

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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April 9, 2013

File No.: 401.11497.035

Ms. Julia Harumi Mass, Esq.
ACLU of Northern California
39 Drumm Street
San Francisco, CA 94111

Dear Ms. Mass:

On December 5, 2012, the American Civil Liberties Union (ACLU) and the American Friends Service Committee (AFSC) held a press conference in the community of Caruthers. Although no prior concerns had been brought forth, the press conference was the method chosen to raise initial allegations California Highway Patrol (CHP) officers were systematically and unlawfully targeting Latino farm workers. In your letter, faxed to Commissioner Farrow on the same date, you articulated the belief officers were making stops without reasonable suspicion based on the driver's ethnicity and national origin. Additionally, concerns were raised regarding the business practices of a local tow company that facilitates vehicle impounds for the CHP in the region.

The allegations were of great concern to me, so I let it be known during the press conference that I would work with you to gather the information necessary to look into the issues. Since the press conference I have sent written requests for specific complainant information on December 10, 2012, and December 26, 2012. I was disappointed that you declined to provide specific complainant information subsequent to both of these requests that would allow for a thorough investigation. Absent specific complainant information to evaluate, a subsequent review of documentation has commenced.

My staff conducted a hand search of over 24,000 citations looking for documents which showed violations which would have allowed for the consideration to impound the vehicle. As a result of this hand search, over 4,600 examples were located. Of those, less than half resulted in an impound of the vehicle.

My staff then looked at those examples which occurred within six months of the press conference to look at the reason the driver was contacted. Of those, over half of the citations included the reason for the stop listed as a violation. For those contacts in which they were not cited for the reason of the contact, traffic collisions represented the largest sample followed by mechanical, registration, and moving violations. Weaving and obstructed view combined represented less than four percent of the reason for the contact when drivers were not cited.



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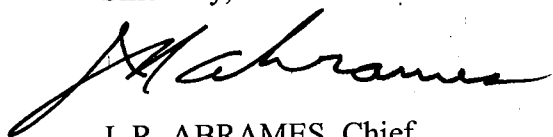
In looking at the demographics, the 2010, U.S. Census lists Hispanics as representing 50.3 percent of the population in Fresno County and 63.7 percent of the population of Caruthers. In comparison, Hispanics represented only 49.7 percent of the Area's citation activity between July 1, 2011, and June 30, 2012.

In response to concerns related to the tow company, a team including an investigator from the Department of Motor Vehicles was asked to look at the company's lien sale practices. The company provides service for much of southwest Fresno County. In reviewing records from June 9, 2012, through December 10, 2012, 469 vehicles ultimately were sold through the lien process. The company uses a third party entity to facilitate the lien process and no improprieties were revealed.

I hope the information gathered from the documentation review has been of value. Upon your review of the material requested through the Public Records Act and this letter, please let me know if you still desire a meeting. As always, if there is an individual with a specific complaint, the Department stands ready to investigate and respond to their concerns.

If you have any questions, or would like to discuss this issue in greater detail, please contact me directly at (559) 277-7250.

Sincerely,

A handwritten signature in black ink, appearing to read "J. R. Abrames", with a stylized, flowing script.

J. R. ABRAMES, Chief
Central Division