The complexities of traffic stops, from a police officer's perspective

Washington Post By Peter Moskos July 28, 2015

Early one December morning in East Baltimore in 2000, I saw a car drive by with its headlights off. For minor traffic violations, for honest mistakes — if the driver was sober, polite and carrying a valid license and registration — I would usually just issue a warning.

I stopped the car. But before I could get on the police radio to call in the stop, the driver — a very agitated middle-aged African American woman, and seemingly middle-class — exited the car while shouting into her cellphone. She ended one call and made another. The "routine" went out of this 1 a.m. stop.

I told her to get back in her car several times, which she finally did reluctantly . I approached and asked for her license. She was on her phone saying she wanted a sergeant and another officer and added: "If I'm going to get shot, I want it to be recorded because I know this is recorded and I know my rights . . . if I get shot, I want it documented."

She wouldn't stop talking, yelling really, at me and into her phone : "He just pulled me over for being black. I can't believe this would happen to me. There are all those drug dealers, and you've got to harass me!" I could see the parking lights on her dashboard were illuminated, which maybe made her think her headlights were on. I pointed this out to her. She said, ignoring my point, that she was on her way to donate suitcases for charity. After a few more requests, she gave me her license.

As I returned to my car, a call came over the radio for a woman being assaulted by a police officer at my location. I told the dispatcher there was no assault in progress, and the call was related to my traffic stop. Before I had even approached her, much less spoken to her, she had called 911, aggrieved, certain of the injustice she was experiencing at the hands of a white officer.

I thought of this stop while watching the video of Sandra Bland, the young woman who died in jail after she was stopped in Texas for an illegal lane change, a minor violation. Like that scenario, my traffic stop could have gone in any number of directions.

Legally, morally and tactically, I had many options and tools at my disposal. I could have raised my voice. I could have issued more orders. I could have threatened the woman with force and arrested her for non-compliance. I could have done all that legally, but I didn't want to. What is legally permitted is not always morally acceptable. I didn't want to start a physical altercation because there's always a chance you'll lose.

I was on guard but not afraid. I was focused on a goal: to finish this stop without anybody getting injured. Honestly, I had little sympathy for this woman's mistaken sense of moral justice. But I had empathy for her as a human being. And other things being equal, I'd prefer not to wrestle and handcuff a middle-aged woman for a minor traffic violation, no matter the legal justification. I could win tactically but not morally.

My sergeant, a bit baffled, and another officer, more simply amused, arrived on the scene within minutes. After a brief summary from me, my sergeant told me to remain near my car while he approached and talked to the woman. I filled in a ticket to give her. Ironically, given her insistence that I stopped her only because she was black (in a neighborhood that is 98 percent African American), a verbal warning could be used as proof that the stop was unjustified. I needed a paper trail to cover my actions.

The driver remained upset, glaring while she signed for the ticket: "I had my lights on. How can you look me in the eye and tell me I didn't have my lights on? God will judge you. You'll have to answer to God in the end!"

In the end, we had only a traffic court judge to answer to. He listened to our versions of the stop before concluding, "Sounds like a routine traffic stop. . . . I'll take the officer's word over yours. Guilty."

Was that the ideal ending? I don't know. Little about policing is ideal. But that's why we have police officers, to handle non-ideal situations. These often involve people who are lost, mentally ill, criminals or victims. And, like Sandra Bland, nobody should die because police officers are more interested in absolute dominance than professional, moral and tactical discretion. Peaceful resolution isn't just the right thing to do — it's the very purpose of policing.