

Village of Montgomery's Response

The Village of Montgomery supports all efforts to eliminate discriminatory practices in government operations. This support extends to efforts to eliminate racial profiling in traffic stops. In order to examine its practice, the Village of Montgomery initiated its own study of traffic stops in the Village of Montgomery using more relevant data and actual data. The Assessment of Police-Motorist Traffic Encounters Study (hereinafter referred to as the Study) can be viewed at the Village's Website at <http://ci.montgomery.il.us>. The Village's Study was prepared by the Northwestern University Center for Public Safety.

The Village's Study makes clear that the State's statistical benchmark data for Montgomery traffic stops is not "an appropriate benchmark." As stated in the Village Study, "for the statewide effort, **there is no way to learn the demographic mix traveling through each municipality...**" Moreover the Study goes on to state that "[the Study] **clearly** suggests that the ethnic mix of drivers **is not representative** of the census distribution."

The Village shares a long common border with a city that does not share its demographic profile. Moreover, the Village of Montgomery is home to, or is adjacent to, several large manufacturing enterprises (and many small ones) that draw their workforce from other areas that do not share the same demographic information. Accordingly, the State Report, which bases its calculations on modified census data (averaged for the *entirety* of Kane County; Montgomery is also in Kendall County), cannot be taken as representative or accurate for the populace of who drives on the Village's streets.

Further, the State benchmarks and traffic stop data lumps all dates and all times into one single numerical value. No attempt to compare like times, to like times is made. Therefore, the State Report is assuming again that the driving populace on Village roads is identical at all times. This is simply not accurate. The driving populace at noon is not the same as the driving populace at midnight. The Village's Study compared data for like times (i.e. an apples to apples approach of comparison).

The Village's Study sets benchmarks based on more reliable information (observational data) and based upon the Village's Study of a comparison of like times (i.e. like times for both traffic stops and traffic observations). That Study culminates in the data presented in Table 8 of the Village Study which shows as follows:

Traffic Stops	White	Black	Hispanic	Native American	Asian	Total
Number of Stops	510	83	254	1	6	854
Percentage	59.8%	9.7%	29.7%	0.1%	0.7%	100.0%
Observed Population	White	Black	Hispanic	Native American	Asian	Total
Number	5,930	708	2,452	1	115	9,206
Percentage	64.4%	7.7%	26.6%	0.1%	1.2%	100.0%
Benchmarking Limits						
On the Number of						
Traffic Stops	White	Black	Hispanic	Native American	Asian	
Lower Limit	518	51	203	0	4	
Upper Limit	575	83	256	1	17	

Village of Montgomery's Response

Page 2

As to the issue of the “outcome of the stop,” the State Report does not show a substantial difference in result based upon race. The vast majority, in each case, were given written warnings rather than citations, regardless of race. To the extent of any difference, the Village Study also addresses this question. The Village Study demonstrates that minority stops result in substantially more “must cite” situations than for White stops. This distinction from White stops explains any minor distinctions in the State Report as to the outcome of the stop.

As the Study states: “It is recognized that the individual police officer has considerable discretion in what action to take as a result of a traffic stop.” For almost all registration and licensing violations, however, the officer is given little discretion and issuance of a citation is expected; insurance violations are also in this “must cite” category. Hispanics and Blacks are more likely than others to be stopped for equipment violations and for license and registration violations. A possible reason for the latter is that an examination of the Montgomery Police Department stop data shows that the average vehicle driven by Blacks and Hispanics are more than three and two years older, respectively, than the average vehicle driven by Whites.

It is reasonable to expect vehicle and related equipment defects to increase with vehicle age. As can be seen in [the Village Study table 12], Montgomery police officers issue most of their citations for “must cite” violations. Hispanics are more likely than other groups to receive citations in this category, with over 90% of their citations being considered “must cite” violations. The next highest group in this category, Blacks, shows almost 84% of their citations for “must cite” violations. Almost 67% of citations issued to Whites were for “must cite” violations.”

In conclusion, as is stated in the Village's Study; **“The findings indicate that Montgomery police encounters with motorists are unbiased. No significant differences occur between the proportion of drivers stopped for traffic violations and the observed driver population. Differences between the population of observed drivers and traffic stops by race or ethnicity likely arose by chance.... Table 8 shows that there is nothing that indicates any bias in stops conducted by Montgomery police officers.”** The data supports the fact that Montgomery does not support or practice racial profiling. The Village does stop and prosecute persons who commit crimes, regardless of their race.