

12/22/23 As of January 1, 2024 California law will require that police officers who stop a vehicle or pedestrian “state the reason for the stop, before asking any questions, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat.” [Assembly bill 2773](#) was passed in reaction to officers’ use of minor infractions as an excuse to probe for serious crimes.

9/19/23 Fiercely opposed by police and many prosecutors, a California bill that would have essentially outlawed pretextual traffic stops died in the Legislature. Its backers contended that prohibiting officers from stopping vehicles for minor transgressions such as a single broken taillight would greatly reduce the disparate treatment of minorities. “Police departments acting in a racially biased manner and wasting their time is not a good way to solve crime,” said the chair of a Penal Code revision committee.

9/5/23 Spurred by complaints that officers were turning off bodycams to conceal abuses, an LAPD inquiry (since joined by the FBI) of the Mission division’s gang squad has turned up evidence that officers may have been stealing from persons they stopped. And even planting Apple AirTags in their vehicles, enabling them to be subsequently tracked without need for a warrant. (See 12/30/24 update)

5/10/23 LAPD data shows a sharp increase in traffic fatalities during the past two years. But even as some experts demand a more aggressive response to the traffic-related violence that besets low-income neighborhoods, Los Angeles is developing a plan to shift most traffic enforcement to unarmed civilians. That, along with reducing street width and installing bike lanes, would supposedly make streets safer and greatly reduce friction between police and communities of color.

12/21/22 Statistics that show Black motorists are stopped at a rate more than twice their share of the population has led California legislators to introduce a bill that prohibit “pretextual stops.” Officers could not stop drivers for only non-traffic safety reasons, such as “license plates, lighting or vehicle registration.” Officers concede they do so to find evidence of crime. But critics contend that seldom happens.

11/15/22 In March [a new rule](#) prohibited LAPD officers from making traffic stops unless the observed violation “significantly interferes with public safety.” That rules out “pretextual” stops that use minor infractions to justify stopping persons on a mere hunch that they are criminals. A *Los Angeles Times* review indicates that the number of such stops has indeed plunged. Seizure of illegal items is also down, with 374 fewer guns recovered during the five months following the rule’s enactment than during a comparable period the preceding year.

7/27/22 Formed to combat racial profiling, a community policing task force in Elgin, Illinois is recommending, among other things, that police be prohibited from making traffic stops for petty non-moving violations, including recently expired license tags, single broken taillights, and things dangling from inside rear-view mirrors. It's also recommending that hiring standards be changed, and that a high-school diploma or GED suffice (a bachelor's degree is presently required.)

7/12/22 Montgomery County, Maryland's most populous, adjoins Washington, D.C. During the past year nonfatal shootings increased 75 percent. Police chief Marcus Jones attributes it to the disruptions brought on by COVID and the availability of "ghost guns." Seizing them, says a retired assistant chief, requires that officers "reengage" in doing traffic stops. In the past the practice was admittedly taken too far, but he'd welcome stops for legitimate reasons such as "running a red light, talking on a cellphone."

4/21/22 Police traffic stops can have tragic ends, and departments around the U.S. are rethinking their value. Some jurisdictions have restricted their use. On March 9 LAPD instituted a rule that prohibits "pretext" stops - justified by minor violations but in fact done for other reasons - unless officers have "articulable information" (not necessarily reasonable suspicion) about "a Part I violent crime, driving under the influence (DUI), reckless driving, street racing, street takeovers, hit and run, human or narcotics trafficking, gun violence, burglary, or another similarly serious crime." Officers must speak that reason into their body recorders. Stops "should not be based on a mere hunch or on generalized characteristics such as a person's race, gender, age, homeless circumstance, or presence in a high-crime location." Police unions strongly objected. So did civil libertarians, who called it a "sham" that lets cops keep discriminating against persons of color.

11/9/21 A *Los Angeles Times* analysis of "more than 44,000" bicyclist stops by L.A. Sheriff's deputies revealed that riders in poor, minority areas were far more likely to be stopped and searched. Seventy percent of those stopped were Latino. Illegal items were found in 8 percent of the stops, and weapons were seized "just 164 times - less than half a percent of all searches." But Sheriff's officials argue that "criminals use bikes to evade detection" and are untroubled by the low rate of contraband recovery.

3/5/20 A San Francisco-area Superior Court panel ruled that California's legalization of recreational marijuana means that police who stop a vehicle cannot search it based on the odor of pot, or on an occupant's possession of a legal amount.

12/4/19 Oregon's Supreme Court banned officers from going off-topic during routine traffic stops and questioning occupants about unrelated matters. In this case an officer

who pulled over a car for failure to signal a turn asked for and received consent to search the vehicle, in which he found drugs. [Decision](#)

12/8/18 [An L.A. Times investigation](#) revealed that 69 percent of motorists stopped by the L.A. Sheriff's "Domestic Highway Enforcement Team," set up to interdict drug running on Interstate 5, were Hispanic. They were also far more frequently searched. But drug seizures from Hispanics were not significantly more frequent than for other ethnicities. The team's operations have been suspended.

4/22/15 On 4/21/15 the Supreme Court reversed, holding that without "individualized suspicion" extending a traffic stop for a non-traffic reason violates the Fourth Amendment. The case was returned to the Circuit court to examine whether there had been enough suspicion. In turn, [the circuit ruled](#) that since its own past case law supported a brief detention, the officer had acted reasonably, and that under [Davis v. U.S.](#) the evidence should be admitted. Bottom line: Rodriguez and Pollman won, then lost.

12/16/14 On 12/15/14 the Supreme Court, in an 8-1 decision, turned away Heien's appeal. According to the Court, considering the vague wording of the state law, the officer's mistake of law was reasonable, thus giving him reasonable suspicion to stop the vehicle.