **Mr. Lavery** provides that Ms. Green will present with note that Illinois Department of Transportation (IDOT) statutory board is identified. **Illinois Department of Transportation** (IDOT) publishes an annual study that shows police submitted traffic and pedestrian stop data. In partnership with an external consulting agency, the Mountain Whisper Light, an analysis is completed that looks for potential racial bias within these stops. The job as a task force is to review these methods along with the methods that IDOT uses to collect that data in the 1st place. We are to submit a report detailing our findings by March 2025 and every three years after.
- There are recommendations intersect with IDOT and ICJIA for implementation that are addressed by the Racial Profiling Prevention & Data Oversight Board. The statistical study will provide some updates on oversight board status and posture in proceedings. The statistical study taskforce will create connection where the oversight board and this group are aware of each other's ongoings, perhaps more than the last convening. Mr. Lavery provided background reference for IDOT Racial Profiling Prevention and Data Oversight Board intersects by statute. The Oversight Board mandate is to identify and address bias-based policing through monitoring, review, and improvement of the collection of racial profiling information collected under the statistical study. They are the oversight board for the statistical study group.
- **Mr. Lavery** presents Emilee Green to deliver your presentations.

VI. PRESENTATIONS

- **Emilee Green, Presenter** provides presentations for taskforce priorities. Ms. Green shares screen and shows the summary of rankings by four respondents to the survey sent out by Kimberly Atkins on August 8, 2024. I know that a 5th respondent recently submitted answers this morning and so they aren't included in this exact presentation, but we can absolutely be sure to review them and incorporate. Three were tied as top priorities.
- The **first priority** was law enforcement feedback on the studies and review of data sheet forms. The members may want to have this as a meeting topic and open dialogue. ICJIA shared findings in past and law enforcement as part of the group would be willing to share thoughts. The **second priority** was funding determination. Some funding to offset software modifications needed for police agencies to address and implement the recommendations. The **third priority** is to review traffic stop benchmarking. IDOT consultants, used an algorithm to estimate the driving population of each community. This is essentially traffic

benchmarking. It gets more in depth and members may want to review their methods and create dialogue or discussion. The next priority members recommendations identified was reviewing any desired additions to add to the published public reports. Reviewing the pedestrian stop benchmark is a priority moving forward. The traffic and pedestrian stop benchmarks are calculated differently throughout the state on some preliminary results determined after conversations with law enforcement.

- Ms. Green defined the **Algorithms used**: one type of algorithm for calculating the driving population, but a separate kind of set of data sets for calculating the pedestrian benchmark is has been used. Recommendation was made that taskforce should look again into how the pedestrian benchmark is calculated as well and if it should match the traffic stop benchmark. This may present the kind of barriers or challenges there might be to having the matches.
- Next was investigate, non-consensual pedestrian stops. This definition excludes pedestrian stops in which a law enforcement member engages a citizen in a non-consensual encounter based on reasonable, articulable, suspicion, where the citizen would believe that he or she is not free to leave, but the law enforcement member does not conduct a risk or search. IDOT should examine the prevalence of such nonconsensual pedestrian stops that do not involve a frisk and search. **Statute currently states** that law enforcement agencies must record pedestrian stop information required under the statistical Study Act whenever a law enforcement member subjects a pedestrian to detention in a public space. Detention is defined as all frisks, searches, summons, and arrests. This definition excludes pedestrian stops in which a law enforcement member engages a citizen in a non-consensual encounter based on reasonable, articulable, suspicion, where the citizen would believe that he or she is not free to leave, but the law enforcement member does not conduct a risk or search. This was a lower priority; however, it is of importance.
- Lastly, was to review internal benchmarking. Internal benchmarking was comparing officers of similar assignments in the same department to kind of serve as benchmarks for each other rather than external generated populations. Members may consider passing on this one to investigate in another year. Additional visualizations for the traffic pedestrian stop studies ranked last. That came in kind of lower ICJIA had developed a visualization, a list of traffic stop data so far, that is currently still in review.
- **New Ideas submitted**: The 1st was to discuss community feedback on the annual studies. The 2nd was, is the data collection and annual report providing the desired information for our stakeholders? And finally, the last was develop recommendations for a system of how to respond to

Illinois traffic and pedestrian stop study results? How can oversight bodies like this task force and the departments themselves work to address the racial disparities surfaced by the study.

- Recommendation Progress Table: (shared with members prior) Progress that has been made on each recommendation.
- **Khadine Bennett ACLU-IL** provided recommendation of having a longer meeting where we could address the Racial Profiling Oversight board and talk through the progress table in prioritizing our recommendations and gain knowledge of what they are doing as well. Received some information from Law enforcement and sharing could be helpful as members come a joint conversation together with more information. Two points regarding priorities: How was the definition for stops for those who may not have been in the room when that language was put into law? Originally, the push was for that language to be similar to the traffic stop. All stops, require same follow-up. However, the language was negotiated at the request of law enforcement. Does the negotiated language give a full picture? We may want data to be aligned with the traffic stop data and that process.
- **Khadine Bennett ACLU-IL**- Regarding terms of funding, if that is selected as a priority, it would be helpful if we know what funding is currently available and how it's being used? Is funding being used in an effective way? If additional funding is needed, is it because there is NO discretionary funds available? How will members determine funding purpose and that the funding is aligned with the goal of the traffic data collection. If funding is received it should align with the collection of data. Funding may not be received if data is not consistently collected. Can we make these considerations?
- **Timothy Lavery**: provides summary to question regarding learning more about the Racial Profiling Oversight Board and asks Sean Berberet to respond to provide stronger connectivity in terms of understanding where they're, headed on things in more detail.
- **Khadine Bennett ACLU-IL**- Yes, it is the understanding that part of what the Racial Profiling Oversight Board executed was some of the recommendations from this statistical study group by movement of the recommendations into implementation, as it is within the function of the group. It may be a good opportunity for members of the statistical group to talk to the oversight board or members in terms of understanding the intention from the conversations. It is important to know what the Racial Profiling Oversight Board is doing in addition to how it's going and ensuring statistical study taskforce priorities and concerns are addressed. Members then understand the totality of the boards priorities and what they are moving forward to implement into legislation. This allows members to review recommendations that we may not need to consider

at the time because review is being made by the oversight board. This would allow the taskforce to prioritize with having a full since of where the statistical study focus is in relation to the oversight board. Response is requested from Lavery, Green and Berberet.

- **Timothy Lavery** -concurs and requests response from Berberet, on how we can create those touch points a little bit more?
- **Sean Berberet**- Continue to provide updates to Emily to share and when I think all the recommendations that ICJIA has presented to the IDOT Oversight Board, we are implementing them or consider recommending additional research, at a subcommittee level, and then ultimately, we're going to have to descend it to the governor's office cause we're an advisory board to make sure we can go ahead with all the recommended changes. Mr. Berberet concludes with he will obviously keep Emily abreast to all the changes and updates and procedures that we're going through. I think Emily has a pretty good pulse though on what has been already recommended by this task force to the oversight board that we're working on and what might, be new. So, I believe I see just up to date with kind of everything that's IDOT is or the oversight board is currently working on.
- **Timothy Lavery**- Suggests that there is more conversation to understand just the status a little bit more on where things are at and the specificities of what they're approving something. This is achievable. Mr. Lavery asks if there is any interest for the Oversight Board attending one of these meetings?
- **Sean Berberet**- Agrees to bring it up to our chair and discuss it. Luckily you are currently being involved with one of our board members. Amy Thompson is doing dual roles.
- **Amy Thompson**-The conversations were to recommend and voted to recommend six additions to the form in the last meeting. However, there are still some that need discussion and some of that discussion I think I believe the subcommittee wanted more information from ICJIA and this task force to get a sense of why the recommendation were made. Counsel Thompson agrees and supportive of some meetings to discuss what's been done, what needs to be done or do adjustments need to be made, especially as it pertains to the data form.
- **Timothy Lavery**- The 2nd point Khadine Bennett mentioned was presenting the results from the 13 law enforcement leaders that Emily spoke. Additionally, a panel of law enforcement may be an option. The new ideas for the task force, the common theme does seem to be a utilization of the, the information, not just for by law enforcement but by a variety of different stakeholders, but certainly law enforcement is one and it came up a lot at the last, the last convening. The Funding thoughts

would be something that ICJIA would have to collectively brainstorm to provide a word out to the rest of the group on funding.

- **Jack McDevitt** – Thanks Emilee for presentation and appreciates Khadine point as well. Pedestrian stops are not being counted when they don't involve frisk, that would put Illinois as a pretty large outlier across the country in terms of the data and how it's being counted. If you can think it through, once you started a frisk, you've already started a search process and so. The big question about pedestrian searches is how discretionary they are. A fact is that every other state in the country that's collecting this data does do that. Is it unreasonable or too difficult for law enforcement to determine that gray area before they frisk someone? I just wanted to reiterate, while we are making changes with the report and process, we may want to confirm how it is being used the community and law enforcement. To Mr. Lavery's point, invite law enforcement to come in and say, "here's some agencies that are using it and find it useful," would be helpful. We may want to start a discussion about how funding might be tied to participation and use of the survey results, I think we get some law enforcement interest in the, in helping us to think that through.
- **Timothy Lavery** – Getting information representative across the state is good, we'll get a lot of the salient points coming out people we think are, are knowledgeable. The idea of connecting funding to an agenda towards improvement always perks ears up. If we decide to go that route and just assess the funding situation, it could help foster the conversation. Another thing we have done with the taskforces is to **identify a legislative gap loophole, deficiency**, or omission. The group may **propose that the laws get changed**. This is a big discussion area due to extended reporting, additional reporting for law enforcement, but
- There's also, there's also other factors as mentioned, law enforcement perspective, and the reporting requirement when there's already lots of reporting those factors. This is also good topics for discussion.
- **Jim Kaitschuk**- One, I'm not sure where we're getting all this funding from because we don't currently get much funding from the state. It's local, so I guess if you want to tie it to funding, that really won't change anything for us. Two, in terms of the pedestrian stops, that was a highly negotiated piece in terms of how that would be handled, and a lot of it was dealing with just common interactions that we as law enforcement members would have with people in the public. So, it, obviously there's a huge distinction between stopping a vehicle for probable cause and getting out with somebody and talking to them. The two are apples and oranges in terms of comparisons.
- **Jack McDevitt**- Jim and I appreciate your comment. In response, nobody wants to collect data on community policing, walking talks, park, and walks. However, if a citizen believes they're unable to leave a situation

with an interaction with the police officer, that's generally a different kind of interaction.

- **Jack McDevitt-** You might be investigating a potential criminal activity, in that case it's a stop that would get recorded. If you're going down to increase relationships with the community and trying to build, trust and then NO. However, usually they define this stop as investigatory. If the thought process might be someone is involved in something suspicious, then an officer may start a conversation with a pedestrian.
- **Jim Kaitschuk -** we can certainly discuss this further, but I guess the other thing too is the entire, a large part of the discussion about including pedestrian stops was also, it was dealing with the stopping frisk going on in the city of Chicago was one of the drivers. The real-life side of things from a, a majority of law enforcement is we get out with people all the time to stop on an investigatory basis based on a crime that may have been committed in the area, but the circumstances don't necessarily allow them. What do you do walking through an area and if they match a description. In this case an officer needs to move quickly to increase ability to find out who the individual might have been that was involved
- **Timothy Lavery-** next item on the agenda is the plan for future meeting dates, Kimberly, can I ask you, just to take that on?
- **Kimberly Atkins, ICJIA Strategic Project Administrator-** We have, our taskforce scheduled dates for 2024. Members have been sent out the schedule which most dates are on Thursdays. There was an understanding of conflicts with some members for Thursday and an earlier or later date may best accommodate all members. Adjusting the time for Thursday may be best option
- **Timothy Lavery –** Required training for taskforce members a message was sent out to members from Kimberly and may be resent so please look out for the message. Kimberly Atkins will be in touch about what is needed for training and sending some links out. If you do have additional questions about that, feel free to respond.
- **Amy Thompson-** Being cognizant of time, wondering if it's been shared with the group, what is the process going forward? What's going to happen with the priorities? What should we expect from our future meetings? How will we digest these priorities into recommendations?
- **Timothy Lavery-** we'll come back and take member comments at this meeting into a clear set of proposed directions. We will shape priorities then we'll decide on action steps. We're still at the stage of focus areas. We will have discussions and decide what we will act on for the report by our next meeting. Does everybody agree? From there, we can determine action steps with five months to implement action steps.

VII. PUBLIC COMMENT

The floor was opened the floor for public comment by counsel Dawn English by pressing *6. There was no public comment.

VIII. ADJOURNMENT

- Next Meeting is Monday, **September 26, 2024**, (Later time frame)
- **Motion By:** Amy Thompson at 12:35pm
Seconded By: Rev. Ciera Bates Chamberlin
Dawn English: adjourns the meeting