

Dear Mayor Todd Gloria and San Diego City Council,

As researchers and educators committed to developing, sharing, and using knowledge toward the improvement of society, we write to express our concern about racial disparities and other inequities in how the San Diego Police Department (SDPD) enforces laws. We believe that no one should be policed differently because of their race, age, gender, sexual orientation, mental or physical ability, or any other aspect of their identities.

Several studies have examined patterns of police behavior around the issue of racial and identity profiling in traffic and pedestrian stops.ⁱ Unfortunately, these studies have consistently documented that people from Black, Asian and Pacific Islander, and Latino communities, LGBTQ people, and people with disabilities experience both disproportionately high rates of police contact and higher levels of scrutiny by the police, compared with their white or non-disabled neighbors, respectively. For example, the 2019 Campaign Zero study revealed that people perceived to have mental disabilities were 81% more likely to be searched by SDPD officers during a stop than people perceived by the officer to be non-disabled.

These studies have also shown that where police officers have more discretion to stop and search someone, we see higher rates of racial and identity disparities and little public safety value. In other words, officer discretion creates disparate treatment, and does not make our communities safer. The 2016 study done by San Diego State University researchers found that despite being searched and subjected to field interviews more often, Black and Latino drivers were less likely than white drivers to be found with contraband.ⁱⁱ The same study found that SDPD officers tend to excuse, justify, or otherwise deny the use of racial profiling in their work, while also describing decision-making processes that rely on racial stereotypes about people and communities.ⁱⁱⁱ

Furthermore, these studies show that consent searches have little crime prevention value.^{iv} Consent searches are also known as “high discretion” searches, in that the officer has broad flexibility to decide whether to request a driver’s consent to conduct a search. While the driver can say no, many drivers may feel compelled to say yes when asked by an armed authority figure. This problem is compounded by pretext stops, including stops for equipment violations and registration, which also provide officers wide discretion to initiate stops on little more than a hunch, and which disproportionately target the same populations that are already subject to overpolicing. For example, in July 2021, the Center for Policing Equity released a report analyzing SDPD’s data and found that Black and Latino drivers were more likely to be pulled over for equipment violations.^v

Therefore, we support prohibiting consent searches and pretext stops, and ending stops for equipment and registration violations. The data shows these practices are correlated with steeper racial disparities. Addressing these practices would not only be a step towards racial justice but would also improve public safety for all San Diegans. These recommendations are consistent with current scholarship which has found that the benefits of these policing tactics are often greatly exaggerated, and their costs to general community well-being are enormous and often go unrecognized.^{vi}

We urge the City of San Diego to reduce the role of police and advance solutions that focus on addressing the root causes of societal problems.

It is for this reason, and supported by robust empirical evidence, that we write to you in support of PrOTECT (Preventing Overpolicing Through Equitable Community Treatment), a city ordinance that requires an officer to have probable cause to stop and search someone. To meaningfully address biased policing, we need to do more than diversity training and recruiting. We need to eliminate police practices that facilitate disproportionate violence against specific populations and fail to keep us safe. PrOTECT would be a meaningful step towards this aim, as it would reduce discretionary and ineffective policing practices that have little public safety value and that exacerbate San Diego's inequities.

We sign this letter in support of PrOTECT and hope you will take this opportunity to support the ordinance and take a stand against biased policing. This is an opportunity for San Diego to pave the way for other cities in the US to pass a meaningful and impactful policy that truly addresses the harms and inequities created by policing.

Sincerely,

[add signatories (name, title, institution)]

ⁱ These studies include:

Joshua Chanin, Megan Welsh, Dana Nurge, Stuart Henry, *Traffic enforcement in San Diego, CA*, San Diego State University, <https://www.sandiego.gov/sites/default/files/sdpdvehiclestopsfinal.pdf>, (November 2016).

Samuel Sinyangwe, *Evaluating Policing in San Diego*, Campaign Zero, <https://policescorecard.org/san-diego/police-scorecard-san-diego-report.pdf>, (2021).

Center for Policing Equity National Justice Database Digital Report, Center for Policing Equity, <https://www.sandiego.gov/police/about/police-equity-report>, (June 2021).

ⁱⁱ Joshua Chanin, Megan Welsh, Dana Nurge, Stuart Henry, *Traffic enforcement in San Diego, CA*, San Diego State University, <https://www.sandiego.gov/sites/default/files/sdpdvehiclestopsfinal.pdf>, (November 2016).

ⁱⁱⁱ Megan Welsh, Joshua Chanin, Stuart Henry. (2021). Complex colorblindness in police processes and practices. *Social Problems*, 68(2), 374-392. <https://spa.sdsu.edu/documents/WelshChaninHenry2020Policecolorblindness.pdf>

^{iv} Samuel Sinyangwe, *Evaluating Policing in San Diego*, Campaign Zero, <https://policescorecard.org/san-diego/police-scorecard-san-diego-report.pdf>, (2021).

^v *Center for Policing Equity National Justice Database Digital Report*, Center for Policing Equity, <https://www.sandiego.gov/police/about/police-equity-report>, (June 2021).

^{vi} See for just one of many examples: Charles R. Epp, Steven Maynard-Moody, and Donald Haider-Markel. 2014. *Pulled Over: How Police Stops Define Race and Citizenship*. Chicago, IL: University of Chicago.