



April 3, 2023

National Highway Traffic Safety Administration (NHTSA)
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: Request for Comment; Draft Model Minimum Uniform Crash Criteria (MMUCC) Guideline, Sixth Edition (Docket DOT–NHTSA–2023–0002)

Thank you for the opportunity to provide comments on the draft 6th edition Model Minimum Uniform Crash Criteria (MMUCC) Guideline. The Center for Policing Equity (CPE) is a national research and action nonprofit that uses data-driven approaches to identify and address inequities in public safety systems. As an organization that analyzes policing data everyday, we have insight into the practical effects of data collection policies on researchers analyzing equity issues. The following responses are informed by our experience viewing and analyzing hundreds of police data sets and providing technical assistance to over 60 law enforcement agencies across the country to improve their data quality to better understand and address inequities. Based on this experience, we believe that expanding collection to include demographic information and using language to explicitly include non-police crash investigators would assist researchers and organizations analyzing inequities in crash data.

We know that there are very large racial disparities in motor vehicle crash fatalities, estimates that are likely an undercount due to poor data quality.¹ From 2016 through 2020, Black pedestrians were killed by drivers at a rate almost 3x higher than White pedestrians while Native pedestrians were killed at a rate 4x higher.² Collecting demographic crash data at a national level would be vital to study both why these disparities exist and to build evidence-based approaches that can address these disparities. The demographic data that would be most useful to researchers would be, for everyone involved in a crash, recording the perceived racial group, age, gender, and whether or not the person had limited English ability.³

In addition to the disparities in traffic crash fatalities, there are prevalent racial disparities in traffic enforcement.⁴ Black people are more likely to be stopped by police while driving,⁵ to be

¹ Harvard T.H. Chan School of Public Health. (2022). Racial disparities in traffic fatalities much wider than previously known <https://www.hsph.harvard.edu/news/press-releases/racial-disparities-traffic-fatalities/>.

² Smart Growth America and National Complete Streets Coalition. (2022). Dangerous by design 2022, p. 33. www.smartgrowthamerica.org/dangerous-by-design.

³ We recommend to departments we work with that they train officers not to ask people to self-identify their racial group, but to record their own perception of the person's racial group.

⁴ Baumgartner, F. R., Christiani, L., Epp, D. A., Roach, K., & Shoub, K. (2017). Racial disparities in traffic stop outcomes. *Duke Forum for Law and Social Change* 9(21), pp. 21–53. scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1065&context=dfisc; Pierson et al., 2020.

⁵ Baumgartner et al., 2017.



searched once stopped,⁶ to have force used against them,⁷ and to be killed by police when unarmed.⁸ In response to these disparities and harms of traditional enforcement, communities across the country are reconsidering the role of police in traffic stops and investigations and are developing options that do not rely on armed responses. New York City has already transferred the responsibility of investigating traffic accidents to their Department of Transportation with other municipalities looking to follow suit.⁹ To encourage these efforts we recommend that the 6th edition of MMUCC use language that is inclusive of non-police responders and reporters of crash data instead of language directed only at law enforcement.

Thank you for the opportunity to provide comments on the draft 6th edition of MMUCC. Please do not hesitate to contact the Center for Policing Equity with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Cumberbatch'.

Eric Cumberbatch
Senior Vice President, Policy & Community Engagement
Center for Policing Equity

⁶ Pierson, E., Simoiu, C., Overgoor, J., Corbett-Davies, S., Jenson, D., Shoemaker, A., Ramachandran, V., Barghouty, P., Phillips, C., Shroff, R., & Goel, S. (2020). A large-scale analysis of racial disparities in police stops across the United States. *Nature Human Behaviour*, 4(7), pp. 736–745. doi.org/10.1038/s41562-020-0858-1.

⁷ Engel, R. S., & Calnon, J. M. (2004). Examining the influence of drivers' characteristics during traffic stops with police: Results from a national survey. *Justice Quarterly*, 21(1), pp. 49–90. doi.org/10.1080/07418820400095741;

Lofstrom, M. Hayes, J., Martin, B., & Premkumar, D. (2021, October). Racial disparities in law enforcement stops. Public Policy Institute of California. ppic.org/publication/racial-disparities-in-law-enforcement-stops.

⁸ Kirkpatrick, D., Eder, S., Barker, K., & Tate, J. (Updated 2021, November 30). Pulled over: Why many police stops turn deadly. *The New York Times*. nytimes.com/2021/10/31/us/police-traffic-stops-killings.html

⁹ 4 Kessler, E. (2021, March 25). PASSED: City council establishes DOT crash investigation unit. *Streetsblog NYC*.

nyc.streetsblog.org/2021/03/25/passed-city-council-establishes-dot-crash-investigation-unit