

Law Enforcement Contacts Policy and Data Review Committee

2005 Annual Report



Oregon Criminal Justice Commission

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2005 Annual Report of the Law Enforcement Contacts Policy and Data Review Committee

Executive Summary:

The Law Enforcement Contacts Policy and Data Review Committee (LECC) was created by Senate Bill 415 in 2001 and charged with the responsibility to obtain data on law enforcement stops, provide technical assistance in collecting and analyzing that data, and identify and disseminate information on programs, procedures and policies from communities that have forged positive working relationships between law enforcement and communities of color. A copy of 2001 Senate Bill 415 can be found in Appendix A of this report, as well as on the LECC website at http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM.

This charge was based on the legislative finding that state and local law enforcement agencies can perform their missions more effectively when all Oregonians have trust and confidence that law enforcement stops and other contacts with individuals are free from inequitable and unlawful discrimination based on race, color or national origin, and that data collection can establish a factual foundation for measuring progress in eliminating discrimination.

The LECC began meeting regularly in March of 2005 after a two-year hiatus. Approximately half of the members of the previous committee chose to continue their membership; the governor appointed five new members (see page 2).

The LECC recognizes that racially biased policing, whether actual or perceived, impacts relationships between communities of color and law enforcement agencies. Policing in democratic nations is based on principles of procedural justice. In other words, police are expected to be *neutral* in their decision-making, treat the citizenry with *respect*, and seek *fair* outcomes. A review of research on law enforcement-citizen relations indicates that *trust* in and *satisfaction* with police have important ramifications for crime prevention, case investigation, legitimacy of government institutions, and crime itself.

Racially biased policing clearly violates such principles of justice, and lowers citizen trust and satisfaction with police. However, racially biased policing and police-citizen relationships are complex and there are no simple solutions. Therefore, in order to foster more positive relationships between law enforcement and the communities they serve, the LECC has taken a multi-pronged approach, led by two regularly convening subcommittees: Data Review and Community Relations. These two committees have carried out a variety of tasks to address issues that correspond to the intent and goals of Senate Bill 415.

The LECC has identified four issues that have structured its work. The remainder of the Executive Summary reviews each issue being addressed, briefly summarizes the tasks undertaken so far, and lists significant findings. More detailed descriptions of the subcommittee structures, research efforts, and data findings follow the Executive Summary.

Major Issues

1) Utilization of Traffic Stop Data

While a number of agencies have collected some traffic stop data since the formation of the LECC, the Committee is currently in the process of surveying all city police and county sheriff's departments to determine which agencies are currently collecting stop data or would be willing to do so.

In addition, the committee plans to:

- Analyze the limitations of different types of methodologies for collecting stop data;
- Identify barriers to agency abilities and motivation to collect and analyze stop data;
- Develop an objective methodological framework for aggregating and analyzing stop data from various agencies; and
- Identify a valid means of drawing conclusions about the extent of racially biased policing in Oregon.

In furtherance of these goals, the Data Review Subcommittee has analyzed literature related to traffic stop data from throughout the country (see "National Literature Review of Stop Data Reports," Appendix B) and plans to conduct a survey of all Oregon law enforcement agencies which will provide information on Oregon data collection and analysis efforts. The LECC plans to publish Oregon agencies' traffic stop data in an aggregate form.

The committee has identified some preliminary findings. The national research on racially biased policing indicates that stop data often cannot be used to "prove" or "disprove" racially biased policing, but can provide an indication of disparities in stops and stop outcomes.

Such disparities, if found, may or may not be motivated by conscious decisions based on race, color or national origin. However, there is growing consensus that examining disparities in stop outcomes (e.g., vehicle and personal searches) may indicate unconscious bias that should be addressed through improved training, policies and practices.

The committee feels that open and objective analysis of stop data is important for law enforcement agencies for the following reasons: First, ongoing stop data analysis can be used as an "early warning" system to address any problematic trends in department practices and individual officers' behavior. Secondly, police

departments that voluntarily and objectively analyze their stop data and present the results in a meaningful way to the public tend to have better relationships with their constituents, especially those in communities of color. The Committee believes that such transparency provides numerous additional benefits for police, including improved citizen relations and trust, increased citizen reporting and cooperation with police investigations, and lowered perceptions that racially biased policing is occurring.

The survey of Oregon law enforcement agencies will be distributed early in 2006. The results of this survey will be reported in the LECC's next annual report.

2) The Public Perception of Racially Biased Policing in Oregon

Since 2002, the LECC has commissioned four statewide opinion surveys to assess the public's views of law enforcement contacts and the prevalence of racially biased policing (see Findings: Public Perception Surveys). The surveys also included questions about the prevalence of police stops involving respondents and members of their household.

In 2005, the Committee also commissioned two additional surveys focused on Hispanics and African Americans, respectively, because the total number of Hispanics and African Americans that had been included as respondents to the statewide surveys was insufficient to draw reliable conclusions.

The results of these additional surveys indicate that African American and Hispanic drivers report being pulled over more often than white drivers and are significantly more likely to believe that racially biased policing is common practice. Overall, the surveys indicate a sharp divide between African American drivers and the other respondents. African Americans surveyed feel the police are becoming less fair and they were less likely to view the police positively.

In particular, 21% of African American respondents reported being stopped by police two or more times within the past 12 months compared to only 6% of other respondents from the same geographical area.

Oregon's findings are similar to findings in numerous cities, counties, and states throughout the country. Although this subjective sense of racially biased policing cannot be taken as objective proof of such conduct, it raises a number of significant concerns for law enforcement and citizen relations. National survey research on racially biased policing has indicated that citizens are less likely to feel they experienced racially biased policing when they believe the stop was fair, which is significantly related to how well they felt they were treated during the stop and their general trust in police.

Such findings indicate that police may be able to address perceptions of

racially biased policing by focusing on training related to stop decisions and proper interactions with citizens during stops. This type of training can also help prevent actual instances of racially biased policing which contribute to citizens' negative perceptions of police. However, more recent research also indicates that citizen perceptions of the police may reflect long-term, deeply ingrained perceptions and stereotypes. This later finding suggests that more intense efforts by all government agencies to work closely with minority communities are needed to ameliorate such beliefs.

3) Identifying “Best Practices” for Community Outreach and Law Enforcement Training

The Community Relations Subcommittee's primary goal is to help strengthen the relationship between law enforcement agencies and communities of color. These relationships are influenced by both objective and subjective information, and depend upon respect, neutrality and fairness.

The subcommittee is researching model outreach and training programs, at both the national and local levels. The LECC is working closely with the Oregon State Sheriffs Association (OSSA), the Oregon Association Chiefs of Police (OACP) and the Oregon State Police (OSP) to identify effective outreach efforts and model training programs within Oregon. These organizations are collaborating with the LECC in composing and distributing the Oregon Law Enforcement Survey.

Survey responses will provide information on local training and community outreach efforts, which the LECC will then disseminate throughout the state. Research is being conducted on the formation of law enforcement-citizen partnerships and the level of trust citizens have in police. The subcommittee is also represented on the Department of Public Safety Standards and Training (DPSST) Law Enforcement Curriculum Subcommittee, providing input on the curriculum revision and expansion and helping to draft training scenarios involving contacts with people of color.

4) Recommendations for Addressing Racially Biased Policing and Law Enforcement-Citizen Relations in the State of Oregon

The LECC held meetings with the executive committees of the OSSA and OACP as well as with OSP leadership, in an effort to strengthen partnerships and will continue working with both law enforcement and communities of color in order to develop appropriate recommendations.

While there is still much to be learned about the prevalence of police actions in Oregon that result in disparities based on race, color or national origin, the public perception surveys commissioned by the Committee demonstrate that far too many Oregonians believe that police officers do not disclose the true reasons

for stopping motorists (18%-26%). This perception is much higher among Hispanics (41%) and African Americans surveyed in 2005 (73%)¹.

The Committee's working assumption is that such public perceptions can only be improved through a multi-pronged strategy that includes:

- Voluntary collection and analysis of traffic stop data that includes comparisons of stops and outcomes based on race, ethnicity and age of driver;
- Regular public reports and outreach by agencies on the results of their data collection;
- Improved training and supervision of police officers; and
- Intentional efforts by police agencies to reach out to and collaborate with communities of color that reside within their jurisdictions.

The Committee hopes that a cooperative relationship between law enforcement, state government and communities of color will contribute to significant progress around these issues.

For more information on the LECC and its activities, please visit:
http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM

¹ See Table 6, "Public Perceptions Surveys of Attitudes Held by Minority Groups about Law Enforcement in Oregon," page 26.

2005 Annual Report of the Law Enforcement Contacts Policy and Data Review Committee

Statement of Purpose: “State and local law enforcement agencies can perform their missions more effectively when all Oregonians have trust and confidence that law enforcement stops and other contacts with individuals are free from inequitable and unlawful discrimination based on race, color or national origin.... Demographic data collection can establish a factual and quantifiable foundation for measuring progress in eliminating discrimination based on race, color or national origin....”²

The Committee:

The Law Enforcement Contacts Policy and Data Review Committee (LECC) was created by 2001 Senate Bill 415 for a period of six years, ending December 31, 2007. A copy of this bill can be found in Appendix A of this report, as well as on the LECC website at:

http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM.

The committee was charged with the responsibility to report annually on its efforts to:

- Solicit demographic data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals;
- Publicize programs, procedures and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals;
- Provide technical assistance to state and local law enforcement agencies that desire to begin collecting demographic data, including refinement of the minimum data elements as necessary for effective analysis;
- Provide technical assistance to communities and state and local law enforcement agencies that desire to engage in local efforts to involve individuals in the establishment and implementation of programs, procedures and policies that will advance the goal of the act;
- Obtain resources for independent analysis and interpretation of demographic data collected by state or local law enforcement agencies;

² 2001 Senate Bill 415 (See Appendix A)

- Accept and analyze demographic data collected by a state or local law enforcement agency if requested by a state or local law enforcement agency and if resources are available; and
- Report to the public the results of analyses of demographic data.

The committee is composed of eleven members appointed by the Governor. Members of the committee are:

Edwin Peterson*, LECC Chair Senior Judge and Distinguished Jurist in Residence, Willamette University College of Law	
Keith Aoki, Assoc. Professor University of Oregon Law School	Ron Louie*, Chief of Police Hillsboro Police Department
Jan Chaiken** Consultant and former Director, U.S. Bureau of Justice Statistics	Charles Martinez*, Research Scientist, Oregon Social Learning Center, University of Oregon
William Feyerherm, Vice Provost for Research and Graduate Studies Portland State University	The Honorable Raul Ramirez* Marion County Sheriff
David Fidanque, Executive Director ACLU Oregon	Frank Thompson, Superintendent Santiam Correctional Institution
The Honorable Annabelle Jaramillo*** Benton County Commissioner	Greg Willeford*, Lt. Col. Oregon State Police

* Appointed in 2005

**Chair of the Data Review Subcommittee

*** Chair of the Community Relations Subcommittee

Note: Walt Myers, former Chief of Police from Salem, served on the LECC as co-chair of the Community Relations Subcommittee until his retirement in June 2005. Chief Louie replaced him at the recommendation of the Oregon Association Chiefs of Police (OACP).

Current and former LECC staff in 2005 are:

- Claudia Black, Associate Director, Criminal Justice Policy Research Institute, Portland State University
- Meredith Bliss, former Research Analyst, Oregon Criminal Justice Commission
- Kristen Ott, former Graduate Research Assistant, Criminal Justice Policy Research Institute, Portland State University
- Craig Prins, Executive Director, Oregon Criminal Justice Commission
- Brian Renauer, Associate Director of Research, Criminal Justice Policy Research Institute, Portland State University
- Laura Uva, Administrative Assistant, Criminal Justice Policy Research

Background:

Efforts to address charges of racially biased policing on the part of law enforcement officers became a statutory mandate during the 69th Legislative Assembly in 1997. During that session, a top priority of law enforcement agencies was a revision of the statute regulating stops of citizens by police. The debate stirred by that issue resulted in House Bill 2433. That bill included several provisions intended to provide a compromise between law enforcement agencies that sought to make stops more effective and safer for officers while community groups sought to protect the civil rights of those stopped.

HB 2433 included several provisions intended to foster the protection of the rights of citizens by requiring:

- All state and local law enforcement agencies in Oregon to adopt policies prohibiting the practice of racially biased policing.
- All law enforcement agencies to adopt means to facilitate the filing of complaints by citizens who felt that their rights had been violated, and to develop a process to resolve those complaints.
- All law enforcement agencies to report to the Asset Forfeiture Oversight Advisory Committee the number and type of complaints filed during the first year after the adoption of HB 2433.
- Initiation of data collection in an effort to move away from anecdotal information.

Implementation of HB 2433 was coordinated by a workgroup under the auspices of the Governor's Public Safety Policy and Planning Council. At its inception, this workgroup comprised over 60 members from diverse groups and backgrounds who were able to come to agreement on three basic principles:

- All law enforcement agencies should be responsible for their actions.
- No person should be subject to improper law enforcement conduct.
- Every person has the right to a fair and prompt response to a complaint.

The first action of the workgroup was to adopt a model policy for law enforcement agencies that was distributed to all law enforcement agencies in Oregon. That policy, or one similar to it, was adopted by every Oregon law enforcement agency.

The workgroup identified three purposes for data collection: 1) to evaluate the implementation of the new stop and search law; 2) to ensure the fair and equitable implementation of the law; and 3) to increase public awareness and confidence in the application of the law.

The data collection effort itself focused on three activities. The first was a Law Enforcement Contacts Policy and Data Review Committee

public perception survey to ascertain how the general public and two specific minority groups viewed the new law and to determine the perceived extent of racially biased policing in Oregon. The second was to collect data on the types of complaints filed against law enforcement officers. The third was to encourage the development of a full traffic stop data collection effort.

In the furtherance of those efforts, the workgroup made its report to the 1999 Legislature along with several recommendations for further work. The Legislature did not act on those recommendations at that time.

In 2001, then-Rep. Vicki Walker introduced HB 2441 which would have required law enforcement agencies to collect traffic stop data and report the data to the state. A broad spectrum of interested parties deliberated on HB 2441. These discussions ultimately resulted in the passage of SB 415, which provided for voluntary data collection by law enforcement agencies and the formation of the LECC. The bill was supported unanimously by all interested parties and passed the Legislature without a dissenting vote.

The LECC officially convened February 5, 2002 and quickly established two subcommittees: Data Review and Community Relations. During the following year, the LECC received testimony and information from a variety of sources, including communities working to address data collection and community involvement issues, entities conducting state and national surveys related to racially biased policing, and agencies working on developing law enforcement training.

The Data Review Subcommittee solicited and received data from law enforcement agencies and did some preliminary analysis of that data. Methods to merge data contributed by individual agencies into a statewide database were developed and appropriate conclusions were drawn from the combined data. However, due to the lack of data from a broader base of agencies, it was not possible to draw statistically valid inferences from the data.

The Community Relations Subcommittee, which was co-chaired by Commissioner Annabelle Jaramillo and Chief Walt Myers, focused on involving police agencies and communities in discussions on racially biased policing issues. The committee also received information on a variety of approaches to community involvement activities, worked with experts in the field, and began the process of identifying methods and information.

As with many other agencies, budget reductions and the related state employee hiring freeze hindered the Committee's efforts to fulfill its statutory responsibilities. The level of staffing at the Oregon Criminal Justice Commission (CJC) was not adequate to support the work of the LECC. Thus, the LECC suspended its efforts in February 2003. The hiatus lasted until early 2005 when the CJC contracted with the Criminal Justice Policy Research Institute (CJPRI) at

Portland State University for staff support. The LECC formally began meeting again on March 2, 2005.

LECC Subcommittee Activities

Data Review Subcommittee:

- The responsibilities of the Data Review Subcommittee include creating as accurate a picture as possible of the issue of racially biased policing, using information garnered from both public perception surveys and law enforcement stop data. The Subcommittee authorized three public perception surveys in 2005, including two that focused on African Americans and Hispanics, in an effort to garner information on the public's perception of racially biased policing.
- With regard to law enforcement stop data, the subcommittee is charged with providing technical assistance to state and local law enforcement agencies that desire to begin collecting demographic data; soliciting data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals; and receiving and analyzing such data to ensure that law enforcement agencies perform their missions without inequitable or unlawful discrimination based on race, color or national origin. It is important to understand that, even with methodological issues that make data analysis difficult, data collection is still necessary and worthwhile because of its effect on community relations and perceptions. The act of collecting and analyzing data offers police transparency to the community, which aids the building of trust. Several years ago, the committee obtained stop data from a small number of Oregon law enforcement agencies. Additional, and more current, stop data are expected to be submitted to the committee in response to the survey of law enforcement agencies, described below.
- The Oregon State Sheriffs Association (OSSA), Oregon Association Chiefs of Police (OACP), Oregon State Police (OSP) and the LECC will send out a survey to law enforcement agencies in Oregon early in 2006. In addition to identifying promising practices, the survey offers agencies that are interested in collecting data an opportunity to request technical assistance. It will also help identify both challenges and barriers to data collection. The Subcommittee visited Hillsboro Police Department and commissioned a national literature review of stop data reports to gain knowledge about law enforcement agencies' data collection efforts.

• Public Perception Surveys

The LECC has continued participation in statewide public perception surveys of attitudes about police and experience with traffic stops. This year, because of the low number of minority respondents, the Committee also supplemented the

statewide sample by oversampling African-Americans and Hispanics, using the same questions. The Oregon Criminal Justice Commission staff, in conjunction with Chair Peterson, Dr. Chaiken and other members of the Committee, analyzed the data from the statewide and focused surveys and prepared reports (see Findings: Public Perception Surveys).

- **Law Enforcement Survey**

The Law Enforcement Survey is being jointly developed with the LECC Community Relations Subcommittee. The Data Review Subcommittee generated survey questions regarding data collection and analysis. Meetings were held with the executive committees of the OSSA and OACP, as well as with OSP leadership, to discuss the issue of racially biased policing and to request their assistance in developing and distributing the surveys. The OSSA, OACP and OSP have agreed to collaborate with the LECC by assisting in the development and distribution of the survey to their respective members.

The survey will help determine how many law enforcement agencies in Oregon are collecting data, when the collection began, what the data points are, what method is being used, how the data is collected and whether the agency is willing to share their data with the LECC. The survey also asks if the agency has used the data to prepare any reports. If the agency is not currently collecting data, the survey asks what type of assistance would be helpful in beginning the collection process. The law enforcement survey will be distributed early in 2006.

- **Examination of Other Law Enforcement Agencies' Data Collection Efforts**

- Hillsboro Police Department**

The LECC traveled to Hillsboro to meet with officials from the Hillsboro and Cornelius Police Departments and El Centro Cultural, where they discussed Hillsboro's data collection process and the community collaboration efforts of the three organizations. The Hillsboro Police Department has collected and analyzed stop data for the past five years. Lt. Andy Schroder of the Hillsboro Police Department presented Hillsboro's stop data and described their processes of analysis. Other presenters included Chief Ron Louie of the Hillsboro Police Department, Chief Paul Rubenstein of the Cornelius Police Department, and Sabino Sardineta, Executive Director of El Centro Cultural.

Schroder indicated that Hillsboro Police Department had collected data on approximately 74,000 traffic stops as of May 2005. Among other variables, they studied the number of stops, the reason for the stop, searches where contraband was found and searches where no law enforcement action was taken. Although the data did not show that people of color were being stopped disproportionately, they discovered that while Hispanics were being searched more frequently than were whites, officers were less likely to find contraband on Hispanics than on

whites. Chief Louie noted that citizen complaint forms help supplement the information gained from data collection.

National Literature Review of Stop Data Reports

A national literature review of stop data reports generated since 2001 was compiled, under the direction of Dr. Chaiken, by Kristen Ott, a Graduate Research Assistant and Laura Uva, LECC staff from the Criminal Justice Policy Research Institute, both of Portland State University. The literature review includes information on the following elements:

- Research Affiliation
- Time period covered
- Geographical scope
- Population studied
- Data collection methods
- Events studied
- Data analysis methods
- Conclusions about nature or extent of racially biased policing

Chief Ron Louie and former-Analyst Vince Alexander of the Hillsboro Police Department composed the summary of the report. Please see “Findings: National Literature Review of Stop Data Reports” (page 28) for information on the findings of this report. A copy of the National Literature Review of Stop Data Reports is included in Appendix B of this report.

Community Relations Subcommittee:

The Community Relations Subcommittee’s primary responsibility is to assist law enforcement agencies and communities of color in working together to increase public trust and confidence in law enforcement and the effectiveness of public safety services. The Subcommittee is gathering and will be publicizing information about programs, procedures, training and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals. The Subcommittee’s body of knowledge about “best practices” in Oregon will be increased substantially by information gleaned from the Oregon Law Enforcement Survey.

Efforts are underway to provide technical assistance to communities and law enforcement agencies that desire to engage in local efforts to implement these practices. The multi-pronged approach to achieving these goals include developing partnerships with the law enforcement community; gaining a better understanding of communities’ perceptions of racially biased policing through research; cataloguing outreach and training efforts on both a local and national level; and working closely with the Department of Public Safety Standards and

Training (DPSST) in developing a curriculum which includes training on racially biased policing.

- **Partnership Development with Law Enforcement Leadership**

A priority for the Community Relations Subcommittee is to further develop working relationships with law enforcement agencies in Oregon. To this end, meetings have been held with the leadership at OSP and with the executive committees of the OSSA and OACP. These meetings have highlighted law enforcement's leadership role in addressing racially biased policing.

As a starting point, all three organizations are working closely with the LECC in drafting a survey that will be sent to all law enforcement agencies in Oregon early in 2006. The Community Relations Subcommittee's portion of the survey addresses outreach efforts and/or programs that may strengthen relationships with communities of color, training opportunities for officers, and methods of identifying officers whose conduct may lead to a negative image of the department. As the Subcommittee identifies "promising practices," this information will be shared with law enforcement agencies throughout Oregon.

The LECC visited the City of Hillsboro to hear about the partnership between law enforcement agencies in Washington County and the Hispanic community. Presentations were given by Chief Louie, Hillsboro Police Department; Chief Rubenstein, Cornelius Police Department; and Sabino Sardineta, Executive Director of El Centro Cultural, who highlighted the benefits of having an organization such as El Centro Cultural in a community. El Centro Cultural serves as a tool for outreach to the community where members can be heard without fear of retribution and as a sounding board for the police departments. Both police departments welcome comments from the community and work in partnership with El Centro Cultural. When an issue arises in the community with regard to law enforcement, it is often quickly resolved.

A number of law enforcement agencies are currently pursuing state or national accreditation. Some of the accreditation standards coincide with the goals of the LECC and include a prohibition against bias-based policing. The LECC hopes to offer technical assistance on this topic to law enforcement agencies interested in attaining accreditation.

- **National Resources**

In addition to obtaining information on local outreach efforts, with the goal of finding model programs that could offer guidance to local law enforcement, staff have also begun to identify information on training, community outreach and post-9/11 racially biased policing on a national level. Information has been obtained from various national and international organizations including the International Chiefs of Police Association and the Police Assessment Resource Center. LECC member Frank Thompson, and staff Claudia Black, attended the Simon Wiesenthal Center's training on racially biased policing, "Tools for

Tolerance for Law Enforcement, Perspectives on Profiling”.

- **Department of Public Safety Standards and Training (DPSST) Law Enforcement Curriculum Subcommittee**

The Committee recognizes and applauds DPSST’s commitment to addressing racially biased policing at the basic academy level, often the first formal training a recruit receives. DPSST is partnering with the LECC in this endeavor in two ways: by appointing a member of the LECC to the Law Enforcement Curriculum Subcommittee and by requesting LECC members to help write training modules.

DPSST is currently in the process of redesigning and expanding the law enforcement curriculum to adapt to a Legislatively-approved 16-week program. DPSST recently created the Law Enforcement Curriculum Subcommittee to approve changes to the curriculum and invited the LECC to appoint a member to sit on the subcommittee. Frank Thompson agreed to represent the LECC on the subcommittee, providing input and guidance in the area of racially biased policing. The subcommittee held its first meeting in July 2005.

Sixty percent of the new DPSST law enforcement curriculum will be scenario-based, and legislation mandates most of the courses to be offered. Cameron Campbell, Assistant Director of the Training Division of DPSST, informed the committee at its June 16 meeting that, within the 16-week program, there will be eight hours dedicated solely to cultural diversity. Cultural diversity issues are also interwoven with practice stops and all of the other scenarios that are being developed. The effectiveness of the training in this area is measured by how the recruits complete the scenarios in the final week of the program. Each trainee will be required to complete at least five, and as many as twenty, different scenarios.

LECC members will be assisting the curriculum subcommittee in drafting scenarios specifically addressing the issue of racially biased policing. Volunteers on this project represent the three branches of law enforcements: sheriffs’ departments, police departments and Oregon State Police.

- **Research: Community Perceptions**

Brian Renauer, Associate Director of Research of the Criminal Justice Policy Research Institute at Portland State University, has initiated a review of academic research on the interaction of community perceptions and law enforcement-community relations. Some preliminary observations follow:

Racial Profiling: Subjective Vs. Objective

There is a *subjective* sense among the public that racially biased policing exists. Many people also personally feel they have been targeted due to their race or ethnicity, especially in the African American community. Such a subjective sense

relates to a decrease in support for the police which *has important ramifications* for crime prevention, case investigation, legitimacy of government institutions, and crime itself. A *subjective* sense of being profiled and an *objective* profiling experience are two *separate* phenomena. Although we may expect that a subjective sense and objective experience are related, a subjective sense that one has been targeted due to their race/ethnicity or that racially biased policing is common practice does not prove an objective reality.

The literature describes the following ways of measuring citizen perceptions of the police:

- Citizen perceptions of the police – the institution:
 - Are local police effective in preventing crime?
 - Are local police responsive to community and individual needs?
 - Do the local police treat people fairly?
 - How strongly do you trust the police?

- Citizen perceptions of police behavior:
 - Do you believe racially biased policing is common practice by local police?
 - Do you believe local police treat people with respect?
 - Do you believe police use of excessive force is common among local police?

- Citizen perceptions of personal experiences with police:
 - Have you ever been stopped by the police?
 - Do you believe the officer's stop was justified/fair?
 - Do you believe you were targeted due to your race or ethnicity?
 - How respectful was the officer?

There is a scholarly debate about how citizens form perceptions of the police. One side argues that citizen perceptions of the police, or perceptions of how one is treated by the police, *change according to one's personal experience with the police*. Thus, positive or negative experiences with the police should relate to one's perceptions of officer performance and judgments of the institution. This side of the debate proposes that citizen perceptions of the police can be altered by changing how police interact with the citizenry through training, community policing, etc.

Another body of research, however, indicates that citizen perceptions of the police, or perceptions of how one is treated by the police, *reflect long-term, deeply ingrained perceptions and stereotypes* about the police. Deeply ingrained beliefs about the police can be created by a combination of vicarious experiences (family/friends/media), personal experiences, cultural/historical factors and complex socio-economic factors. (Examples of deeply held beliefs: Meeting a very respectful officer is interpreted as "an exception to the rule." Therefore,

every bad experience tends to reinforce existing beliefs.) In this case, policing perceptions are unlikely to be changed by new policing practices and new experiences alone. According to this view of the debate, a comprehensive community initiative involving police, government, business and residents working to create better working partnerships is necessary to address these issues.

Tyler and Wakslak (2004) found that people are less likely to feel they were targeted due to their race or ethnicity when they believe the stop was fair or that police are generally fair when dealing with their community. They argue that police need to make decisions in a way that makes it clear the authorities are neutral. There are three aspects to procedural fairness:

- *Quality of decision making* – police are neutral, objective, and consistent;
- *Quality of treatment* – treated with politeness and respect; and
- Inferences about *trustworthiness* – officer or police can be trusted, they're doing their best.

The perception of respect, neutrality and fairness are key elements in the context of assessing police-citizen interactions. Future research is needed on what police can do during a stop_(specific behaviors, demeanor, interaction style, resolution, etc.) to make a driver feel they were respected, that the officer and stop were neutral, and that the whole experience was fair. Obtaining detailed answers to such a question could help to identify clear procedural avenues to addressing citizen perceptions.

Findings:

Public Perception Surveys

The LECC has participated in public opinion surveys of Oregon drivers about their perceptions of traffic stops since 2001. The LECC contracted with the Oregon Survey Research Laboratory (OSRL) to include questions regarding public perceptions of law enforcement on the Oregon Annual Social Indicators Survey (OASIS). This is an annual public opinion telephone survey of Oregonians statewide, (See Appendix C for a description of the survey procedure, and Appendix D for survey questions.)

The first report, "Summary of Surveys of Oregon Drivers Concerning Traffic Stops" includes selected data from the four years of participation. The second report, entitled "Public Perceptions Surveys of Attitudes Held by Minority Groups about Law Enforcement in Oregon," discusses the supplementary surveys conducted this year that focus on Hispanics and African Americans. Because the number of people of color who participated in the statewide survey was so small, these surveys of minority community perceptions were undertaken in an effort to draw reliable conclusions about minority attitudes toward law enforcement. Links to both reports can be found on the LECC website at: http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM.

Surveys of Oregon Drivers Concerning Traffic Stops

Law Enforcement Contacts and Policy Review Committee

The Oregon Annual Social Indicators Survey (OASIS) is an annual public opinion telephone survey of Oregonians statewide. This report summarizes selected data from all four years of the survey. The original telephone survey was conducted at year's end, 2001 ("2002" in the tables below), while the subsequent surveys were conducted in the spring of 2003 through 2005. Only survey respondents who had a driver's license are included in the following tables (generally over 90 percent of at least 800 respondents). The total number in each table varies, as those who refused to answer a given question were not included. Each year's data is presented separately, with a fifth column added for the combined data. Additional data for specific racial or ethnic groups will be presented separately.

We should emphasize the difference between distinctions that are "statistically significant" from those that may be "socially significant." With a sufficiently large sample size, one can demonstrate that any observed difference is "statistically significant," meaning that if we were to repeat the test many times, one can be confident of seeing similar results each time. On the other hand, the actual difference observed may be vanishingly small, and hence of no "social significance" from a policy-making standpoint. In the following tables, a single asterisk (*) denotes a relationship between the two parameters where there is a 95% level of confidence in the difference, and a double asterisk (**) denotes a 99% level of confidence. Note that a difference may meet the statistical test for a difference one year, but not another year.

The effect of gender:

When asked how frequently police allow their perception of a driver's race or ethnicity to influence unfairly their decision to make a stop, the small difference between males and females was statistically significant only in 2003 and in the combined data. But in general, more males than females tended to believe that profiling occurs never or rarely, while there was no apparent difference in those who believe that it occurs frequently.

Table 1. Perceptions of the frequency of racial profiling by gender

	2002		2003 **		2004		2005		Combined **	
	M	F	M	F	M	F	M	F	M	F
Never/Rarely	41%	36%	51%	39%	43%	38%	47%	42%	45%	39%
Sometimes	41%	46%	33%	45%	39%	44%	37%	42%	38%	44%
Often/Always	18%	18%	16%	16%	19%	18%	16%	16%	17%	17%

On the other hand, when asked if their feelings toward Oregon police officers were generally positive, negative, or neutral, women tend to be slightly more favorable.

Table 2. Feelings about Oregon police officers by gender

	2002 *		2003		2004 **		2005		Combined **	
	M	F	M	F	M	F	M	F	M	F
Positive	61%	67%	72%	70%	60%	66%	62%	65%	64%	67%
Neutral	25%	25%	20%	23%	26%	27%	27%	25%	24%	25%
Negative	14%	8%	9%	7%	15%	8%	11%	10%	12%	8%

The effect of age:

With increasing age, there is also an increase in favorable attitudes towards police and a decrease in the number who are negative or neutral. Those differences have been consistent across four years.

Table 3. Feelings about Oregon police officers by age group

		Age by Ranges					
		18 - 29	30 - 39	40 - 49	50 - 59	60 - 69	70 +
2002 **	Positive	41%	68%	66%	71%	69%	77%
	Neutral	36%	25%	25%	22%	20%	16%
	Negative	24%	7%	10%	7%	11%	7%
2003 **	Positive	46%	58%	74%	75%	83%	86%
	Neutral	41%	32%	18%	17%	13%	11%
	Negative	13%	10%	7%	8%	4%	3%
2004 **	Positive	40%	48%	69%	67%	70%	80%
	Neutral	40%	36%	24%	22%	21%	19%
	Negative	19%	15%	7%	11%	9%	1%
2005 **	Positive	41%	63%	62%	65%	71%	77%
	Neutral	40%	28%	26%	23%	22%	20%
	Negative	19%	10%	11%	13%	8%	3%
Combined**	Positive	42%	60%	68%	69%	74%	80%
	Neutral	39%	30%	23%	21%	19%	17%
	Negative	19%	10%	9%	10%	8%	3%

We find a similar correlation between age and a belief in the frequency of racial profiling (the unfair use of race or ethnicity in making the decision to stop a driver). In this case, older drivers are more likely to think it occurs rarely or never, while younger drivers are more likely to think it occurs frequently. For those over 70, there is an apparent trend towards a belief that it occurs only rarely.

Table 4. Perceptions of the frequency of racial profiling by age group

		Age by Ranges					
		18 - 29	30 - 39	40 - 49	50 - 59	60 - 69	70 +
2002 **	Never/Rarely	38%	33%	41%	35%	45%	41%
	Sometimes	31%	46%	47%	50%	43%	44%
	Often/Always	31%	20%	12%	15%	12%	16%
2003 *	Never/Rarely	38%	45%	43%	37%	56%	50%
	Sometimes	36%	41%	41%	47%	34%	39%
	Often/Always	26%	14%	16%	17%	11%	11%
2004 **	Never/Rarely	42%	29%	42%	32%	46%	57%
	Sometimes	38%	51%	32%	46%	43%	38%
	Often/Always	20%	20%	26%	22%	12%	6%
2005 **	Never/Rarely	33%	46%	38%	40%	50%	59%
	Sometimes	37%	42%	44%	42%	42%	33%
	Often/Always	30%	12%	17%	18%	8%	8%
Combined*	Never/Rarely	38%	38%	41%	36%	49%	52%
	Sometimes	35%	45%	41%	46%	40%	38%
	Often/Always	27%	17%	18%	18%	11%	10%

The effect of race: (Note that due to the low number of minority respondents, it was not possible to make statistically significant determinations on specific racial/ethnic groups in any one year, so the following analysis relies on grouping all minority respondents together, and even then, percentages may represent only a few respondents.)

Minorities reported having been stopped somewhat more frequently than non-Hispanic whites (“NHWh” in the following tables). In fact, during each year of the survey, a larger percentage reported having been stopped than did the same group the previous year. This is particularly evident among those who had been stopped more than once.

Table 5. Frequency of traffic stops in previous twelve months by minority status

	2002		2003 *		2004 **		2005 *		Combined **	
	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty
None	79%	76%	79%	74%	82%	72%	81%	69%	80%	73%
Once	14%	18%	16%	13%	14%	14%	13%	13%	14%	14%
Twice or more	7%	6%	5%	13%	4%	14%	6%	18%	6%	13%

Perhaps not surprisingly, minorities were twice as likely as non-Hispanic whites to think that racial profiling occurs “often or always” in the first two years of the survey. But in 2004, the situation was reversed, though the differences did not rise to the level of statistical significance.

Table 6. Perceptions of the frequency of racial profiling by minority status

	2002 **		2003 **		2004		2005 **		Combined **	
	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty
Never/Rarely	40%	31%	46%	29%	39%	46%	45%	29%	42%	33%
Sometimes	45%	35%	40%	40%	42%	40%	41%	39%	42%	38%
Often/Always	16%	35%	14%	31%	19%	15%	14%	32%	16%	29%

Using the combined data and looking at the individual races, it is apparent that Blacks believe that racial profiling occurs often or always more than any other group. (The differences are highly significant overall, but for Blacks, one of the cells had less than five respondents, the “Never/Rarely” choice. There was a total of 20 Blacks in this sample.)

Table 7. Perceptions of the frequency of racial profiling by race of ethnicity

	NHWhite	Black	Asian	Hispanic	Native American	Total
Never/Rarely	42%	10%	40%	34%	33%	42%
Sometimes	42%	30%	38%	46%	28%	42%
Often/Always	16%	60%	23%	20%	39%	17%
N	2474	20	40	70	39	2643

Similarly, minorities are more likely to have a negative attitude towards police in general, and unlike opinions about the frequency of racial profiling, that difference was consistent across all years, though the difference was smaller in later years than it was in 2002.

Table 8. Feelings about Oregon police by minority status

	2002 **		2003		2004 *		2005		Combined **	
	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty
Positive	67%	52%	71%	64%	64%	47%	65%	53%	67%	55%
Negative	9%	21%	7%	11%	10%	16%	10%	15%	9%	16%
Neutral	24%	27%	21%	25%	26%	37%	25%	32%	24%	30%

Using the combined data and looking at the individual races, it is apparent that Blacks also have negative feelings about police more often than any other group. Asians are the most likely to report “Neutral” feelings. (The differences are highly significant overall, but one of the cells has less than five respondents: Asians who are “Negative.”).

Table 9. Feelings about Oregon police by race or ethnicity

	NHWhite	Black	Asian	Hispanic	Native American	Total
Positive	67%	35%	46%	58%	66%	66%
Negative	9%	40%	10%	12%	13%	10%
Neutral	24%	25%	44%	30%	21%	25%
N	2694	20	41	73	38	2866

Before drawing conclusions from this data, it also would be important to examine differences in age and gender compositions of the groups since, as we have seen, those factors can have a strong influence on perceptions, as well.

If we look at feelings toward police in relation to race and whether the driver had been stopped, there was a stronger relationship. In 2002, minorities who had been stopped were even more likely to have a negative opinion of police. Note that there was not a significant difference between the proportion of Whites stopped in 2002 (21%) and the proportion of minorities stopped (27%). Nor was there a significant difference between the ages of Whites and minorities who had been stopped (average ages for these groups were 40.8 and 38.2 years, respectively, compared to the overall average of 47.3 in 2002). (On the other hand, in 2002, each of the six Black respondents reported having been stopped at least once. The average age of the Black respondents was 30.8 years, which may have contributed to their over representation in the stopped category.)

Table 10. Feelings about Oregon police by minority status

	2002 **				2003				2004 **				2005			
	NHWht		Mnrty		NHWht		Mnrty		NHWht		Mnrty		NHWht		Mnrty	
	NSt	St	NSt	St	NSt	St	NSt	St	NSt	St	NSt	St	NSt	St	NSt	St
Positive	71	49	53	50	74	63	68	53	67	52	54	29	66	58	56	47
Negative	6	20	16	31	7	9	11	11	8	20	11	29	10	14	12	21
Neutral	22	31	31	19	20	28	21	37	25	29	34	43	24	29	33	32

(Numbers are percentages, NSt: not stopped, St: stopped)

In the combined data, similar results are seen. In this case, however, there are still not enough respondents to provide reliable information on differences by race. In five of the twelve cells for Blacks and Hispanics, there were still less than five respondents.

Table 11. Feelings about Oregon police by minority status

	NHWhite **		Minority **	
	Not Stopped	Stopped	Not Stopped	Stopped
Positive	69%	55%	58%	46%
Negative	8%	16%	13%	21%
Neutral	23%	29%	29%	33%

Table 12. Feelings about Oregon police by race or ethnicity

	NHWhite		Blacks		Hispanic	
	Not Stpd	Stopped	Not Stpd	Stopped	Not Stpd	Stopped
Positive	69%	56%	29%	39%	66%	39%
Negative	8%	16%	43%	39%	8%	22%
Neutral	23%	29%	29%	23%	26%	39%
N	2166	528	7	13	50	23

Other factors:

When asked if they believed whether the reason for the stop given by the officer was the real reason for the stop, about 30 percent of all drivers who had been stopped (160 in 2002) indicated that they did not believe the officer, but there was no significant difference between the races on this question.

Table 13. Believe reason provided for stop was not the real reason

	2002		2003		2004		2005		Combined	
	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty
Yes	30%	31%	15%	32%	12%	14%	25%	42%	21%	31%

No	70%	69%	85%	68%	88%	86%	75%	56%	79%	69%
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In the combined data, again there are still not enough respondents to provide reliable information on differences by race. In four of the eight cells for minorities, there were less than five respondents. In the case of Blacks, followed closely by Asians, however, it would appear that they are much more likely than other groups to believe the officer did not cite the real reason for the stop.

Table 14. Believe reason provided for stop was not the real reason

	NHWhite	Black	Asian	Hispanic	Native American	Total
Yes	21%	62%	57%	13%	13%	22%
No	79%	39%	43%	87%	88%	78%

While one in four drivers are likely to report having been stopped, only about 11 percent of those stopped reported having been searched in 2002. The percentage dropped to 5 percent in 2003 and 2004. Minorities report searches more frequently.

Table 15. Frequency of search following a traffic stop by minority status

	2002		2003 *		2004 **		2005		Combined **	
	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty	NHWht	Mnrty
None	90%	81%	96%	90%	96%	86%	93%	95%	94%	88%
One	8%	13%	1%	5%	3%	0%	6%	5%	5%	6%
Several	2%	6%	3%	5%	1%	14%	0%	0%	2%	6%

In the combined data, again there are still not enough respondents to provide reliable information on differences by race. In most of the cells for minorities, there were less than five respondents. The "Other" column includes people who cited their race as "Middle Eastern," "Mixed," or "Other."

Table 16. Frequency of search following a traffic stop by race or ethnicity

	NHWhite	Black	Asian	Hispanic	Native American	Other	Total
None	94%	92%	100%	83%	100%	81%	93%
One	5%	8%	0%	9%	0%	6%	5%
Several	2%	0%	0%	9%	0%	13%	2%
N	531	13	7	23	8	16	598

The following table summarizes information on age of respondent drivers. In 2002, thirty-three percent reported living in Oregon over 40 years.

Table 17. Age distributions of respondents

	Age (categorized)						Total
	18 - 29	30 - 39	40 - 49	50 - 59	60 - 69	70 +	
2002	116	135	170	151	84	82	738
2003	100	122	164	145	112	93	736
2004	95	125	146	162	117	97	742
2005	93	118	142	176	106	94	729
Combined	404	500	622	634	419	367	2946
	14%	17%	21%	22%	14%	13%	

Public Perceptions Surveys of Attitudes Held by Minority Groups about Law Enforcement in Oregon

Law Enforcement Contacts Policy and Data Review Committee

Background: Statewide Surveys Conducted Previously

Since 2001, the Law Enforcement Contacts Policy and Data Review Committee has sponsored annual statewide random-dial telephone surveys of drivers to learn about the extent and nature of their contacts with law enforcement officers and their opinions about these contacts and racial profiling, the “inappropriate use of race, color or national origin as the basis for law enforcement actions.” These surveys were included as part of the Oregon Annual Social Indicators Survey (OASIS).

After completion of four of these statewide surveys, the latest in 2005, the data appeared to show that respondents who were members of minority groups had less favorable attitudes toward law enforcement officers than did other respondents, and had higher chances of being stopped by the police while driving than others did. However, even combining four years’ data together, the number of minorities who had been interviewed on the telephone during these surveys was too small to draw any reliable conclusions.

For example, only 20 African American respondents were included in all four years’ data, but 13 of them reported having experienced a traffic stop by the police in the previous year (65%), compared to 20% of non-Hispanic white respondents and 32% of Hispanic respondents. But the sample size of 20 African Americans was not adequate to draw statistically significant conclusions—the true percentage of African American drivers stopped might be much smaller or much larger than the 65% recorded for the sample.

Similarly, African Americans in the statewide survey were much more likely than others to believe that racial profiling occurs “often or always” (60%) than did non-Hispanic white respondents (16%) or Hispanic respondents (20%), but again the results were not statistically significant – the 60% figure might reflect a smaller or larger actual percentage.

African American respondents to the statewide surveys had positive attitudes about the police in 35% of the cases (compared to 67% of nonHispanic white respondents and 58% of Hispanic respondents), while African Americans had negative attitudes in 40% of the cases (compared to 10% for others). (The remainder had neutral attitudes toward the police.)

2005 Survey Extensions

To gain more statistically dependable insight into the statewide patterns, Oregon’s Law Enforcement Contacts Policy and Data Review Committee

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sponsored extensions of the 2005 OASIS survey to gather more statistically reliable information from Hispanic and African-American respondents. For the former, an “ethnicated” list of telephone numbers of potential respondents with Hispanic surnames was acquired, and telephone numbers were chosen randomly from this list statewide. This was a departure from the random digit dialing technique of the other surveys, but is a method widely used and generally considered to increase bias only minimally. To minimize expense, the 28 Hispanic respondents to the 2005 OASIS survey were included in this sample. Of the 152 additional interviews, more than half were conducted in Spanish.

For the Hispanic survey extension, non-Hispanic White respondents to the 2005 OASIS survey were used as a comparison group. Survey respondents included 180 individuals self-identified as Latino or Hispanic and 781 as White/Caucasian. The age and gender distributions for the two groups were quite different, with drivers in the Hispanic sample, a majority of whom were male, having an average age of 37.3 years, nearly 13 years less than the comparison group at 50.2 years of age, of whom the majority were female. The number of respondents in the comparison group, relative to the number of Hispanics, reflects the sample design and does not correspond to the demographic composition of Oregon.

The costs of obtaining a statewide sample of African-American respondents would have been financially prohibitive, so the survey focused on potential respondents whose telephone number prefixes (first 3 digits of the telephone number) were in areas where more than 15% of the population are African-American. While these telephone prefixes were nominally within the city of Portland, since people have the option of taking their telephone numbers along with them when they move, some of the respondents resided elsewhere in Multnomah or other nearby counties. For this reason, and also because drivers may experience traffic stops anywhere, not only near their homes, the resulting data do not necessarily reflect specifically on police officers who work in the Portland neighborhoods with substantial African-American populations.

The 2005 African-American survey extension included additional respondents in the same geographic areas to provide a matched comparison population. While most of the latter group identified themselves as “White,” some of other races and ethnicities were represented, as well. Survey respondents included 177 individuals self-identified as Black or African-American, 187 as White/Caucasian, 7 Latino or Hispanic, 6 Asian/Pacific Islander, 2 Native American or American Indian, and 3 Mixed Race or Other. The age distributions for the two groups were similar, with the African-American sample of drivers having an average age of 47.3 years, one year less than the geo-match group at 48.3 years of age. In the following tables, “GeoMatch” refers to respondents geographically matched with the Black respondents. The number of respondents in the comparison group, relative to the number of Blacks, reflects the sample design and does not correspond to the demographic composition of the neighborhoods surveyed. Since all the surveys are based on telephone

interviews, households are not represented in the surveys if they have no telephone or have only cell phones but no telephone number associated with their address.

Only survey respondents who had a driver's license or drove substantial distances despite not having a license are included in the following tables. An unanticipated high proportion of the Black respondents (23%) did not have a valid driver's license, thus reducing the effective sample size. Only 9% of the comparison group did not have a driver's license. In the following analyses, the total number of respondents in each table varies, as those who refused to answer a given question were not included.

In the following tables, a single asterisk (*) denotes a relationship between the two parameters where there is a 95% level of confidence that the effect is real, and a double asterisk (**) denotes a 99% level of confidence. It should be noted that this refers to the existence of a relationship, but not necessarily the magnitude of the effect. For example, a table heading "Black*" means that the percentages shown in the table for blacks are significantly different from those for the geographically matched group, at the 95% level of confidence, while a table heading "Hispanic**" means that the percentages shown in the table for Hispanics are significantly different from those for the statewide sample of nonHispanic whites, at the 99% level of confidence.

Frequency of traffic stops

Black and Hispanic drivers reported experiencing a traffic stop in the past twelve months significantly more frequently than those of other races or ethnicities. The percent of drivers in the Black GeoMatch group (non-Blacks living in the same geographic area as the Black respondents) who reported a stop within the previous twelve months, at 24%, is consistent with the statewide figures from the OASIS surveys, and the percentage of Blacks stopped, at 41%, is consistent with the statewide figure but in this latest survey the sample size is large enough that the 41% figure is significantly higher than the 24% for the comparison group. Equally notable in the table that follows: more than half of Black drivers who were stopped reported having been stopped two or more times during the past 12 months, as compared to less than one-third of the drivers in the comparison group that had been stopped. Similarly, 34% of the Hispanic drivers reported a stop within the past twelve months, compared to 19% of the non-Hispanic White ("NHWhite" in the following tables) respondents statewide. Hispanic drivers also reported having been stopped more than once at a higher rate (15% of all Hispanic drivers, or 44% of Hispanic drivers who had been stopped) than their non-Hispanic counterparts, though this was not as high as the proportion of Black drivers.

Table 1. Frequency of traffic stops in past twelve months.

	Black **	GeoMatch	Hispanic **	NHWhite
None	59%	76%	66%	81%
One	20%	18%	19%	13%
Two or more	21%	6%	15%	6%

Male drivers experienced traffic stops at greater rates than female drivers. Among Black male drivers, 46% had been stopped, and 37% of Hispanic male drivers had been stopped during the previous 12 months. In the respective comparison group, 28% and 27% of male drivers had been stopped during the previous 12 months.

Attitudes about the frequency of racial profiling

Respondents were asked “How often, if at all, do you believe Oregon police officers allow race, ethnicity, or national origin to unfairly influence their decision to stop someone - never, rarely, sometimes, often, or always?” Black drivers tended to believe that racial profiling is common practice, with 97% of the Black respondents reporting a belief that it occurs sometimes, often, or always. A significantly smaller percentage of those of other races, 72%, would agree. Indeed, 71% percent of Black drivers believe racial profiling occurs frequently, a view shared by only 27% of their comparison group. Hispanic drivers also tend to believe that racial profiling is common practice, with 72% of the Hispanic respondents reporting a belief that it occurs sometimes, often, or always. A significantly smaller percentage of their comparison group, 55%, would agree. Indeed, 31% percent of Hispanic drivers believe racial profiling occurs frequently, a view shared by only 15% of the comparison group.

Table 2. Perceived frequency of racial profiling.

	Black **	GeoMatch	Hispanic **	NHWhite
Never/Rarely	3%	28%	28%	45%
Sometimes	26%	45%	41%	40%
Often/Always	71%	27%	31%	15%

Opinions about Oregon police officers

Similarly, 43% of Black drivers had negative attitudes about the police, with only 14% of the comparison group sharing that negative view and 58% of the comparison group having a positive view. Although the majority of Hispanic drivers expressed positive attitudes about Oregon police, they were somewhat less positive and more ambivalent than the comparison group. On the other hand, Hispanic drivers tended to be somewhat less negative than members of the comparison group.

Table 3. Feelings about Oregon police.

	Black **	GeoMatch	Hispanic **	NHWhite
Positive	18%	58%	52%	65%
Neutral	39%	28%	41%	24%
Negative	43%	14%	7%	11%

Blacks are also more likely to feel that the situation is getting worse, not improving. While only 9% of the non-Black comparison group report feeling that Oregon police have become less fair over the past twelve months, Blacks are five times more likely to feel that way. This is in marked contrast to the results of a 1999 Public Perception Survey sponsored by the Oregon Criminal Justice Commission in which Black respondents were more optimistic about improvements than were their non-Black counterparts (available at http://www.ocjc.state.or.us/Racial_Profiling/HB_2433_Survey.pdf). Hispanics were somewhat more likely than members of their comparison group to believe that the fairness of Oregon police had improved over the past year, with 32% of Hispanic respondents expressing that sentiment, versus 22% of the comparison group. Relatively few Hispanics or respondents of either comparison group saw the situation as deteriorating.

Table 4. Change in fairness over the past year.

	Black **	GeoMatch	Hispanic *	NHWhite
More Fair	4%	16%	32%	22%
About the Same	46%	75%	64%	70%
Less Fair	50%	9%	4%	8%

Relationship between attitudes toward the police and whether or not the driver had been stopped

Looking at feelings toward police in relation to race and whether the driver had been stopped, there was also a strong relationship. Blacks who had been stopped were even more likely to have a negative opinion of police. Of 143 Black respondents, only four of 59 who had been stopped also reported a positive opinion about Oregon police officers. For drivers in the comparison group, being stopped by the police resulted in both increased positive feelings and increased negative feelings about the police (less neutral feelings), compared with those who had not been stopped. For Hispanic drivers, however, there was very little difference in views expressed by either those who had been stopped in the previous year or those who had not.

Table 5. Feelings about Oregon police.

	Black **		GeoMatch		Hispanic **		NHWhite	
	NStpd	Stpd	NStpd	Stpd	NStpd	Stpd	NStpd	Stpd
Positive	25%	7%	57%	62%	52%	52%	66%	57%
Neutral	39%	40%	31%	18%	42%	39%	25%	29%
Negative	36%	53%	12%	20%	7%	9%	10%	14%

These attitudes are apparently reflected in whether or not the person believed the officer who made a stop gave the real reason for the stop when asked. While Hispanics were somewhat less likely to disbelieve the reason provided, the difference from the comparison group did not meet the test of statistical significance.

Table 6. Believe that the reason given for the stop was false.

	Black **	GeoMatch	Hispanic	NHWhite
Yes	73%	18%	41%	26%
No	27%	82%	59%	74%

Black drivers who had been stopped reported searches of themselves, passengers, or vehicles somewhat more frequently than drivers in the comparison group, but the relationship between race and frequency of searches did not meet the test of statistical significance.

Table 7. Frequency of searches of drivers who had been stopped.

	Black	GeoMatch	Hispanic	NHWhite
No search	76%	87%	82%	93%
One search	12%	7%	11%	6%
Two or more searches	12%	6%	7%	1%
N	59	45	45	130

Comparison with statewide and national statistics

Surveys in numerous cities, counties, and states show a sharp divide between African American citizens and others in their attitudes about the extent and nature of racial profiling. The Law Enforcement Contacts Policy and Data Review Committee (LECC) prepared a review of the literature on this topic, which can be found at the LECC website:

http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM.

The results of the survey in African American Neighborhoods in Portland are consistent with the results from the OASIS surveys of the entire state of Oregon.

This is not surprising, since 60% of Oregon's African American residents live in Portland (based on 2003 population estimates).

For the nation as a whole, the latest figures (for 2002) show 8.7% of drivers were stopped by the police during a 12-month period, a much lower percentage than is found among Oregon drivers. Furthermore, there were no statistically significant differences in stop rates among racial and ethnic groups on a national basis (8.7% of non-Hispanic white drivers, 9.1% of black drivers, and 8.6% of Hispanic drivers had been stopped during a 12-month period). However, the national figures for drivers' experience of searches showed similar patterns to those found in Oregon: nationally, 3.5% of nonHispanic whites who were stopped by the police experienced a search of themselves or their vehicle, compared to 10.2% of black drivers who had been stopped and 11.4% of Hispanic drivers who had been stopped. (Reference: <http://www.ojp.usdoj.gov/bjs/abstract/cpp02.htm>.)

Demographic information about the survey sample

The following table summarizes information on age and gender of respondent drivers. Except for the Hispanic sample, female drivers outnumbered male drivers, especially in the African American sample.

Table 8. Age distributions and gender of respondent drivers.

	Age (categorized)						Total	Gender	
	18 - 29	30 - 39	40 - 49	50 - 59	60 - 69	70 +		Male	Female
Black	27	28	28	26	16	16	141	49	92
	19%	20%	20%	18%	11%	11%		35%	65%
GeoMatch	23	38	40	37	28	20	186	83	102
	12%	20%	22%	20%	15%	11%		45%	55%
Hispanic	50	35	26	16	4	6	137	74	63
	37%	26%	19%	12%	3%	4%		54%	46%
NHWhite	82	108	131	164	99	87	671	262	409
	12%	16%	20%	24%	15%	13%		39%	61%

Findings: National Literature Review of Stop Data Reports

A national literature review of stop data reports generated since 2001 was compiled, under the direction of Dr. Chaiken, by Kristen Ott, a Graduate Research Assistant, and Laura Uva, LECC staff, from the Criminal Justice Policy Research Institute of Portland State University. Chief Ron Louie, Lt. Andy Schroder, and former-Analyst Vince Alexander of the Hillsboro Police Department composed a summary of the report, the main points of which are explained below. A copy of the *National Literature Review of Stop Data Reports* is included in Appendix B of this report. A link to the document can also be found on the LECC website:
http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM.

Findings: Oregon

Several of the stop data reports reviewed were generated by police departments in Oregon. The Eugene Police Department's report stated that the two years of data they collected and analyzed did not answer the question of bias. The Corvallis Police Department determined, from more than one year of data collection and analysis, that there was bias in longer stops of Hispanics. Although the Hillsboro Police Department did not find disparate numbers with ratios, their analysis indicated that Latinos were searched more, with less contraband found, than white male drivers. One possible explanation is that Latino drivers had higher rates of "no auto insurance" resulting in higher rates of "vehicles searches as a consequence of being towed." This anomaly still needs to be proven statistically.

Establishing standards relative to biased policing from the national Commission on Accreditation for Law Enforcement Agencies (CALEA) or Oregon Association Chiefs of Police (OACP) Oregon Accreditation Alliance is a step in the direction of earning state and/or national accreditation. Currently, only five Oregon law enforcement agencies are nationally accredited. However, a growing number of Oregon law enforcement agencies are opting for OACP accreditation on the state level.

Recommendations for Oregon: Most Effective Methods

The editors, Chief Louie, Lt. Schroder and Vince Alexander, identified some general recommendations for Oregon agencies. These recommendations on data collection and analysis, early warning systems, training and other considerations are based on a review of over 35 documents on stop data and racially-biased policing from throughout the country.

Data Collection and Analysis

Data collection and analysis alone will not answer the question of whether or not biased policing is occurring. However, as discussed earlier, data collection can contribute to greater police transparency and provide an indication of disparities in stops and stop outcomes. Coupling stop data with complaint and use of force data can also serve as a minimal early warning system.

In collecting data, it is important to determine a proper sample size, especially for smaller agencies. One smaller agency whose report was reviewed allowed a minimum of one year to collect a proper sample size.

Senate Bill 415 from Oregon's 2001 Legislature, which created the LECC, requires the collection of the following data points in order for the data to be received or analyzed by the LECC: reason for the stop or contact; officer's perception of the race, color or national origin of the individual involved in the contact; individual's gender; individual's age; whether a search was conducted in connection with the contact, and if so, what resulted from the search; disposition of the action resulting from the contact; and additional data as recommended by the LECC. One recommendation for collecting search data is to indicate the specific type of search, i.e., no search, consent, cursory/pat down, incident to arrest, tow/inventory, canine alert, and search warrant.

It is important to choose a comparison or "benchmark" population that accurately reflects the driving population of a jurisdiction. Some jurisdictions have used census data, but some other examples of benchmark data used include driver license data and not-at-fault accident statistics (Santa Cruz County). Lamberth Consulting conducted stationary and rolling surveys of the transient population in specific locations as a means of collecting benchmark data.

Agencies should separate vehicle and pedestrian stop data, as well as data from traffic and patrol officers. This was done in Riverside, California, where the number of searches by traffic officers was insignificant.

It is also important for agencies to devise methods of determining which stops are pretextual. In San Diego, California, officer focus groups indicated that 25 percent of vehicle stops were "pre-text" stops. Some agencies require a written warning or citation for each traffic stop.

Stop location should be indicated on the data collection mechanism. These stop locations should be correlated with locations of Calls For Service (CFS), Part I Person and Property crimes, and calls related to drug activities, because a high concentration of officers in particular areas may result in more stops of minorities. Stops should also be correlated to victimization data from offense reports, non-

discretionary arrests, firearms offenses, hit and run accidents, and problem solving locations (disorder), as was done by the Denver Police Department.

There are differences in how agencies determine which levels of disparity are indicative of problematic behavior requiring further investigation. However, agreement on a range can be valuable even though there may be contextual and statistical issues that need to be considered for each jurisdiction. Data disparities should be discussed in citizen and police focus groups.

Early Warning Systems

As mentioned above, stop data analysis can serve as an important element of early warning systems, which identify officers who may be engaging in racially biased policing. Individual officers should be identified in early warning systems and search results, but not in aggregate data. Early warning systems consist of three phases: officer identification, intervention, and post-intervention monitoring. Problematic indicators of racially biased policing may include citizen complaints, firearm discharge and use of force reports, civil litigation, resisting arrest incidents, high speed pursuits, and vehicular damage. Performance records should be examined for two years before and after intervention.

Training

Important elements to incorporate into law enforcement training include: the need for officers to explain the reasons for stops to drivers; cultural diversity/ethnic competency; verbal communication techniques and crisis intervention; development of reasonable suspicion and probable cause searches; information on ethnic intimidation and hate crimes; and search and seizure.

Individual agencies' stop data findings can be used as a resource to guide training. Training should also provide information on racially biased policing issues nationally and their impact on law enforcement, minority communities and other stakeholders. In addition, a mini-academy for new supervisors that includes training on biased policing, as well as a short two-day version of a "Citizens' Academy" for 20 or more people, can be effective training activities. Local organizations can also be used to educate residents regarding legal guidelines for legitimate stops, searches and frisks.

Other Considerations

Other recommendations include recruiting and hiring bilingual, Spanish-speaking officers at recruiting or incentive pay, as well as increasing preference points for applicants who live in the jurisdiction served.

In response to allegations of racially biased policing, some law enforcement agencies have modified policies, including adding an annual review of citizen

complaints and making bilingual complaint forms and staff available.

Additional Resources

The *Police Executive Research Forum* (PERF) publication, By the Numbers, is the best document editors have found regarding data collection. PERF suggests that data collection and analysis need to spur the development of internal processes and reviews, beginning with training, to address biased policing issues. The Chiefs of Police Association of New Jersey and New Jersey Attorney General's Eradicating Racial Profiling (2005) training presentation videos are the most contemporary and appropriate training for law enforcement professionals the editors have discovered. This training presentation is currently being assessed with a test group at Hillsboro Police Department.

Conclusions and Recommendations

Racially biased policing and concerns about disparate treatment of minority communities by law enforcement remains a compelling issue for our communities and our state. The LECC has taken this broad concern over racially biased policing and our legislative mandate and formulated four research questions to guide our understanding of the issue and formulate objective conclusions and policy recommendations. These questions will continue to shape the committee's efforts throughout the next year.

- 1) What questions can be answered regarding the extent of racially biased policing by collecting and analyzing law enforcement stop data?
- 2) What questions can be answered regarding the extent of racially biased policing or police-community relationships by collecting and analyzing surveys of citizens?
- 3) What are the "best or promising practices" for community outreach and law enforcement training to address racially biased policing and law enforcement-citizen relations both from within Oregon and around the country?
- 4) What are appropriate recommendations for addressing racially biased policing and law enforcement-citizen relations in the State of Oregon?

As we enter into the next year of the LECC, we have formed the following conclusions based on our research efforts into these four questions. Over the next year our research efforts will expand upon and refine these conclusions.

- Racially biased policing is a complex socio-psychological phenomenon. Therefore, understanding and addressing racially biased policing, perceived and/or actual, requires a multi-pronged approach including: information gathering (stop data collection and public opinion surveys/interviews), law enforcement training, and comprehensive community outreach efforts.
- Analysis of stop data and citizen perceptions cannot be used to "prove" racially biased policing. However, it can identify disparities in stops, stop outcomes, and citizen perceptions that can influence the effectiveness of law enforcement and positive citizen relations.
- We urge police departments to use stop data and survey research to provide a sense of transparency of law enforcement to the public. Not analyzing and publishing stop data or collaborating with the community on issues of racially biased policing may serve to increase a public's suspicion of police and lower trust. This research can be used to identify problematic areas in enforcement

and community relations and begin a process of problem-solving to seek improved service. The long-term benefits of stop data collection in combination with community outreach outweigh the cost and fears of such research.

- Given the complexity of the issue, solutions to racially biased policing and negative perceptions of the police are not likely to bring immediate change. Change will require the long term commitment of the police, community, and other political and economic institutions.

To enhance these conclusions and answers to our primary research questions, the LECC will engage in the following tasks throughout the next year:

- Distribute and analyze information gathered from the law enforcement survey and provide feedback to law enforcement agencies.
- Continue to solicit data from jurisdictions already participating and encourage additional agencies to collect and provide data.
- Continue to develop analytical resources to assist communities in the collection and interpretation of data.
- Focus on the actions which occur after a stop has been made (this is important because it is hard to find reliable comparators for those who are stopped).
- Provide further research on public perception of law enforcement.
- Provide technical assistance regarding community outreach and data collection and analysis to law enforcement agencies upon request.
- Complete and publicize the National Literature Review of Community Outreach and Training Models; this will provide information on the experience of other states and help identify promising practices.
- Disseminate information on successful practices or programs, to law enforcement agencies, the public and interested parties.

Appendix A:

2001 Senate Bill 415, §§ 5-11 (2001 Oregon Laws Chapter 689)

SECTION 5. The Legislative Assembly finds and declares that:

- (1) Surveys of the trust and confidence placed by Oregonians in state and local law enforcement indicate that there are Oregonians who believe that some law enforcement officers have engaged in practices that inequitably and unlawfully discriminate against individuals solely on the basis of their race, color or national origin.
- (2) State and local law enforcement agencies can perform their missions more effectively when all Oregonians have trust and confidence that law enforcement stops and other contacts with individuals are free from inequitable and unlawful discrimination based on race, color or national origin.
- (3) Representatives of community interest groups and state and local law enforcement agencies agree that collecting certain demographic data about contacts between individuals and state or local law enforcement officers will provide a statistical foundation to ensure that future contacts are free from inequitable and unlawful discrimination based on race, color or national origin.
- (4) Demographic data collection can establish a factual and quantifiable foundation for measuring progress in eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals, but data collection alone does not provide a sufficient basis for corrective action. Proper analysis of the demographic data and enactment of meaningful reforms in response to the results of that analysis require careful consideration of all relevant factors including the context of the community in which the data has been collected.
- (5) It is the goal of this state that all law enforcement agencies perform their missions without inappropriate use of race, color or national origin as the basis for law enforcement actions. This goal may be achieved by providing assistance to state and local law enforcement agencies and the communities that they serve.
- (6) This state shall foster, encourage and support the collection and analysis of demographic data by state and local law enforcement agencies.

SECTION 6. (1) There is created the Law Enforcement Contacts Policy and Data Review Committee consisting of 11 members appointed by the Governor on or before October 1, 2001.

- (2) The purpose of the committee is to receive and analyze demographic data to ensure that law enforcement agencies perform their missions without inequitable or unlawful discrimination based on race, color or national origin.
- (3) To achieve its purpose, the committee shall collect and analyze demographic data to:
 - (a) Provide information to assist communities and state and local law enforcement agencies in evaluating the policies, training and procedures of law enforcement agencies regarding the treatment of individuals during stops and other contacts with law enforcement;
 - (b) Inform state and local law enforcement agencies and communities about law enforcement practices; and
 - (c) Provide opportunities for communities and state and local law enforcement agencies

to work together to increase public trust and confidence in law enforcement and to enhance the capacity of communities and law enforcement agencies to provide more effective public safety services.

(4) The committee shall:

- (a) Solicit demographic data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals;
- (b) Publicize programs, procedures and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals;
- (c) Provide technical assistance, including refinement of the minimum data elements as necessary for effective analysis, to state and local law enforcement agencies that desire to begin collecting demographic data;
- (d) Provide technical assistance to communities and state and local law enforcement agencies that desire to engage in local efforts to involve individuals in the establishment and implementation of programs, procedures and policies that will advance the goal of section 5 of this 2001 Act;
- (e) Obtain resources for independent analysis and interpretation of demographic data collected by state or local law enforcement agencies;
- (f) Accept and analyze demographic data collected by a state or local law enforcement agency if requested by a state or local law enforcement agency and if resources are available; and
- (g) Report to the public the results of analyses of demographic data.

(5) In carrying out its purpose, the committee may not receive or analyze any data unless the data for each reported contact includes at least the following information:

- (a) The reason for the law enforcement stop or other contact;
- (b) The law enforcement officer's perception of the race, color or national origin of the individual involved in the contact;
- (c) The individual's gender;
- (d) The individual's age;
- (e) Whether a search was conducted in connection with the contact, and if so, what resulted from the search;
- (f) The disposition of the law enforcement action, if any, resulting from the contact; and
- (g) Additional data as recommended by the committee that state and local law enforcement agencies should collect and submit.

(6) Data received by the committee for analysis under this section may not identify a particular law enforcement officer or a particular individual whose demographic data is collected by a state or local law enforcement agency.

(7) Members of the committee shall appoint a chairperson from the members of the committee. Members of the committee are not entitled to compensation or expenses and shall serve on the committee on a volunteer basis.

(8) The Oregon Criminal Justice Commission shall provide administrative support staff necessary to the performance of the functions of the committee.

(9) All agencies, departments and officers of this state are requested to assist the committee in the performance of its functions and to furnish such information and advice as the members of the committee consider necessary to perform their functions.

(10) The committee shall make findings and issue recommendations for action to achieve

the purpose of this section. The committee shall submit a report containing its findings and recommendations to the appropriate interim legislative committees on or before December 1, 2002, and annually thereafter on or before December 1.

(11) After completion of the analysis of the data from at least two state or local law enforcement agencies, the committee may recommend the collection of additional data elements.

(12) This section does not prohibit a state or local law enforcement agency from collecting data in addition to the minimum information required in subsection (5) of this section.

SECTION 7. The Oregon Criminal Justice Commission shall provide \$300,000 to the Law Enforcement Contacts Policy and Data Review Committee for the purposes of section 6 of this 2001 Act from moneys allocated to the Oregon Criminal Justice Commission by the Legislative Assembly for the biennium beginning July 1, 2001.

SECTION 8. The Oregon Criminal Justice Commission may accept contributions of funds from the United States, its agencies, or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the Law Enforcement Contacts Policy and Data Review Committee.

SECTION 9. All moneys received by the Oregon Criminal Justice Commission under section 8 of this 2001 Act shall be paid into the State Treasury and deposited into the General Fund to the credit of the Oregon Criminal Justice Commission. Such moneys are appropriated continuously to the Oregon Criminal Justice Commission for the purposes of section 6 of this 2001 Act.

SECTION 10. The Law Enforcement Contacts Policy and Data Review Committee shall assist the Oregon Progress Board in the creation and adoption of goals as provided in ORS 285A.168 to measure progress toward the purpose of the committee under section 6 of this 2001 Act.

SECTION 11. Sections 5 to 10 of this 2001 Act are repealed on December 31, 2007.

Appendix B:

Law Enforcement Contacts Policy and
Data Review Committee (LECC)

National Literature Review of Stop Data Reports

August 26, 2005

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OREGON

Title: “Final Report on the Eugene Police Department’s Vehicle Stop Data (2002-2003): Condensed Report”

Authors: Vikas Kumar Gumbhir, Department of Sociology

Research Affiliation: University of Oregon

Time Period Covered: January 1, 2002 – December 31, 2003

Geographical Scope: The city of Eugene, Oregon

Population Studied: Drivers stopped by Eugene police officers (officer-initiated stops only).

Data Collection Methods: The research task group developed a 19-item survey to be completed by each officer following an officer-initiated vehicle stop. Pedestrian stops were not included in the data collection efforts. Data were collected on machine-readable forms that were scanned into a database. The data set was compared with the forms to check for errors and/or omissions. Vehicle stop data was compared to a residential population benchmark constructed from 2000 U.S. Census data.

Events Studied: Vehicle stops by the Eugene Police Department. Variables collected include:

- Driver’s sex.
- Driver’s age.
- Patrol district where stop occurred.
- Reason for stop.
- Number of passengers.
- Language barrier (yes/no)
- Could the officer determine the driver’s race before the stop?
- Time of stop.

Data Analysis Methods: Only Eugene residents in the vehicle stop data were compared to the benchmark data and only driving-age residents (16 and over) were included in the benchmark. Benchmark data were adjusted to account for the lapse in time between the Census and the EPD’s vehicle stop data collection.

Chi-square tests were used to identify differences between racial/ethnic groups in relation to law enforcement outcomes. Regression models were constructed to examine the effect of a driver’s race/ethnicity on: result of the stop, duration of the stop, whether or not a search was conducted, and whether or not a discretionary search was conducted.

Conclusions about Nature or Extent of Racial Profiling: Major findings include:

1. The majority of contacts involved White drivers.
2. Differences between racial/ethnic groups in terms of stop rate.
3. Differences between racial/ethnic groups in terms of reason for stop.
4. Differences between racial/ethnic groups in terms of district of stop.
5. Differences between racial/ethnic groups in terms of result of stop with most of the differences explained by variable other than race/ethnicity.
6. Differences between racial/ethnic groups in terms of duration of stop with some of the differences explained by variables other than race/ethnicity.
7. Differences between racial/ethnic groups in terms of whether or not a search was conducted with differences remaining even after variables other than race/ethnicity were included.
8. Differences between racial/ethnic groups in terms of whether or not a discretionary search was conducted with evidence that the differences remained even after variables other than race/ethnicity were included.
9. No differences between racial/ethnic groups in terms of finding contraband.

The author states that, “Whether or not these differences indicate that racial profiling is occurring in Eugene, Oregon is not a question that can be answered by this data.”

Web Link: [http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_2_29089_0_0_18/Traffic%20Stop%20Study%20\(2002-2003\)%20-%20Final%20Report.pdf](http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_2_29089_0_0_18/Traffic%20Stop%20Study%20(2002-2003)%20-%20Final%20Report.pdf)

Additional Web Links: <http://www.racialprofilinganalysis.neu.edu>

Mention of Oregon: Yes.

Additional Information: The Eugene Police Department voluntarily started collecting data on vehicle stops conducted by its officers. Following the recommendations of the U.S. Department of Justice, the EPD formed a group of community members and EPD representatives to design the data collection research project.

Author notes that vehicle stop data can be useful in highlighting disparities in treatment between racial/ethnic groups but is inadequate in determining the causes of the disparities.

Author points out the potential sources of error in using the 2000 U.S. Census as a population benchmark: individuals self-report race/ethnic background on the census while vehicle stop data are based on officer perception, specific minorities may be undercounted in the Census, and population changes have occurred since the Census was taken in 2000.

The author developed a six-part theoretical perspective as a framework for interpreting data collected in an effort to measure racial profiling:

- Causal Theory One: Responsibility for observed differences lies within the

- individual officer.
- Causal Theory Two: Responsibility for observed differences lies within characteristics of law enforcement as an institution.
 - Causal Theory Three: Responsibility for observed differences lies within characteristics of the civilian population.
 - Causal Theory Four: This theory focuses on the relationship between individuals and institutions other than law enforcement.
 - Contextualizing Factor One: Any exploration of racial profiling must pay attention to history.
 - Contextualizing Factor Two: In practice, there is considerable overlap between the four theories previously mentioned.

The author explains three main data quality issues that may have affected the results of the analysis. The data may not have been complete, there were problems with the way data was coded on the collection form, and some highly relevant variables were not included.

Title: Memorandum to the Mayor and City Council Regarding the Stop Data Collection Project

Authors: Gary Boldizar, Chief of Police and Jon Nelson, City Manager

Research Affiliation: See above

Time Period Covered: April 2001 – Summer 2002 (specific dates not given)

Geographical Scope: Corvallis, Oregon

Population Studied: Not mentioned.

Data Collection Methods: The Community Policing Forum developed a scanable 17 point data collection form.

Events Studied: The following variables were collected at stops: search request, citation and/or arrest, stop duration greater than 15 minutes, stop duration greater than 30 minutes, gender, race, and age.

Data Analysis Methods: Two and three-point data comparisons were conducted. A total of twenty comparisons were made. The objective was to determine whether stop outcomes were biased in a statistically significant manner. For each data point comparison, the committee determined, “if the protected class biases an officer’s behavior systematically and if there is an overall bias when examining the force as a whole. This is done with a graphical method with each data point describing an officer’s potential bias. If a data point lies on the diagonal line the impact of the protected class

had no effect on making decisions. The further from the line the more likely the bias.” Significance bars were used to determine if there was statistical evidence linking a specific variable to the outcome of the stop.

Conclusions About Nature or Extent of Racial Profiling: There was no apparent bias in citation and/or arrest by race, no apparent bias in citation and/or arrest by gender, and no evidence of bias in citation and/or arrest between individuals 25 years and younger and individuals 25 years and older. There was apparent bias in search requests of men compared to women, and non-whites compared to whites. For stops lasting longer than 30 minutes, there was a bias against individuals 25 years and older for both whites and non-whites. There was also significant evidence of bias for stops 30 minutes and longer with Hispanic individuals. The memorandum notes that the Corvallis results are similar to those obtained by other police departments in Oregon. The 2002 Annual Report for the State of Oregon (as cited in the Corvallis Memorandum) states that, “It is unclear to what extent a police officer would be able to know the race or ethnicity of a driver until after the stop has been made. It remains unknown then, to what extent any intentional discrimination could be determined from the stop data. Due to these considerations, the committee believes it can more productively focus its analytical efforts on post-stop activities such as searches, arrests, citations, and warnings.”

Web Link: <http://www.ci.corvallis.or.us/downloads/cpd/stop%20data.pdf>

Additional Web Links: None.

Mention of Oregon: Yes.

Additional Information: The Corvallis Police Department voluntarily collected stop data in cooperation with the State of Oregon Law Enforcement Contacts Policy and Data Review Committee. The Corvallis PD was one of eleven police agencies in Oregon to agree to collect stop data and submit the data for analysis.

Title: “Corvallis Police Defend Race Report”

Authors: Becky Waldrop, Staff Writer

Research Affiliation: Corvallis Gazette-Times

Time Period Covered: Article published July 27, 2003.

Geographical Scope: Corvallis, Oregon

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: This article explains the basic findings from the Corvallis Police Department's stop data analysis and gives responses from both the police and the ACLU. It cites that people of color have, for years, felt harassed by police in Corvallis and the recent data analysis supports this feeling. The author highlights these findings: Corvallis police officers were more likely to conduct a search of non-white individuals, traffic stops involving racial minorities took longer, a third of officers had a statistically significant tendency to search non-whites. Of the 335 stops that took over 30 minutes, Hispanics comprised 17.9% of the stops (Hispanics make up 4.9% of the city's population), and blacks comprised 2.7% of the stops (blacks make up 1.1% of the city's population). Police officials argue that they need to collect more data before drawing any definitive conclusions about biased policing in Corvallis. A captain in the department defended the analysis stating "it doesn't show a systematic problem in the department." He cites a policy to call for backup to conduct searches or in instances of a language barrier as reasons why more than one officer is often involved when a Hispanic driver is stopped. He also believes that past altercations between police and student athletes at OSU may be why contacts with black individuals take longer. He states that, "If you have black athletes, or another minority group, that over a certain period of time seem to be involved in certain activities, there's a perception that they're causing more problems. You can't turn your back." The executive director of ACLU Oregon, however, believes the stop data illustrates police profiling and should be cause for concern.

Web Link: <http://gazettetimes.com/articles/2003/07/27/news/community/local01.txt>

Additional Web Links: None.

Mention of Oregon: Yes.

Additional Information: None.

Title: "Police Respond to Bias Claims"

Authors: Becky Waldrop, Reporter

Research Affiliation: Corvallis Gazette-Times

Time Period Covered: Article published August 18, 2003.

Geographical Scope: Corvallis, Oregon

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: Following an initial report that officers showed bias in contacts with Hispanics, the Corvallis Police chief explained that the department will continue to collect stop data to determine if, and to what extent, a problem exists. He stated that it was too early to claim bias based on the small number of minority stops included in the analysis. Apparent bias was most strongly evidenced in the length of stops of Hispanics. While only 2% of stops lasted longer than 30 minutes, Hispanics made up 18% of those stops. Police believe that language barriers may account for some of the disparity in the amount of time it takes during stops with Hispanic individuals. At the time of publication, the Corvallis Police Department only employed one certified Spanish bilingual officer. The department recently doubled its pay incentive for bilingual officers to 5%, and 2.5% for sergeants, in an effort to encourage bilingual officers. The president of the Corvallis NAACP doesn't think that language training is enough. He states that it fails to address the issue of cultural misunderstandings. An employee of OSU's Minority Education Office suggests sending Corvallis police officers to Mexico for cultural training as was done by a group of Portland officers earlier in the year.

Web Link: http://gazettetimes.com/articles/2003/08/18/news/top_story/mon01.txt

Additional Web Links: None.

Mention of Oregon: Yes.

Additional Information: None.

Title: "New General Orders Respond to Profiling Concern"

Authors: Becky Waldrop, Reporter

Research Affiliation: Corvallis Gazette-Times

Time Period Covered: Article published October 3, 2003.

Geographical Scope: Corvallis, Oregon

Population Studied: NA
Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: This article highlights new policies and training requirements for Corvallis police officers to address concerns about racial profiling. The changes were made to comply with revised standards from the federal Commission on Law Enforcement Accreditation. Every police employee must now complete four hours of training on cultural diversity, ethnic intimidation or hate crimes, and verbal communication techniques. In addition, the Corvallis Police Department invited 20 Asian and Pacific American OSU students to a two-day, 16-hour, condensed version of its citizens' academy. The course is offered to the public and aims to teach citizens about police policies and practices. The department decided to provide shorter versions of the citizens' academy to any group of 20 or more individuals and encouraged minority groups to participate. The department also continued to work with OSU's Minority Education Office to resolve conflicts between minority students and police.

Web Link: http://gazettetimes.com/articles/2003/10/03/news/top_story/fri01.txt

Additional Web Links: None.

Mention of Oregon: Yes.

Additional Information: The Corvallis Police Department conducts annual reviews of citizen complaints.

WASHINGTON

Title: "Analysis of Traffic Stop Data Collected by the Washington State Patrol: Assessment of Racial and Ethnic Equity and Bias in Stops, Citations, and Searches Using Multivariate Quantitative and Multi-Method Qualitative Research Techniques"

Authors: N.P. Lovrich (Director of DGSS), M.J. Gaffney (Associate Director of DGSS), C.M. Mosher (Associate Professor of Sociology), M. Pickerill (Assistant Professor of Political Science), and T.C. Pratt (Associate Professor of Criminal Justice).

Research Affiliation: Division of Governmental Studies and Services, Department of Political Science and criminal Justice Program, Washington State University.

Time Period Covered: November 1, 2002 – June 30, 2004 for traffic stop data
July 1, 2003 – June 30, 2004 for search data

Geographical Scope: The State of Washington – broken down into 40 patrol areas.

Population Studied: Drivers stopped by Washington State Patrol Troopers – officer-initiated.

Data Collection Methods: Not specifically mentioned.

Events Studied: Vehicle stops, citations, searches, and contraband hit rates.

Data Analysis Methods: This report compares officer-initiated contacts by the Washington State Patrol to 5 separate benchmarks:

1. population characteristics
2. daytime versus night-time stops
3. contacts initiated as a result of the identification of speeders by radar/aircraft patrols
4. contacts initiated by a “call for service” or “vehicle assist”
5. contacts initiated as a result of a traffic accident

Multiple data analysis methods were used in this study. Please refer to the report for specific statistical analyses.

Conclusions about Nature or Extent of Racial Profiling: Summary of Findings:

- Using the 5 benchmarking methods, results indicate that there is no systematic pattern of racial bias with regard to troopers’ decisions to stop motorists or issue citations.
- There is a small racial disparity with regard to searches, particularly for Native Americans.
- Race is only one variable influencing a WSP trooper’s decision to conduct a discretionary search. The seriousness of the violation is a much stronger predictor of the decision to search.
- The citizen survey indicates a high level of satisfaction with the WSP. There are some differences in perceptions by race, however.

Web Link: www.wsp.wa.gov

Additional Web Links: www.aclu.org/court/lamberth.html

Mention of Oregon: No.

Additional Information: In addition, a photo audit was conducted to determine if the Washington State Patrol troopers were classifying some drivers as white in an attempt to minimize charges of racial profiling. These charges had been reported in the media. Results indicate that there is a high level of accuracy with regards to troopers’

classification of drivers' race.

Citizen survey data was obtained in 2003 to assess the perceptions of and attitudes toward the Washington State Patrol. The sample included individuals who had contact with the WSP for various reasons and those who had not had contact. A total of 10,550 people across the State of Washington were surveyed through a 3-wave mailer.

Citizen and trooper focus groups were conducted to supplement the data collection and analysis. Focus group comments were included in multiple sections of this report.

CALIFORNIA

Title: "An Analysis of Traffic Stop Data in the City of Riverside"

Authors: Dr. Larry K. Gaines, Department of Criminal Justice

Research Affiliation: The California State University, San Bernardino

Time Period Covered: January 2002 through December 2002, except that the data collected on whether or not a search produced contraband and the types of contraband recovered was conducted from July 2002 to December 2002.

Geographical Scope: The city of Riverside, California, which includes 133 police reporting districts

Population Studied: Drivers stopped by traffic or patrol officers of the Riverside Police Department

Data Collection Methods: As a result of conducting traffic stops, individual officers collected and reported demographic information about drivers and the actions taken as results of the stops. The dispatcher keyed the data into a database that was used to generate the written report.

Events Studied:

- All reported traffic stops in Riverside: driver's race or ethnicity, driver's gender, broad categories as to the rationale of the stop, final outcome of the stop, whether a search was conducted, whether the search resulted in the discovery of evidence or contraband, and where and when the patrol traffic stops occurred
- Locations of calls for service, Part I Violent Crime, Part I Property Crimes, and calls related to drug activities

Data Analysis Methods:

- Three-step analysis: 1. Examined Police Department's overall traffic stops; 2. Disaggregated and separately analyzed stops by traffic officers and stops by patrol; 3. Investigated explanations for disparities that were found
- Compared traffic stop data with 2000 census data

- Used a correlation analysis to examine relationship between traffic stops and a variety of police activities including calls for service, Part I Violent Crimes, Part I Property Crimes, and calls related to drug activities
- Visually compared the geographic locations of patrol traffic stops, calls for service, Part I Violent Crimes, Part I Property Crimes, and calls related to drug activities, by mapping them and comparing the maps
- Examined number of patrol traffic stops made in the year

Conclusions About Nature or Extent of Racial Profiling: They conclude that the over-representation of African-Americans in the traffic stop data was the result of enforcement patterns coinciding with crime and disorder problems, and that “there is no evidence that the Riverside Police Department is engaging in racial profiling” (32).

Any Data from Oregon? No

Web Link: <http://www.riversideca.gov/rpd/AGTF/2003%20Final%20Report.pdf>

Notes: The Riverside Police Department is mandated to collect and analyze traffic stop data for a period of five years to determine if there are any patterns indicating racial profiling.

This report, which is the second of five required reports, summarizes the findings from the Riverside Police Department’s 2002 traffic stop data. The Riverside PD collected data following the methodology they deemed optimal, given that Riverside is what they term an “independent urban center” (2). Officers provided information and data to the dispatcher, and were trained on the system. Once the data were collected, it was provided to the researcher by the Riverside Police Department’s Attorney General Compliance Task Force Unit. The researcher then worked closely with members of the unit to examine the data and ensure the data’s accuracy.

The most accurate population statistics available for comparison to the traffic stop data were the 2000 census data, even though minorities are traditionally under-reported in census data. Whites were slightly under represented in traffic stops, while Hispanics were slightly over represented and African-Americans were significantly over represented, as African-Americans constitute 7.1 percent of the population but represented 12.7 percent of the total stops. However, the proportion of African-Americans stopped had declined by 0.9 percent since 2001, while the proportion of Hispanics stopped had increased by 0.8 percent.

The traffic and patrol stop data was then disaggregated because these two units make stops for different purposes. Since 2001, patrol traffic stops had decreased by 10.4 percent, and the traffic unit’s stops had increased by 63.1 percent. No apparent reasons were found for these changes. However, the staff commented that the increase in stops by the traffic unit may have been affected by the change in the command and supervision within that unit. This increase did not appear to have any affect on the proportionality of the racial and ethnic groups being stopped.

After comparing stops by the traffic unit with census data, it was concluded that there were no differences between racial and ethnic groups in terms of traffic unit

enforcement, since the differences were too small to be deemed significant. The number of searches conducted by traffic officers was insignificant and could not be analyzed or generalized. The disposition of traffic stops by traffic officers was analyzed, with the categories of disposition being arrest, cite, field interview, release, report and supplemental report. Traffic officers cited or released most drivers that they stopped, and there was little difference in the rate of citations across race and ethnicity by traffic officers.

African-Americans, who made up 7.1 percent of the total population, constituted 15.2 percent of all traffic stops by patrol. Native Americans were arrested as the result of patrol traffic stops at the highest rate (11.4 percent), and the difference among the arrest rates of Whites, African-Americans and Hispanics was 1.6 percent, which was seen as unproblematic and due perhaps to driving patterns, offender behavior and enforcement patterns. Most people stopped by patrol were released, with African Americans being released at the highest rate (69.7 percent), and Native Americans being released at the lowest rate (36.4 percent). Since only 3.3 percentage points separated African-Americans, Hispanics and Whites, the differences in release rates were seen as minor.

The data using the revised data collection format, which was implemented in July 2002, was used to examine patrol searches. African-Americans were searched at a rate of 25 percent, whereas Hispanics were searched at a rate of 21.3 percent and Whites at a rate of 17.7 percent. The report stated that these differences are not dramatic and do not seem to indicate any racial profiling problems. There was a 2.6 percent range between hit rates for Whites, Hispanics and African-Americans, which was seen as relatively minor. However, it was noted that all hit rates were extremely low. It was also noted that there were 300 arrests made as a result of these stops and, assuming that each of these arrests resulted in a search, the hit rate for everyone searched would then be 8.6 percent.

Native Americans were arrested by patrol as a result of traffic stops at the highest rate (11.4 percent). Whites were arrested by patrol at a lower rate (2.6 percent) than African-Americans (4.2 percent), Pacific Islanders (4.2 percent) and Hispanics (5.0 percent). African-Americans were released at the highest rate (69.7 percent), but only slightly. Rates of citation of African-Americans (24.5 percent) and Hispanics (27.1 percent) are slightly lower than that of Whites (28.4 percent). The highest citation rates are those of Native Americans (43.2 percent), Pacific Islanders (38.9 percent), Asians (37.8 percent) and East Indians (36.3 percent). It was stated that these differences were most likely the result of pretextual or investigative stops being performed rather than racial profiling.

The majority of traffic stops were the result of a traffic violation, rather than APR, Municipal Code or Penal Code. It was found that there are extremely high correlations between traffic stops and each of the following: calls for service, Part I Violent Crime, Part I Property Crimes and calls related to drug activities. In addition, through visual map comparisons of the above activities, it was found that there is a substantial level of overlap demonstrating that patrol traffic stops generally occur in areas of high crime. A bar chart outlining when patrol conducts its traffic stops showed that they make the largest number of stops between the hours of 11:00 p.m. and 2:00 a.m., and the second largest number of stops between 4:00 p.m. and 11:00 p.m., which are the periods that are generally recognized as high-crime times. It was calculated that each patrol officer made less than one traffic stop (0.64) per shift, and it was reasoned that "if racial profiling were

indeed a problem, there would be many more stops by patrol officers” (27).

The report stated that more active police tactics, especially in high crime areas, constitute normative behavior by police departments, and that Riverside has developed a significant drug and gang problem in recent years. They conclude that the over-representation of African-Americans in the traffic stop data was the result of enforcement patterns coinciding with crime and disorder problems, and that “there is no evidence that the Riverside Police Department is engaging in racial profiling” (32).

Community Relations

Issues Addressed: None

The report focuses on the data and does not mention any community relations issues.

Title: “A Study to Analyze Traffic Stop Data in Santa Cruz County: Final Report for the Capitola Police Department, Santa Cruz Police Department, Santa Cruz Sheriff’s Office, and Scotts Valley Police Department, and Watsonville Police Department”

Authors: Dr. Cheryl A. Rickabaugh, University of Redlands

Research Affiliation: Lamberth Consulting, LLC

Time Period Covered: 2002 (except for the data on Highway 17, which was supplemented with stop data collected between October 1, 2001 and April 15, 2003 in order to ensure a large enough sample size)

Geographical Scope: Within a certain radius of the 21 chosen benchmark locations, all of which are located within one of the five participating law enforcement jurisdictions in Santa Cruz County, California.

Population Studied: All contacts of motor vehicle stops initiated by officers of the five participating law enforcement agencies, within the selected perimeters of the benchmark locations

Stop Data Collection Methods:

Each agency provided a minimum of one year of traffic stop data. While the collection of this data was funded in part by the State, the agencies proactively chose to conduct an analysis of the data and to fund it internally. They collaborated jointly on project activities such as study design, management meetings, surveying and training, thus reducing time, effort and costs.

Benchmark Data Collection

Direct observation of transient populations in all five participating agencies was used to collect benchmark data. A minimum of three benchmark locations in each jurisdiction were selected for analysis. With the assistance of law enforcement agency personnel, benchmark locations were selected that had relatively high transient populations, were

patrolled frequently, and were locations where police stops were frequently made. In order to conduct valid comparisons, the mile marker and traffic direction of all highway benchmarks had to be known, as well as the street name and nearest cross streets of all benchmarks in urban areas.

Teams of surveyors were hired and trained. The one-day survey training session provided for the surveyors consisted of a high-level overview of the purpose of the study; an explanation and discussion of the survey method, schedule, roles, and survey procedures; and hands-on practice in the field.

Rolling surveys were conducted on the highway benchmarks, whereas stationary surveys were conducted at intersections. The dates and times of benchmark surveys were randomly selected, and were conducted, day and night (but day-only for rolling surveys), over a six-week period. Surveying time periods lasted from eight to 70 minutes per session. Each survey team was comprised of one team leader (who also acted as a surveyor) and one core surveyor. Each surveyor was responsible for capturing data for one lane at a time, and alternated lanes.

The researchers and survey team leaders conducted benchmarking quality assurance activities throughout the duration of the surveys. These included inter-reliability tests (especially in areas with high concentrations of Hispanics), pre-survey reviews for each location, ongoing status meetings, post-survey reviews, periodic reviews of captured data, and data entry reviews. After completion of the surveys, the data were entered into SPSS software for comparison against stop data.

Events Studied:

Benchmark Surveys:

Driver's race/ethnicity (Asian, Black, Hispanic, White, Other, Unknown) and sex

Stop Data:

Of Individual Stopped:

- Whether or not race was identifiable prior to stop;
- Age
- Race/ethnicity based on visual observation only (White, Black, American Indian, Hispanic, Asian, Middle Eastern)
- Gender
- Whether or not s/he lives in city
- Whether or not s/he lives in or adjacent to precinct

Of Stop:

- Date & time;
- Precinct;
- Contact type (driver, passenger, pedestrian);
- Reason(s) (moving violation, equipment violation, person observation/knowledge, received information (dispatch/citizen/BOLO/bulletin/roll call));

- Action(s) taken (field interview and/or clearance, verbal or written warning,

- citation or order-in, arrest, detox/MHH/hospitalized);
- Duration (<5 min, 5-9, 10-19, 20-29, 30-39, 40-49, 50-59, >60 min)

Of Search:

- Search (mark all that apply: no search, consent, cursory/pat down, incident to arrest, tow/inventory, canine alert, search warrant);
- Whether or not contraband was seized

Of Officer:

- Whether or not s/he is a Sheriff's Department employee;
- Whether or not s/he is off-duty (includes secondary employment)

Data Analysis Methods:

Only data on stops in location within a certain perimeter of benchmark locations were used in the analysis. Blacks and Hispanics were analyzed separately.

The proportions of stops for specified minority groups were compared to the transient populations in the surveyed areas. Odds-ratio, as well as chi-square, analyses were computed. Generally, odds ratios between 1.0 and 1.5 were seen as benign. Those between 1.5 and 2.0 indicated that a review of stops in these locations could be conducted, and those above 2.0 pointed to the potential targeting of minority motorists.

However, considering that the inter-rater reliability coefficients for Hispanics ranged from .81 to .93, the researchers adjusted the categorizations of odd-ratios to reflect the following: benign = below 1.7; a review of stops could be conducted = 1.7 to 2.2; potential targeting of minority motorists = above 2.2.

Conclusions about nature or extent of racial profiling:

There were too few stops involving Black motorists countywide for meaningful statistical analyses to be conducted. Overall, there was little evidence of targeting of Hispanic motorists, although there were a few locations in the County where the odds ratio of stops of Hispanics was slightly above the benign area. Out of the 21 benchmark locations in the County, three had fewer stops than would be expected, 11 had stops in the benign area, and seven had stops in the area that provides indication that a review of these stops could be in order. None of the locations fell into the area that points to potential targeting of minority motorists.

In one case, for which the odds-ratio was 2.0, the Chief of that jurisdiction suggested that, if disparities did exist, they may have been the result of just a few officers' actions. It is stated that, "in [the researchers'] experience odds ratios of this magnitude generally indicate that it might well be a few officers, rather than anything systemic" (56). Some other explanations of context for those agencies whose odds ratios were slightly above the benign area include gang activity with large proportions of Hispanic gang members and nearby low-income housing and industrial parks.

It is stated that "we feel strongly that the Santa Cruz County agencies are among the leading agencies in the nation working to address this issue scientifically, practically, and openly" (19). However, it is also emphasized that "this is the first step in a long process [.

. .] before the agencies can say that they are, or are not, targeting any minority” (66). Agencies had indicated their intention to continue to collect stop data. The project team suggested that they also begin to analyze post-stop activity and implement data auditing mechanisms.

Any Data from Oregon? No

Web Link:

http://www.racialprofilinganalysis.neu.edu/IRJ_docs/SantaCruzFinalReport.pdf

Additional Web Links:

- Lamberth Consulting, LLC: www.lamberthconsulting.com

Notes:

- This study was done voluntarily.
- Discussion of the history of efforts to address racial profiling is included throughout the report.
- A copy of the vehicle stop data form is included on the last page of the report.
- A map of each benchmark location is provided.
- Throughout the project, monthly management meetings were conducted which included representatives from all participating agencies.
- It is stated that “the number of agencies engaged in data collection will continue to increase as A.B. 2133 requires that all agencies collect data as of July 1, 2004.
- It is mentioned that another promising method of obtaining benchmark data is that developed by Alpert, Smith, and Dunham, which uses not-at-fault accident statistics on the roadways to approximate traffic populations (see page 17 of the report).
- It is stated that simply using the proportion of minority stops as a benchmark for the proportion of minority searches is too unsophisticated. Other variables need to be taken into consideration as well, such as type of search and strength of deployment in various sections of a jurisdiction.
- Lamberth Consulting was formed in 2000 in an effort to provide racial profiling assessment, training, and communication services to universities, states, counties, cities, civil rights groups, litigators, and communities. The founder and CEO is Dr. John Lamberth.

Community Relations

Issues addressed: Training, community input and involvement

The researchers believe strongly that the best method to reduce risks for both law enforcement and communities is to involve them early and throughout the process. At the outset of the program, the project team met with agency and community representatives to discuss the study methodology and to answer questions.

The project team also met with the community groups to explain and report the results of this study. The team recommended that the training and community meetings continue,

and that the agencies consider developing a more formal process of soliciting consistent participation from community members, such as the development of a racial profiling community group or council.

In 2001, California SB 205 mandated that cultural/racial sensitivity training be provided by law enforcement agencies and a \$3 million statewide grant program was funded to assist agencies in the voluntary collection of stop and search data. California mandates a racial profiling training course for officers and the Santa Cruz County agencies expanded upon that training to emphasize aspects of policing that relate to the stop data study. For example, three four-hour training sessions, supplemental to POST, were provided to Watsonville police officers. This training provided a national perspective on racial profiling issues and its impact on law enforcement, communities, and other stakeholders. It also provided an overview of data collection efforts, reviewing in detail the study in Watsonville.

Amount of space devoted to community relations issues: Approximately 4 pages

Title: “Vehicle Stop Demographic Study Annual Report: Issued June 14, 2002”

Authors: William M. Lansdowne, Chief of Police, San Jose Police Department (SJPD)

Research Affiliation: SJPD

Time Period Covered: January 1, 2001 through December 31, 2001

Geographical Scope: San Jose, California

Population Studied: Drivers stopped in San Jose by SJPD officers

Data Collection Methods: The traffic stop data, generated by SJPD officers upon completion of stops, is recorded electronically by the computer-aided dispatch (CAD) computer system used to track officers’ activities. The SJPD Crime Analysis Unit (CAU) broke this data down in order to see how many vehicle stops were conducted and where.

Events Studied: 89,889 vehicle stops made by San Jose Police Department: date of stop (Jan-Mar, Apr-Jun, Jul-Sep, Oct-Dec), race/ethnicity of driver (Asian-American, African-American, Hispanic-American, Other, European-American), in which of the four police divisions the stop took place, in which of the 16 police districts the stop took place

Data Analysis Methods: The traffic stop data was compared to 2002 US Census statistics on the race/ethnicity of San Jose residents. Traffic stop data was analyzed mainly by race and location. Each citizen complaint about racial profiling was investigated thoroughly.

Conclusions about nature or extent of racial profiling: The SJPD believes that the in-depth analysis of the data indicates that there is not a racial profiling problem in San Jose. However, it was stated that ongoing supervision and training of personnel on issues of racial profiling is still necessary in order to prevent it from becoming a problem in the future. The discovery that most arrests made in San Jose are not the result of vehicle stops dispelled the idea that the reason minorities are overrepresented in prison populations is due to racial profiling.

Hispanic-Americans and African-Americans were stopped at rates higher than their overall representation in the population of San Jose, whereas Asian-Americans and European-Americans were stopped at rates lower than their overall population in San Jose. Because the number of calls for police services tend to be higher in the smaller police districts where more minorities tend to live, there are more officers-per-capita in these police districts. This results in a higher statistical probability that a resident of one of these districts (most of which are minorities) who commits a traffic violation will be seen by an officer and stopped. The SJPD believes that there are many calls for police services in these areas because of socioeconomic factors rather than race or ethnicity. In addition, analyses of each of the 16 individual police districts indicate that residents were stopped in proportion to their overall estimated representation within each police district. During this study period, there were only 17 (one for every 5,288 stops) official citizen complaints filed that indicated a feeling of being subjected to racial profiling. Investigations of these complaints showed that officers had valid reasons for the stops, but did not take the time to explain the reason to the driver or acted “curt and brusque” (9) toward the driver.

Any Data from Oregon? No

Web Link: <http://www.sjpd.org/images/VehicleStops2001.pdf>

Additional Web Links: Details on the methodology of the study and recommendations to other law enforcement agencies considering conducting similar studies can be found in previous reports at <http://www.sjpd.org/>.

Notes: The SJPD has voluntarily collected and analyzed traffic stop data since 1999. All reports prior to this one were published on a quarterly basis, and all reports after this will be published annually.

Since 1999, members of the SJPD have met with citizens in a variety of forums to discuss residents’ concerns and perceptions regarding racial profiling. Police officer training was enhanced to emphasize the need for officers to explain the reasons for stops to drivers, and this has already helped decrease the number of racial profiling complaints received by the SJPD.

Community Relations

Issues Addressed: investigations of complaints from citizens, training, community

meetings (very briefly), community policing & socioeconomic issues, Department policy against racial profiling (very briefly)

It is stated that the Department received 17 official complaints about racial profiling, and that these complaints were “addressed by the Department in a prompt and professional manner” (8). Through these investigations, it was found that most drivers’ complaints related to officers’ attitudes. Although it was found that the officers had valid reasons for stopping these drivers, the officers did not take the time to explain these reasons to the drivers, and/or were curt and brusque with the drivers.

The resulting actions are described as “an increased focus within the Department’s training programs to recognize the importance of treating all citizens with [. . .] respect” (9). After these training efforts were implemented, there was a 34 percent reduction in total citizen complaints received in 2001. Coupled with a 15 percent reduction from the year of 2000, this represents a drop of 49 percent in a two-year period. The Department plans to add to their training a component that emphasizes the need to “whenever possible [. . .] take the time to explain to a driver the reason why the driver was stopped” (11).

It is also stated that, since 1999, the Department has met with “numerous citizens in a wide variety of forums” (10) to discuss community concerns about racial profiling. However, the report emphasizes the need for communities to address the many socioeconomic issues that they deem to be one of the root causes of the high crime rates in neighborhoods where the majority of the minority populations live. The Department reiterated its commitment to community policing and to the *Strategic Neighborhoods Initiative* program developed by the Mayor and City Council.

The Department will continue to fully investigate complaints regarding racial profiling, and will “spell out both verbally and in writing to all Department personnel that the practice is against Department policy” (11). Officers who violate the policy will be “disciplined accordingly” (11).

Amount of space devoted to issues of community relations: Approximately four paragraphs.

Title: “Police Vehicle Stops in Sacramento, California: Second of Three Reports”

Authors: Dr. Howard P. Greenwald, University of Southern California (USC)

Research Affiliation: School of Policy, Planning and Development, USC

Time Period Covered: July 1, 2001 through June 30, 2002

Geographical Scope: The city of Sacramento, California

Population Studied: Drivers stopped by the Sacramento Police Department (SPD), as well as the police officers conducting these stops; parolees and probationers living in Sacramento

Data Collection Methods: Data forms (of which there is a copy on page 45 of the report) were distributed to police officers and completed soon after each vehicle stop. These forms were then scanned at the Police Department Headquarters and copied onto floppy disks which were given to the analyst, who then added them to an aggregate data set. New variables for analysis derived indirectly from items on the form were also in this data set.

The SPD provided data on victim and suspect characteristics, as well as probationer and parolee residence. The USC research team also directly observed police officers at work, made independent observations of traffic, and conducted a telephone survey of drivers in order to validate the accuracy of information reported by police officers on the machine-scanned forms.

Events Studied:

- 24, 451 vehicle stops made by SPD officers:
 - o Reason for stop
 - o date (month, day & year), approximate time (hour and minute), and duration of stop (total minutes)
 - o gender and race of driver (African-American, Hispanic, White, Asian/Pacific Islander, Native American, Other/Not Apparent)
 - o driver year of birth
 - o whether or not driver was asked to exit the car
 - o whether or not a search was conducted
 - o result (citation, arrest, report, advised, FC)
 - o location (by district)
 - o race, age, badge number and assignment of officer
 - o whether or not the police vehicle was equipped with a camera
- For vehicle stops that resulted in a search:
 - o Whether search was of the driver, passenger or vehicle
 - o Search authority (consent, terry cursory, incident to arrest, parole probation, tow inventory)
 - o Contraband discovered or seized (weapons, drugs, cash, vehicle, alcohol, other property, nothing)
- Crime report demographics, and parolee and probationer residence locations

Data Analysis Methods: It was decided that “statistical significance” was not a meaningful criterion because of the large numbers of cases compared (see bottom of page 12). Instead, it is suggested that readers assume that a difference of five percent or greater should be considered as of potential, practical importance.

Sacramento’s population over 15 years of age according to the 2000 US Census was utilized for comparison. Descriptive and bivariate statistical runs were performed, and density maps were produced providing visual representations of patterns indicated by the statistical data.

Data obtained in this study were cross-checked with data from telephone survey of drivers, as well as with records in SPD’s citation database. During the study period, the USC research team met monthly with a Traffic Stop Analysis Advisory Committee to

discuss statistical findings and plan additional data analyses. This Committee included representatives of minority communities, the Sacramento Police Department and interested outside groups such as the ACLU.

Conclusions about nature or extent of racial profiling:

- “Among drivers in Sacramento, African-Americans are stopped more often (in proportion to their representation in the population of the city of Sacramento) than White drivers, with the greatest overrepresentation of African-Americans occurring among drivers stopped between 9 p.m. and 5 a.m. Hispanic drivers are stopped no more often than whites, but when stopped are asked to exit their cars, subject to search, and detained for long periods of time more often than Whites. Asian/Pacific Islander drivers are stopped and detained less often than Whites. High rates of African-Americans among parolees and probationers living in Sacramento, and reported as suspects in crimes, seem likely to have contributed to the overrepresentation of African-Americans among drivers stopped. Although the percentage of African-American and Hispanic drivers searched is higher than the percentage of white drivers searched, contraband is found with similar frequency in cars driven by people of all three races, suggesting that police officers assess African-American, Hispanic, and White drivers as holders of contraband with equal accuracy” (39).
- African-American officers were approximately as likely as officers of other races to stop African-American drivers, and officers in vehicles with cameras were found to stop minorities no less frequently than officers in vehicles without cameras
- It is stated that “the Sacramento Police Department does not differentially stop, detain, or search members of any racial group due to their race alone” (3).

Any Data from Oregon? No

Web Link: http://www.cityofsacramento.org/spdata/pdf/data_collection_report_2002.pdf

Additional Web Links:

Notes: A section on terminology and definitions can be found on pages eight through eleven of the report. They chose the term “racially-biased policing” over “racial profiling” because it appears to be applicable to a broader range of activities. This is the second of three planned reports by USC under a contract with the SPD.

Community Relations

Issues Addressed: Community input in data analysis and definition of racial profiling, training (very briefly), Department policy against bias-based policing (very briefly), recruitment of minority officers, training

During the study period, members of the USC team met monthly with the Traffic Stop Analysis Advisory Committee, which includes minority community members, law enforcement officers, and other interested outside groups. Statistical findings and additional data analyses were discussed at these meetings. However, “the advisory nature of the committee’s role must be emphasized” (7).

Many participants of the first report were not satisfied with the definition of racial

profiling, so the SPD convened a retreat in 2002, involving both police officers and individuals active in minority and law enforcement issues, at which a consensus was met on the definition of racial profiling shown on page ten of the report.

It is stated that “police officers must receive training and encouragement to reduce the challenge to privacy and dignity often experienced by law-abiding individuals when stopped” (5). However, it is emphasized that the Department merely responds to community needs, and is stated that “until the hoped-for technical and social transformations take place, the public’s greatest challenge will be to maintain the visibility of racial profiling as an issue, and to promote reasonable balance between the safety of the community and respect for the individual” (43).

The Department has a policy that “expressly prohibits bias-based policing,” but the wording of the policy is not described. In addition, SPD has “expended significant effort in recruitment of minority individuals as officers” (41), but have found that many promising young minorities are disinclined to consider law enforcement as a career.

In the coming year, officers will be required to take five hours of interactive training on racial profiling as part of their mandated training program.

The section on recommendations does not state clear future plans, but rather describes actions that “should” be taken, such as advancing technology and training, improving recruitment and retention of minority police officers, and maintaining and supporting this sort of data collection and analysis.

Amount of space devoted to community relations issues: Approximately one page

Title: “Vehicle Stops in San Diego: 2001”

Authors: Corder (Eastern Kentucky University), Williams (Vanderbilt University), Velasco (San Diego State University).

Research Affiliation: See above.

Time Period Covered: January 1, 2001 – December 31, 2001.

Geographical Scope: The City of San Diego.

Population Studied: Vehicles stopped by police officers in The City of San Diego.

Data Collection Methods: Police officers in San Diego have been required to complete a vehicle stop form each time they stop a vehicle. Anonymity was promised in regards to the officer completing the form. Officers turned in the forms at the end of each of their shifts. Data was entered into a database by personnel at the police headquarters. Data was then compiled by personnel in the police department’s crime analysis unit and analyzed by external consultants.

Events Studied: Vehicle stops.

Data Analysis Methods: The study compared vehicle stop data to “action taken” including searches, arrests, citations, written warnings, verbal warnings, and field interviews. Stop data was analyzed by reason for stop, time of day, month, age of driver, sex of driver, race/ethnicity of driver, and resident versus non-resident of San Diego status. The driving age census population of San Diego was used for “base rate” comparisons.

Conclusions about Nature or Extent of Racial Profiling: The data from the stop forms was compared with the driving age census population of San Diego to determine if minority groups were over-represented in “stop” rates. Disparities were found. The authors point out that several other variables must be considered in explaining the apparent disparities. First, it is suspected that tourism significantly affects the actual population of drivers in San Diego. Second, they state that the resident population of San Diego may include more Hispanic individuals than census figures indicate. The reason for this view includes census under-counting of undocumented Hispanic residents and a number of drivers who cross the border each day from Mexico. Third, focus groups with officers indicate that 25% of vehicle stops are “pre-text” stops made for non-traffic related reasons including suspicion of crime, drug, or gang-related activity. The authors assert that when “using the characteristics of San Diego described crime suspects as the benchmark for ¼ of the stops, the apparent over-representation of minority drivers in vehicle stops largely disappears” (p. 3). Lastly, one of the main concerns was a 28% decrease in completed vehicle stop forms from the previous year (2000). This raises questions about the validity of the 2001 data. The researchers questioned whether racial disparities found were due to police bias or the difficulties in establishing a correct “base rate” for The City of San Diego.

Web Link: www.sannet.gov

Additional Web Links: News release of this article at www.sandiego.gov/police/newsflash/pr030113.shtml

Mention of Oregon: No.

Title: “Beyond the Mythology of Racial Profiling”

Authors: Linda Hills, Executive Director of the ACLU of San Diego & Imperial Counties and Randy Trapp, President of the NAACP of San Diego

Research Affiliation: See above.

Time Period Covered: Published in the San Diego Union-Tribune on October 13, 2000.

Geographical Scope: NA

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: The authors address the recently released preliminary results of the San Diego Police Department's traffic stop data. They commend the SDPD for being the first to voluntarily collect information on the race and ethnicity of every driver stopped. They rebuke the claim of some, that people of color commit more crimes and, therefore, should be stopped at higher rates. They write that every study of racial profiling, thus far, has shown that people of color are not more likely to carry drugs or other contraband in their vehicles than whites. In addition, because minorities are stopped and searched at higher rates, they are more frequently arrested and incarcerated. Higher arrest and incarceration rates only serve to reinforce the practice of stopping minorities in what the New Jersey Attorney General called "the circular illogic of racial profiling." The authors also oppose the claim that disparity in stop rates is due to differences in police deployment around the city. They write that, "The crimes which warrant a higher concentration of police are violent or property crimes. Yet, 97% of the vehicle stops in the San Diego study were based on a vehicle code violation. Only 1% of those stops actually led to an arrest. There is no justifiable connection between vehicle stops and effective crime fighting in neighborhoods of color and, if it is the explanation for the disproportionate impact on African Americans and Latinos, it should be fixed."

Web Link: http://www.aclusandiego.org/racial_profiling.html

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: None.

Title: "California Highway Patrol Public Contact Demographic Data Summary"

Authors: Commissioner D.O. Helmick, California Highway Patrol (CHP)

Research Affiliation: None

Time Period Covered: July 1, 1999 through April 30, 2000

Note: The Commissioner directed CHP officers to begin collecting demographic data six months before requested to do so by the Governor.

Geographical Scope: All freeways, as well as streets and highways in the unincorporated areas, of the state of California

Population Studied: Statewide traffic enforcement, motor service, and traffic collision contacts of the CHP

Data Collection Methods:

Officers documented demographic data about enforcement contacts onto “supplemental CHP 415” forms, which were uploaded into the Ethnicity Statistics (ESTAT) Database. This database was a temporary, interim solution which would eventually be integrated into a new, automated timekeeping database during the subsequent years of data collection. The race/ethnicity of drivers was determined based on the visual observation of CHP officers.

Data on searches were collected from the regular CHP 415. “In addition, General Order 100.39, regarding arrest/investigation reporting requirements, was revised on October 1, 1999, to direct officers to use the CHP 202D, Consent/Cause Search Report, for all consent searches and probable cause searches which were not already documented on an Arrest Investigation Report. The CHP 202D forms are now being retained for three years to allow follow-up in the case of questions about any search” (18). For this data collection effort, all searches were to be reported except for vehicle inventories conducted to safeguard the property of the vehicle’s owner, searches conducted incidental to an arrest, and searches pursuant to a search warrant. This means that the vehicle searches resulting in an arrest were searches conducted *prior* to an arrest.

The CHS Internal Affairs Section (IAS) uses a database to track citizens’ complaints from the public. The two categories of complaints in the IAS database that are relevant to vehicle searches are “Validity/Search” and “Policy/Searches.” The former would be a complaint alleging employee misconduct, whereas the latter would be a complaint against the Department’s policies where no employee misconduct is alleged. It is important to note that both categories include searches of persons, residences, *or* vehicles, and there is not a separate category for vehicle searches.

Events Studied:

During entire study period: gender, age (0-14, 15-24, 25-32, 33-39, 40-48, 49 or older), and race/ethnicity of enforcement contacts

- Race/Ethnicity categories were defined as follows:
 - o Asian (of or pertaining to the peoples of Asia, the Pacific Islands, or their descendents)
 - o Hispanic (of or pertaining to the language, people, descendants, or culture of Latin America)
 - o African-American (of or pertaining to the descendants of Africans or Africans in America)
 - o White (a member of the Caucasoid ethnic division, including persons whose ancestry is indigenous to Europe, southwestern Asia, and the Indian

- subcontinent)
- o Other race/ethnicity (of unknown origin or not a member of one of the above groups)

Added in October 1999: outcome of the contact (in-custody physical arrest, citation, Notice to Correct for a correctable mechanical violation, verbal warning, non-enforcement related public/motorist service), vehicle search information, demographic data from motorist services

Added in March 2000: demographic information from traffic collisions

Data Analysis Methods:

Statewide population data projections from the California Department of Finance (DOF) for the year 1999 were used for comparison. DOF county resident population projections were used as the primary reference population.

The report presents aggregate findings from the statewide sample. It is stated that “since most of the CHP’s demographic data is categorical, simple summary statistics such as frequencies and percentages were generally used in analysis” (13).

Conclusions about nature or extent of racial profiling: This report maintains that “the overall aggregate results from CHP’s demographic data project show that CHP officers do not employ race/ethnicity as a basis for enforcement stops” (20). In the concluding paragraph it is affirmed that “this study provided an opportunity to validate our training” (22).

As compared to the resident population, Hispanics, Asians and “Others” were underrepresented in number of enforcement actions against them, motorist services provided, and collision involvement. Enforcement contacts for African-Americans were slightly higher than the population but consistent with their proportion of motorist services and collisions. Compared to the resident population, Whites were overrepresented in enforcement contacts, motorist services, and collisions.

In almost 60 percent of the searches, evidence/contraband was found which led to arrest. Whites represented the largest number of people arrested after a search, followed by Hispanics. Approximately 83 percent of all searches resulted in an arrest, citation or Notice to Correct. Hispanics represented the largest number of contacts who received a citation, verbal warning or Notice to Correct after a search. It is stated that “on average, over a seven-month period, each CHP uniformed member made less than one-half of a search that did not result in an arrest or citation” (20).

There were nine complaints pertaining to searches between October 1999 and April 2000, and all of them fell under the “Policy/Searches” category.

Any Data from Oregon? No

Web Link: <http://www.chp.ca.gov/pdf/report.pdf>

Additional Web Links:

Notes:

This is the CHP's first report on this subject. Governor Davis directed the CHP to implement a three-year project to collect specified data on law enforcement contacts, and invited local law enforcement agencies to participate in this project as well. The CHP was requested to provide this data to the Legislature and the public on an annual basis beginning January 2001.

Although not mandated to provide a report until January 2001, the CHP Commissioner directed the preparation of this report. It is stated that, "as a result of accusations made against law enforcement in general, the Department recognized the importance of using statistical means to quantify or dispel allegations of racial profiling" (11), and that "there was a sincere interest in learning whether departmental policies, procedures, or training needed to be modified to ensure that all persons were receiving equitable treatment from CHP employees" (12).

In October 1999, the CHP queried 433 California law enforcement agencies regarding their intention to collect demographic data and provide that data for inclusion in the first annual report. In January 2000, informal telephone follow-up calls were made. However, only 16 agencies sent the data by the reporting cutoff. Twelve were police departments, two were sheriff departments, and two were university police departments.

Community Relations

Issues Addressed: Community groups with whom the agency maintains communication, diversity training (briefly), CHP racial profiling policy

The following groups report directly to the Commissioner and Deputy Commissioner of CHP:

- The Community Outreach Unit, which manages programs "to establish trust, assess the diverse communities' needs, educate the public, and promote traffic safety issues" (2).
- The Citizen Oversight Committee, which is an advisory board, "reflective of the state's diverse population" (3), who studies issues of concern to the public and makes recommendations regarding the Department's policies and procedures.
- The Commissioner's Cadre, which is "a group of specially trained managers and supervisors, [. . .] reflective of the state's population, organized to be available as needed regarding issues of discrimination" (3)
- The Office of Equal Employment Opportunity, which handles discrimination complaints and maintains the Department's "fair and equitable hiring practices" (3)
- The Internal Affairs Section, which reviews citizens' complaints and monitors both employee and departmental complaint trends

Diversity training is incorporated into the over 1,000 hours of training over a six-month period in the CHP Academy, as well as the quarterly, annual and biennial refresher trainings. It is not stated what proportion of the training is dedicated to diversity topics.

It is stated that "profiling based on race is against CHP policy" (11), and the Department's Drug Programs Manual "clearly states that profiling is illegal and officers

are taught not to use racial profiles during drug interdiction activities” (11).

Amount of space devoted to community relations issues: Approximately four pages, although most of it does not pertain to issues of racial profiling, but rather to providing an overview of CHP programs.

NEVADA

Title: “A.B. 500 Traffic Stop Data Collection Study: A Summary of Findings”

Authors: Richard C. McCorkle, Ph.D.

Research Affiliation: University of Nevada Las Vegas, Department of Criminal Justice

Time Period Covered: January 1, 2002 – December 31, 2002

Geographical Scope: Agencies required to participate were: the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the Henderson police Department, the North Las Vegas police Department, the Boulder City Police Department, the Mesquite Police Department, the Washoe County Sheriff Office, the Reno Police Department, and the Sparks Police Department. All agencies are in the State of Nevada.

Population Studied: Drivers stopped by law enforcement in the jurisdictions listed above.

Data Collection Methods: The State of Nevada Attorney General, in collaboration with representatives from each law enforcement agency, a staff member from Technical Services at the Nevada Department of Public Safety, and the author of the report, developed a form to collect the traffic stop data. Law enforcement recorded traffic stop data on the forms. Completed forms were electronically scanned at 2 locations in the state. The data was transmitted to Technical Services at DPS and delivered quarterly to the author of this report.

Events Studied: Vehicle stops. Information was collected at the stop including:

- The traffic violation that was the basis of the stop
- The race/ethnicity, gender, and approximate age of the driver
- Whether the immigration status of the driver was questioned during the stop and if immigration documents were requested or an INS check was completed
- Number of individuals in the vehicle
- Whether a search was conducted, the authority for the search, whether any contraband was found during the search
- The disposition of the stop (including warning or citation)

Data Analysis Methods: Residential data, broken down by age and race, was used as an estimate of the racial composition of the driving population for a given jurisdiction. Data Law Enforcement Contacts Policy and Data Review Committee

were obtained from the 2000 Census. The data were used to establish baselines for comparison with the traffic stop data.

Conclusions about Nature or Extent of Racial Profiling: Overall, the number of Black and Hispanic drivers involved traffic stops was greater than expected based on the number of Black and Hispanic drivers in the population studied. Blacks accounted for almost 12% of all traffic stops while only constituting 6% of the population of Nevada. Disparities were not found in all agencies, however. White drivers were less likely to be stopped than non-white drivers at night, though in most instances, the race of the driver could not be perceived by the officer prior to the initiation of the stop. Whites were less likely to be stopped for a non-moving violation than minority groups. There were few racial differences between “low-discretionary” (i.e. high speeds) and “high-discretionary” (i.e. burned out tail light) stops. Blacks and Hispanics were more likely to be handcuffed during the stop process than Whites and Asians and were detained for longer periods of time. For all agencies, Black drivers were searched at more than twice the rate of White drivers. Hispanics were also searched more frequently than Whites. If a search was initiated, the likelihood of finding contraband (“hit rate”) was less for Blacks and Hispanics than it was for Whites and Asians. While almost 70% of all stops resulted in a citation for a traffic violation, Blacks were less likely to receive a citation and more likely to get a warning. Black drivers were arrested >2 times more frequently than White drivers and at higher rates than all other minority groups. In conclusion, the author writes that, “Though the findings show racial disparities in traffic stops, this should not be taken as proof that Nevada law enforcement officers are engaging in racial profiling. Aside from the lack of consensus regarding what constitutes an appropriate and valid benchmark or baseline, there are a number of competing explanations for the racial disparities in traffic stops observed in this study.”

Web Link: http://ag.state.nv.us/hottopics/ab500/AB500_COVER_METHODS.pdf

Additional Web Links: No.

Mention of Oregon: No mention.

Additional Information: The Nevada Legislature enacted a bill on July 1, 2001 that prohibited racial profiling by law enforcement officers and directed the Nevada Attorney General to conduct a study determining the extent and nature of racial profiling by the Nevada Highway Patrol and police agencies in counties with greater than 100,000 residents.

Title: “Debate Over Race-Motivated Traffic Stops Heats Up”

Authors: Damon Hodge

Research Affiliation: Las Vegas Weekly

Time Period Covered: NA – published February 11, 2001

Geographical Scope: NA

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: NA

Web Link: Las Vegas Weekly: Upfront 3
http://www.lasvegasweekly.com/2001_2/11_01/news_upfront3.html

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: This article addresses the matter of whether or not law enforcement officials should be individually identified as part of the State of Nevada study of traffic stops. Law enforcement officials argue that identifying police could result in de-policing while civil rights activists believe that excluding ID data could render the study useless. Ron Davis, chair of the National Task Force on Racial Profiling for the National Organization of Black Law Enforcement Executives (NOBLE), does not believe that individual officers need to be identified. He states that, “singling out officers isn’t as important as shelving bad policies.” The executive director of the Nevada ACLU disagrees. He points out a report by the Police Executive Research Forum that says data collection systems must be able to identify biased cops in order to assess and counter racial profiling.

COLORADO

Title: “First Annual Report: Denver Police Department Contact Card Analysis”

Authors: Dr. Deborah Thomas, University of Colorado at Denver

Research Affiliation: University of Colorado at Denver

Time Period Covered: June 1, 2001 through May 31, 2002

Geographical Scope: City and County of Denver, Colorado

Population Studied: Drivers and pedestrians stopped by officers of the Denver Police Department (DPD)

Data Collection Methods: DPD officers recorded data on Scantron contact cards each time they initiated a traffic or pedestrian stop. Contact cards were not completed if officers were directed to take action based on a citizen call or at the discretion of another person.

Events Studied: 154,298 traffic stops and 41,125 pedestrian stops: date, time (within a three hour block), precinct (location, not car assignment), duration of stop, contact type (driver, passenger, pedestrian), whether or not race was identifiable prior to stop, perceived race/ethnicity (Unknown, Asian, African-American, Hispanic, American Indian, Middle Eastern, White), age, gender, whether or not person stopped is a resident of the City & County of Denver, whether or not person stopped lives in precinct of contact or an adjacent precinct, reason for stop (moving violation, equipment violation, personal observation/knowledge, received information), action taken (field interview and/or clearance, verbal or written warning, citation or order-in, arrest, detox/MHH/hospitalization), search (no search, consent, cursory/pat down, incident to arrest, tow/inventory, canine alert, search warrant), contraband (yes, no), whether or not officer is a sheriff's department employee, whether or not the contact occurred while the officer was off-duty or working secondary employment

Data Analysis Methods: Traffic stops were almost always evaluated separately from pedestrian stops. Data is presented using tables, maps and graphs. The Biased Policing Task Force, which is comprised of police and community members, met 47 times over a period of seven months and worked with representatives from over 100 organizations and neighborhood groups. The Task Force chose to use a "Mission Driven Comparison" methodology of data analysis, which examines the contact card data internally as well as in comparison to policing activities that reflect whether police are promoting public safety, reducing crime and victimization, and addressing quality of life issues in neighborhoods. It is stated that "this approach is particularly useful for reviewing the post-stop activity" (12). The data used for comparative purposes were citizen-initiated calls for service (all call types), victimization data recorded on offense reports, non-discretionary arrests, citizen complaints of vice and narcotic activity, firearm offenses, hit and run accidents, and problem-solving locations.

Conclusions about nature or extent of racial profiling:

It is stated that "this report contains both encouraging results and some points that will likely cause concern" (43).

Prior to stopping individuals, officers were able to identify the race/ethnicity of pedestrians 77 percent of the time, and of drivers/passengers only eight percent of the time. Overall, less than half of drivers/passengers, and just over 70 percent of pedestrians, stopped were residents of Denver. Whites constituted the largest percentage of traffic stops, followed by Hispanics and African-Americans. White, Hispanic and African-

American pedestrians were stopped at almost equal percentages. The maps and data indicate that people are generally stopped in or near their own neighborhoods and/or areas with large populations of their race/ethnicity.

The highest percentage of White drivers/passengers were stopped for less than five minutes, whereas Hispanic and African-American drivers/passengers were more commonly stopped for 10-19 minutes. Most pedestrian stops lasted 10-19 minutes for all racial/ethnic groups. After a traffic stop, most Whites and Hispanics received a citation, whereas most African-Americans received a field interview. Most pedestrian stops resulted in a field interview for all races/ethnicities. The next most likely action for Hispanic and White pedestrians was a citation, and for African-American pedestrians was arrest.

White, Hispanic and African-American pedestrians were searched at approximately the same rates for consent and incident to arrest searches. White pedestrians were subject to cursory searches at a lower rate than Black and Hispanic pedestrians. Hispanic and African-American drivers/passengers were searched at a higher rate than White drivers/passengers for all types of searches. Hispanics were searched at the highest rate for cursory searches, and African-Americans experienced the highest percentage of incident to arrest searches. Consent and cursory searches of Whites were most likely associated with an arrest. The hit rate for Hispanics searched was lower for all types of searches. The hit rate for African-Americans was highest in consent and incident to arrest searches, and for Whites in cursory searches.

The geographic patterns of citizen-initiated calls for service do not follow the overall contact data. Hispanics were most likely to be victim identified suspects from offense reports. Non-discretionary arrests occurred at approximately the same rate for Hispanics, Whites and African-Americans. A similar number of vice and narcotics complaints were made against Hispanics (183), Whites (140) and African-Americans (219). Of the firearm offense reports where race/ethnicity was identified by the victim, over half (402) of the suspects were Hispanic, 270 were African-American, and 106 were White. Only six percent of complaints during this study period were related to racial profiling. However, this may be due to lack of awareness of the Complaint Hot Line or community discomfort with complaining to the police.

In the future, they may include “arrest warrant” on the contact card as an optional choice in the action taken after the stop. They are also considering internal comparisons between precincts of similar socio-demographic and/or crime characteristics, in order to assess the level of policing activity.

Any Data from Oregon? No

Web Link:

<http://admin.denvergov.org/admin/template3/forms/DPDContactCardAnnualReport102902.pdf>

Additional Web Links

- For more information on the Denver Biased Policing Task Force, see <http://www.denvergov.org/Police/template19843.asp>

Notes: The DPD training programs, which emphasized cultural awareness and proper development of reasonable suspicion and probable cause, were so successful that they are now part of the statewide training program mandated by recent legislation.

Community Relations

Issues addressed: Training, community partnerships, using data to spur police-community dialogue on biased policing

Over a period of seven months, the DPD met and worked with representatives from over 100 organizations and neighborhood groups. The DPD developed partnerships with community members, City Council representatives, neighborhood organizations and other groups. The Biased Policing Task Force was created with the goal of bringing community members and police officers together to shape new policy and procedures relative to biased policing. Four subcommittees were established to focus on training, youth issues, policy/procedures, and data collection.

Several types of training were implemented, including cultural awareness training for all sworn and civilian police department employees. In addition, all officers received instruction on Stop & Frisk and the Fourth Amendment and all patrol officers who engage in street level narcotics enforcement attend 24 hours of training emphasizing proper development of reasonable suspicion and probable cause. When officers are promoted to their first supervisor position (corporal and sergeant), they are now required to attend a mini-academy that includes a section on biased policing. The DPD training program was so successful the Colorado Police Officer Training and Standards Board (POST), Colorado Regional Community Policing Institute (CRCPI) and Anti-Defamation League (ADL) adopted it into the statewide training program now mandated by legislation.

It is emphasized that, “while certainly a significant component of the process, data collection was conceived as part of a much broader effort to create a dialogue concerning this significant community issue” (8). The data will be used within the context of community oriented policing practices, in order to identify and examine patterns of potential concern, as well as to improve police-community relations and the effectiveness of policing activities.

Amount of space devoted to community relations issues: Approximately one and a half pages.

Title: “Preliminary Summary Report: Denver Police Department Contact Card Data: June 1, 2001 through August 31, 2001”

Authors: Prepared by Dr. Deborah Thomas, University of Colorado at Denver; Statistical Significance Testing by Rick Carlson, Metropolitan State College

Research Affiliation: University of Colorado at Denver

Time Period Covered: June 1, 2001 through August 31, 2001

Geographical Scope: City and County of Denver, Colorado, which includes six Districts and 71 Precincts

Population Studied: Drivers and pedestrians stopped by officers of the Denver Police Department

Data Collection Methods: Denver Police Department officers recorded data on Scantron contact cards

Events Studied: 55,524 contact cards from 39,400 traffic stops and 14,974 pedestrian stops: date, time, precinct, perceived race/ethnicity (Unknown, Asian, African-American, Hispanic, American Indian, Middle Eastern, White), age, gender, residence, reason for stop, action taken, search, contraband, duration, sheriff's office, off-duty.

Data Analysis Methods: Comparison data was not used for analysis in this preliminary report. Instead, each data element was summarized and described using a table, graph and maps. Differences in the numbers and percentages between groups were tested for statistical significance using Chi Square analysis.

Conclusions about nature or extent of racial profiling: It was stated that it was too soon to draw reliable conclusions.

All differences were statistically significant except for those in seized contraband. Maps show that traffic contacts are most dense on the two interstates, whereas pedestrian stops are concentrated in the central portion of the city. The race/ethnicity was known eleven percent of the time prior to a traffic stop, and 80 percent of the time prior to a pedestrian stop. For traffic stops, the number and percentage of Whites stopped (49 percent) was significantly higher than for either Hispanics (30.3 percent) or African-Americans (16.8 percent). However, for pedestrian stops, the percentages of Whites, Hispanics and African-Americans are nearly the same. The numbers of Asian, American Indian and Middle Eastern people stopped were very low in comparison, so they were not reported in many of the tables, graphs and maps.

Traffic and pedestrian stops of Hispanics occurred mostly in the western and northwestern portions of Denver, while those of African-Americans occurred mostly in the northeast section. Traffic stops of Whites occurred most frequently along the interstate corridors and downtown, and pedestrian stops of Whites occurred mostly along Colfax and downtown.

The largest numbers of people stopped for traffic stops were in the 19-21 age range, and the amount of stops decreased steadily with older ages. For pedestrian stops, the two age peaks were the 17-20 and 40-41 year old ranges.

The number of traffic stops during the day was two to three times the number of stops at night. The number of pedestrian stops was essentially the same during the day and at

night. Most traffic and pedestrian stops were 10-19 minutes in duration. The second most common duration time of traffic stops was less than five minutes, and a higher percentage of Whites experienced these stops. The duration of pedestrian stops was nearly identical for all racial/ethnic groups.

The most common reason for traffic stops was moving violations, especially for Whites. Hispanics were more likely than other groups to be stopped because of observation. Most Whites and Hispanics received a citation following a traffic stop, whereas most African-Americans received a field interview. The majority of pedestrian stops was due to observation, and resulted in a field interview. The next most common action for Hispanic and White pedestrians was a citation, and for African-American pedestrians was an arrest.

Searches were concentrated in the center of the city. Hispanics and African-Americans were more likely to be searched than Whites. Hispanics were searched for traffic stops more, and African-Americans for pedestrian stops. For traffic searches, contraband was seized from Whites 17.6 percent of the time, 19.6 percent from African-Americans, and 10.4 percent from Hispanics. For pedestrian searches, contraband was seized 28.4 percent of the time, with the same racial pattern in hit rate as for traffic searches.

Any Data from Oregon? No

Web Link:

<http://www.denvergov.org/admin/template3/forms/DPD%20BP%20Preliminary%20Report.pdf>

Additional Web Links:

- The Denver Biased Policing Task Force is comprised of four subcommittees that focus on policy/procedures, data collection, training and youth. Learn more about this Task Force at <http://www.denvergov.org/Police/template19843.asp>
- The Task Force elected to pursue “mission driven comparisons” as comparison data for their analyses of stop data. An overview of these recommendations is available at <http://www.denvergov.org/admin/template3/forms/Committee%20recommendations.pdf>

Notes: Less than half of all people stopped for traffic stops, and just over 70 percent of those stopped for pedestrian stops, were residents of Denver.

Community Relations: See this section on review of “First Annual Report: Denver Police Department Contact Card Analysis”

NEBRASKA

Title: “Traffic Stops in Nebraska: A Report to the Legislature on Data Submitted by Law Enforcement per LB593:2001”

Authors: Curtis, Overton, Shepard, Comer

Research Affiliation: Nebraska Crime Commission

Time Period Covered: 2002 and 2003

Geographical Scope: The State of Nebraska.

Population Studied: Motor vehicle drivers in the State of Nebraska.

Data Collection Methods: Standardized forms were provided to all law enforcement agencies in Nebraska. Summary data from an agency is reported quarterly to the Nebraska Crime Commission. 237 agencies submitted reports in 2002 and 218 in 2003.

Events Studied: Motor vehicle stops including information on:

- number of motor vehicle stopped
- race/ethnicity of the driver stopped (as perceived by the officer)
- if a law violation, the nature of the alleged violation
- whether warnings or citations were issued, arrests made, or searches conducted

Data Analysis Methods: Analysis of stop data by year.

Conclusions about Nature or Extent of Racial Profiling: Findings include:

- Less than 1% of all stops involved a criminal code violation but over 3% of stops involving Native Americans were for criminal violations
- Less than 2% of stops resulted in an arrest but there were large variations by race
- 9.3% of Blacks stopped were taken into custodial arrest
- Hispanic and Native Americans were arrested more than 3 times the general population
- Minority drivers were more often searched following a stop

Authors state, “We cannot say definitively whether there is or is not racial bias in traffic stops, we can only point to seeming disproportionality. In other words, it is not difficult to measure whether there is disparity between racial/ethnic groups in stops made by police; the difficulty comes in identifying the causes for the disparity and whether or not it is racially biased.”

Web Link: http://www.ncc.state.ne.us/pdf/stats_and_research/04_traffic_stop.pdf

Additional Web Links: No.

Mention of Oregon: No.

Additional Information: The Nebraska Legislature passed an act in 2001, requiring law enforcement to collect, record, and report data on traffic stops. The aggregate data does not allow for looking at individual stops or tracking by individual police officer. In Law Enforcement Contacts Policy and Data Review Committee 2005 Annual Report

addition, agencies must provide the Nebraska Crime Commission with allegations of racial profiling received and the disposition of the allegation. Both the officer and complainant were kept anonymous.

KANSAS

Title: “Racial Profiling Study and Services: A Multijurisdictional Assessment of Traffic Enforcement and Data Collection in Kansas”

Authors: John C. Lamberth, PhD

Research Affiliation: The Police Foundation; Lamberth Consulting, LLC

Time Period Covered: Varies. Mostly four-month periods in 2001 and 2002.

Geographical Scope: Within a two-block radius of the intersections that were benchmarked and on selected portions of highways. All are located in Kansas and within one or more of the participating jurisdictions.

Population Studied:

- Drivers stopped by seven law enforcement agencies throughout Kansas
- Drivers recorded by benchmark surveyors

Data Collection Methods:

Ten law enforcement agencies were selected for this study, including the Kansas Highway Patrol. Overland Park was selected because it had already collected stop data and thus served as the pilot site for the study. The other eight agencies were randomly selected from within small (25 or fewer officers), medium (26-149 officers) and large (more than 150 officers) agencies statewide. One agency declined to participate in the study, and two agencies provided incomplete or inconclusive data, due to officer resistance, misinterpretation of training and other considerations. Therefore, only seven of the ten selected agencies’ data could be analyzed.

All agencies were also surveyed to collect complaint data and written policies regarding racial profiling. The returned surveys were placed in computer-readable format and analyzed. A copy of this survey is included in pages 150-162 of the report.

The Kansas Highway Patrol funded the procurement of stop-data forms and the study team provided a “train-the-trainer” session at no additional cost. The train-the-trainer program was designed because so few of the agencies had experience collecting stop data. The program was specifically targeted towards the Kansas study. Trainers from all participating agencies were provided with instructor materials, corresponding participant materials, and instruction on how best to deliver the content of the class. It was also meant to ensure a baseline comprehension of the course content in each department and to develop training contacts between the facilitator and the trainers.

The end-user training course (the course that the trainers presented at their own departments) included overview information on racial profiling, specific information about the components of stop-data programs, the officer's role in collecting stop data, and a review of the stop-data forms. Agencies were instructed to call upon researchers for clarification or support.

It was determined that four months of stop data collection would be the minimum amount of time needed to supply a sufficient sample size for departments. In hindsight, it was understood that a longer data period may be needed for small and medium departments in order to have an adequate sample size.

Collection of Benchmark Data

The racial/ethnic make-up of the driving population within each selected agency's jurisdiction was assessed through stationary and rolling surveys of the transient population in specific locations.

Law enforcement agency personnel assisted in selecting the survey locations for benchmarking. Those locations selected had relatively high transient populations, were patrolled frequently and were locations where police stops were frequently made. Other criteria considered include traffic patterns and surveyor accessibility. Specific locations were identified as follows: for highways, direction and mile marker; for urban areas, street and nearest cross street. The number of locations selected varied from three to ten, and were representative of police activities in all areas of each city, except in the case of the Kansas Highway Patrol, who specifically chose areas in which they thought racial profiling was occurring.

The times that the roadways were sampled were randomly selected, but the surveys took place both day and night and for a long enough period to ensure large sample sizes. A survey schedule was developed, and surveying time periods at specific locations lasted from 25 to 135 minutes per session.

Teams of surveyors were hired and trained. The two-day training session consisted of: an overview of the purpose of the study; an explanation of the survey method, schedule, and roles; and hands on practice in the field, using the actual data sheets developed for the survey and with guidance, review and feedback.

Each survey team was comprised of one team leader (who also acted as a surveyor) and one surveyor. Stationary surveys were conducted at all intersections and on two highway locations. Each surveyor captured data for traffic moving in one direction. They recorded data for one lane at a time and alternated lanes.

Rolling surveys were conducted on highways. A team of two surveyors traveled in a moving car that drove in the middle or right lane. The car would then exit the highway and proceed in the opposite direction, and the process would be repeated for the duration of the time allotted for surveying.

Some pedestrian benchmarking took place on a stretch of a road in Kansas City. Between 8:00 p.m. and 2:00 a.m., surveyors drove a car in two-hour shifts, taking notes on pedestrians on both sides of the street.

After completion of these surveys, recorded data was input into SAS/STAT software for future comparison to traffic stop and/or ticket data. Benchmarking quality assurance activities were conducted by the researchers and survey team leaders throughout the duration of the surveys. Some quality assurance activities include the following: inter-rater reliability tests (esp. in areas where there were high concentrations of Hispanics) to measure the extent to which surveyors uniformly perceived race; ongoing status meetings; post-survey reviews; periodic reviews of captured data to ensure that the data sheets were properly catalogued and filed; and data entry reviews.

Events Studied:

For benchmark data:

- Race/ethnicity (Asian, Black, Hispanic, White, Other, Unknown), sex, and age (under 30, 30-59, 60 and older) of driver
- Kansas license plate county designation (county tag) of cars

All but one jurisdiction (Overland Park) collected the same information as the benchmark data on stops and citations, although those conducted within a two to three-block radius of benchmark locations were the only ones used in analysis. Overland Park did not report ethnicity on their citations, but did report it on traffic stops not resulting in a citation.

Seven of the ten participating agencies returned the survey including the following information:

- The number of citizen complaints of police misconduct (unnecessary/excessive force, rude/discourteous behavior, illegal/unlawful search or seizure, harassment, false arrest, abuse of authority, conduct unbecoming an officer, racially abusive treatment)
- Methods used to inform citizens about the complaint process (posters, flyers, newsletters, public service announcements, citizen complaint/information hotlines, department Web sites)
- Ways citizens can file complaints of police misconduct (anonymously, through mail, over the telephone to the main department number, over the telephone to a separate or special number, in person, by the department Web page)
- Personnel who are authorized to accept complaints from citizens (any employee, any sworn personnel, only a sworn supervisor)
- Types of assistance provided to complainants by departments (complaint forms, bilingual complaint forms, completion of forms by officers or civilian personnel, assistance to non-English speaking persons, copies of complaints for the citizens, informing of citizen of the final disposition of the complaint, informing of citizen of any disciplinary actions taken against officers)
- Requirements of citizens filing complaints (sign, swear to, certify, notarize the complaint)
- Policies and training related to issues of racial profiling (whether or not they have a written directive/policy prohibiting illegal profiling; whether or not the directive

also includes corrective measures if profiling occurred; whether or not training addressing profiling issues was provided to department personnel)

Data Analysis Methods:

In daylight, the inter-rater reliability of benchmark surveyors was .93. In dusk or dark conditions, it was .84 overall, and .83 for situations in which there were a large percentage of Hispanics under low light conditions. These measurement errors were considered when statistical analyses were computed. Pedestrian stops were not included in the report's analysis due to insufficient data.

Separate analyses were conducted for Blacks and Hispanics. They computed chi-square, as well as odds-ratio, analyses on the number of minorities in the benchmark data compared to the number stopped. When there were small numbers of one group or another, Fisher's Exact Test (FET) was used instead of chi-square.

Whereas odds ratios between 1.0 and 1.5 were considered benign, odds ratios of 1.5 to 2.0 suggested that targeting may have been occurring. Those of over 2.0 or under .75 needed to be seriously considered by the police and the community.

Meetings were held in which preliminary results were shared with the chief or sheriff of each department and they were asked to consider any special circumstances, enforcement activities, or strategies that may have impacted the results for their jurisdiction. Every suggestion was "carefully considered for plausibility and, if possible, was checked by additional inspection or analysis of the stop database" (35).

It is noted that, "unfortunately, at this time there is no way to know that all stops are being recorded accurately" (144).

Conclusions about nature or extent of racial profiling:

It is stated that "the results of this study demonstrate, by and large, that the State of Kansas is experiencing profiling of Hispanic and Black motorists. [. . .] Seven assessed agencies had evidence of at least one of these two groups being targeted by police in traffic stops" (2). Hispanics appear to be targeted more than Blacks in Kansas, particularly in the central portion of the state. Researchers found no evidence indicating that members of minority groups were more likely to violate traffic laws.

Conclusions for each participating jurisdiction:

Overland Park: Blacks were being stopped at a statistically significantly higher rate than should be expected in nine of the ten locations studied. The odds ratios at all ten locations were above 1.0.

Wichita: There was some evidence that the Wichita police were targeting Black motorists, but this problem was a moderate one overall (overall odds ratio: 1.76). The data strongly suggested that the Wichita police were not targeting Hispanics.

Kansas City: No conclusions could be drawn from the limited data the researchers were able to obtain from this jurisdiction.

Emporia: There was no evidence to suggest that Emporia police were targeting Black

motorists (overall weighted odds ratio: .70). However, the data strongly suggested that they were targeting Hispanic motorists, for which all odds ratios were above 2.0 and the weighted odds ratio for all locations was 2.85. It is stated that “this disparity was not explained by any special enforcement priorities [. . .] and is therefore evidence of ethnic profiling” (81).

Olathe: There was evidence from both analyses that racial profiling was occurring in Olathe (overall odds ratio: 1.93, but with two locations above 2.0 and one above 3.0). It is also quite likely that the Olathe police were targeting Hispanics (overall odds ratio: 2.28).

Hutchinson: The number of stops reported was much lower than would be expected based on their citation data. The Hutchinson PD knew of no reason why the number of stops was so low. In addition, many of the forms did not report race/ethnicity due to misinterpretation of training. No conclusions could be drawn about racial/ethnic profiling.

Osage County: The race (Black) disparities, because they occurred at the location with the fewest stops and involved a small number of stops of Black motorists, were not conclusive (overall odds ratio: 3.89). There were, however, very large disparities in the stopping of Hispanic motorists in the two locations with the largest numbers of stops (overall weighted odds ratio: 5.32). This disparity is totally unexplained. It is concluded that “there is evidence of profiling of Blacks and substantial evidence of profiling of Hispanics” (105).

Park City: There was no evidence of disparities of Black motorists stopped by this police department (overall weighted odds ratio: 0.29). However, there were substantial disparities of Hispanics stopped (overall odds ratio: 2.92). The police department explained that a plant, which employed a substantial number of Hispanic workers in the area, had opened up subsequent to the benchmarking surveys. In addition, an officer, who had been assigned for retraining for aggressive enforcement and who had subsequently resigned, had accounted for 39 percent of the stops of Hispanics. Because this is a small department, these events could have influenced the overall proportion of Hispanic motorists stopped. The researchers still cautioned this department to be aware of the possibility of the targeting of Hispanic motorists by their officers.

Marysville: Subsequent to its selection as a site for this study, Marysville, already a small department, lost approximately one third of its officers. This had profound effects upon the amount of data collected, which made it impossible to draw conclusions.

Kansas Highway Patrol: The overall odds ratio for Blacks was 3.03, and for Hispanics was 3.12. These were determined to be serious disparities.

None of the agencies provided bilingual complaint forms. All large departments allowed for anonymous complaints, and the rates went down with agency size. Conversely, none of the large agencies provided information on discipline imposed as a result of the complaint, whereas some of the small and medium agencies did. In sum, policies and practices for complaints varied substantially across agencies, with size appearing to be the most influential factor on complaint policies and practices.

While some agencies did provide training on racial profiling, only one agency actually had a written directive on profiling.

Any Data from Oregon? No

Web Link: http://www.racialprofilinganalysis.neu.edu/IRJ_docs/KS_2003.pdf

Additional Web Links

- The Police Foundation: <http://www.policefoundation.org>

Notes:

- This study was done due to legislative mandate, and the Kansas legislature prohibited identification of individual officers and motorists. The Police Foundation was awarded a contract and subcontracted with Lamberth Consulting, LLC.
- Racial profiling is defined as “selectively stopping, questioning, and searching people on the basis of arbitrary minor offenses and the color of their skin” (xv).
- A map, displaying the cities and highways of Kansas, was included, along with maps of the benchmark locations for each jurisdiction.
- The report for Overland Park, the pilot of this study, was submitted in April 2001 and is incorporated into this report.
- Overall, surveyors in the benchmarking process categorized 65,062 car drivers, of which 97.7 percent were race identified.

Community Relations

Issues addressed: Survey on complaints/policies/training

It is stated that “police administrators should proactively institute and enforce strong policies governing conduct” (xvi), and collect and analyze data on police-citizen contacts such as complaints, use of force incidents, and traffic stops. They propose a holistic approach that includes assessment of racial profiling, effective training of law enforcement, and communication with the stakeholder communities and groups affected by the practice.

An eight-page survey was used to collect information on the participating law enforcement agencies’ complaint data and racial profiling policies and training. This survey was a modified version of the instrument developed by the Police Foundation for a national study on use of force and complaints received in 1991 by law enforcement agencies.

Amount of space devoted to community relations issues: Approximately 25 pages. Pages 128-140 of the report go into the most detail.

TEXAS

Title: “Racial Profiling Data Analysis Study: Final Report for the San Antonio Police Department”

Authors: Dr. John C. Lamberth

Research Affiliation: Lamberth Consulting

Time Period Covered: Stop data was collected by the San Antonio Police Department (SAPD) from January 1, 2002 through December 31, 2002. Benchmarking surveys took place between June 22, 2003 and August 8, 2003.

Geographical Scope: The city of San Antonio, Texas.

Population Studied: Drivers and pedestrians stopped by San Antonio Police Officers.

Data Collection Methods: Stop data were collected on forms by San Antonio Police Officers subsequent to stopping a vehicle or pedestrian. Benchmark data was collected by trained traffic surveyors at 41 pre-determined sites within the City of San Antonio on randomly selected days and times. The sites were selected based on a high number of stops at each, traffic patterns, and accessibility for traffic surveyors. Both rolling and stationary surveys were conducted.

Events Studied: Tier 1 data (information in which a citation is issued subsequent to a traffic stop) and Tier 2 data (information subsequent to a traffic or pedestrian stop) were collected. Tier 1 variables include race, ethnicity, whether a search was conducted, and whether an individual consented to the search. Tier 2 variables include gender, race and ethnicity, reason for the stop, whether a search was conducted, whether the individual detained consented to a search, whether contraband was found, whether probable cause to search existed, whether an arrest was made, street address of the stop, and whether a warning or citation was issued after the stop. In addition to the mandated variables, SAPD working groups opted to capture the duration of the stop and capture an individual's race/ethnicity by officer's perception rather than self-report.

Data Analysis Methods: Data from the benchmark surveys were entered into SPSS for comparison against stop data. Odds-ratio analysis and chi-square analysis were conducted separately for Black and Hispanic populations. Odds-ratios between 1.0 and 1.5 were considered benign. Ratios between 1.5 and 2.0 indicated a review of stops at a specific location may be warranted. Ratios greater than 2.0 suggest potential targeting of minority drivers and pedestrians. Odds ratios for the Hispanic population were adjusted according to the decrease in inter-rater reliability when surveying this population. Ratios between 1.0 and 1.7 were considered benign, ratios between 1.7 and 2.2 indicated a review of stops may be warranted, and ratios above 2.0 indicated potential targeting.

Conclusions about Nature or Extent of Racial Profiling: Of the 39 odds-ratios calculated for Black individuals, 3 were less than 1.0, 5 were 1.0, 13 were between 1.5 and 2.0, and 4 were above 2.0. The overall odds-ratio for stops of black motorists by the San Antonio Police Department was 1.3 (one of the lowest for Black motorists seen in analyses around the country). The author concluded that there is no racial profiling by the SAPD in the stops of Black motorists going on overall, though, there are certain locations

in the city that should be reviewed due to higher odds-ratios. Of the 39 odds-ratios calculated for Hispanic motorists, 13 were 1.0 or less, 18 were between 1.1 and 1.7, 6 were from 1.8 to 2.2, and 2 were higher than 2.2. The overall odds-ratio for Hispanics is 1.2, leading the author to conclude that no overall profiling is occurring. Searches following a stop were also broken down by race and type of search. Though there were disparities by race, the author cites several variables that could be contributing to such differences. The lack of search benchmark data is also troublesome in making definitive statements about targeting minorities during police searches. Lastly, the duration of stops (in minutes) was greatest for Whites and least for Blacks.

Web Link: http://www.sanantonio.gov/sapd/pdf/LamberthSanAntonioRpt_2003.pdf

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: Collection efforts were legislatively mandated in the State of Texas.

Author cites the need for future research in the field of driving behaviors amongst different racial and ethnic groups.

The San Antonio Police Department provided community representatives with information about the research project at its onset.

Title: “SAPD Racial Profiling Information Full of Flaws”

Authors: Not mentioned.

Research Affiliation: WOAI: San Antonio News

Time Period Covered: Not mentioned.

Geographical Scope: San Antonio, Texas.

Population Studied: Not mentioned.

Data Collection Methods: Not mentioned.

Events Studied: Analyzed the San Antonio Police Department’s traffic stop data report.

Data Analysis Methods: Analyzed over 154,000 traffic tickets issued in 2002 that were included in the SAPD study. They found that 26% of the tickets listed a race that was different than the individual’s race as listed in their municipal court file.

Conclusions about Nature or Extent of Racial Profiling: This article questions the results of the SAPD traffic stop data report and the subsequent conclusions that were made about racial profiling in San Antonio. The investigative reporter interviewed several individuals who had received tickets in which their race was coded incorrectly. Some of the errors seemed large, for example, a Caucasian individual from Louisiana being recorded as a black individual. The reporter suggests that the “errors” may be an attempt on the part of the SAPD to meet certain quotas and downplay any existence of racial profiling. A chief in the SAPD denied the allegations.

Web Link: http://www.woai.com/troubleshooters/story.aspx?content_id=D4E4

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: None.

Title: “Texas Department of Public Safety: 2002 Annual Traffic Stop Data Report”

Authors: Texas Department of Public Safety (DPS)

Research Affiliation: See above

Time Period Covered: January 1, 2002 – December 31, 2002

Geographical Scope: The State of Texas

Population Studied: Drivers in Texas

Data Collection Methods: Not mentioned.

Events Studied: Traffic stops made by troopers with the Texas Department of Public Safety. Information about stops, drivers license state, citations, warnings, arrests, searches, and drug interdiction was collected.

Data Analysis Methods: 2000 US Census Data were used to determine the ethnic breakdown for the Texas population which served as the benchmark estimates.

Conclusions about Nature or Extent of Racial Profiling: The report does not contain any written conclusions about the nature or extent of racial profiling by the Texas DPS. Graphs and tables of the data are included but no interpretation is provided.

Web Link:

http://www.txdps.state.tx.us/director_staff/public_information/trafrep2002totals.pdf

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: Senate Bill 1074 was passed during the 77th Regular Session of the Texas Legislature requiring law enforcement agencies to collect specific traffic stop data to report it annually.

A supplement to the annual report is issued each six months (the end of June and end of December) by DPS to keep interested parties informed on department activities.

Title: “Racial Profiling Charges: How Should Texas Respond?”

Authors: Kellie Dworaczyk, Research Analyst

Research Affiliation: Texas House of Representatives, House Research Organization

Time Period Covered: NA – published October 17, 2000

Geographical Scope: The State of Texas

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions about Nature or Extent of Racial Profiling: This report provides an overview of major issues in racial profiling, around the country and in Texas, including how to define racial profiling, whether it exists, and whether it is a negative practice. The author cites specific Constitutional Amendments and Supreme Court cases that address racial profiling. Lastly, the author examines racial profiling and policy regarding racial profiling in Texas. At the time of publishing, legislation had not been passed that prohibited racial profiling or required the collection of race stop data in Texas. It had been brought to the floor during the 76th legislature, but not adopted. However, several law enforcement agencies in Texas have begun examining the issues voluntarily.

Web Link: <http://www.capitol.state.tx.us/hrofr/focus/racial.pdf>

Additional Web Links: <http://www.aclu.org/profiling>

Mention of Oregon: No mention.

MINNESOTA

Title: “Minnesota Statewide Racial Profiling Report: All Participating Jurisdictions”

Authors: Staff of the research affiliations listed below

Research Affiliation: Institute on Race and Poverty, University of Minnesota; Council on Crime and Justice

Time Period Covered: January 1, 2002 through December 31, 2002

Geographical Scope: 65 law enforcement jurisdictions in Minnesota

Population Studied: Drivers stopped by officers of a participating agency

Data Collection Methods: Departments were instructed to have officers fill out a form for each traffic stop. Most jurisdictions filled out paper forms, but five used computers located in squad cars. Data were submitted to the Department of Public Safety (DPS) regularly throughout the duration of the data collection period. Written instructions were provided by DPS and a voluntary training that reviewed these instructions was offered and attended by 25 law enforcement representatives.

In addition, each participating jurisdiction was sent a questionnaire designed to elucidate possible explanations for racial patterns that might emerge in the data that they collected. A copy of this questionnaire can be found on pages 32-33 of the report.

Events Studied: 194,189 recorded traffic stops in participating jurisdictions, which includes 31 city police departments, 33 county sheriff’s departments, and the Leech Lake Indian Reservation:

- location; date; time;
- age of driver (recorded as year of birth); gender of driver; race/ethnicity of driver (American Indian, Asian, Black, Latino, White);
- reason leading to stop (dispatch, driving violation, equipment violation, registration violation, other); disposition of stop (arrest, citation, warning, no action);
- whether a search was conducted of the driver, passengers or vehicle; authority for the search (driver’s verbal permission, consent to search form signed by driver, ensuring the officer’s safety, officer observed contraband, incident to arrest); whether or not any contraband was discovered; nature of the contraband;
- whether or not the officer knew the race/ethnicity of the driver prior to the stop; the officer’s law enforcement agency

Note: 911 calls were not considered a traffic stop for the purpose of this study, since they are not officer-initiated.

Data Analysis Methods: The estimated driving population in each jurisdiction was calculated using primarily 2000 U.S. Census population counts by race/ethnicity for persons of ages 16 to 85 in each jurisdiction. The racial categories used by the census differ from those listed on the traffic stop forms, so it was necessary to “bridge” them in order to directly compare the two data sets. For a description of this process, see page 35 of the report.

The absolute and relative differences between the number of actual stops and the number of expected stops for each racial/ethnic group were calculated, by jurisdiction, and presented in tables.

In addition, relative differences between observed and expected values for each race/ethnicity were computed for all of the following:

- Central cities (defined by the census)
- Metro counties (those inside a census defined metropolitan area)
- The city of Minneapolis (separated from other central cities because of the much larger number of stops recorded in Minneapolis in 2002)
- Rural counties (those not in census defined metropolitan areas)
- Small cities (municipalities inside census defined urban areas, but outside census defined metropolitan areas)
- Suburbs (municipalities in metropolitan areas that are not census defined central cities)
- Towns (municipalities outside of census urban areas)

The racial demographics of the stopped populations were compared, by jurisdiction, to the racial demographics of each of the following:

- those stopped for a particular reason
- those searched
- dispositions of stops

Passenger searches were not included in the analysis because the traffic stop forms did not require officers to provide information about the race/ethnicity or other characteristics of passengers subjected to searches.

Relative differences were analyzed between observed and expected discretionary searches. Discretionary search hit rates, by race and jurisdiction, were also analyzed and compared to discretionary search rates as well as the general population.

It was explained that discretionary searches are those whose reason was one of the following: driver’s verbal permission, consent to search form signed by driver, or ensuring the officer’s safety. Incident to arrest searches that did not result in arrest were categorized as “discretionary” or “non-discretionary” according to a process outlined on page 54.

Calculations were presented of how many fewer minorities would have been stopped or searched if their stop and search rates were consistent with those of other racial groups. For example, it is stated that, “if Blacks stopped in Minneapolis had been subjected to discretionary searches at the same rate as all stopped drivers, 1,053 fewer Blacks would

have been searched” (2).

Due to limited resources, the analysts were able to map traffic stop data within only ten jurisdictions (five police departments and five sheriff’s departments). A list of the ten jurisdictions can be found on page eight of the report, and the maps can be found in the jurisdictions’ individual reports.

The researchers analyzed whether the racial demographics of stopped drivers varied by whether the officer reported knowing the race/ethnicity of a driver prior to making a stop. However, many cautions are listed in interpreting the results of this analysis (see page 36). First, they evaluated whether responses to this question varied by jurisdiction. Then they evaluated whether answers to this question varied between 10 a.m. – 4 p.m. (daylight hours) and 10 p.m. – 4 a.m. (night). Finally, they evaluated whether the rate at which officers responded to this question varied by race/ethnicity of the driver.

Detailed information on the data auditing process used can be found on pages 29-31 of the report.

Conclusions about nature or extent of racial profiling: Black, Latino and American Indian drivers were stopped and searched at greater rates, with lower hit rates, than white drivers.

On average, the reason for stop did not differ dramatically by race. However, some differences were noted. The extent to which a given reason for a stop was used varied substantially from jurisdiction to jurisdiction. This speaks to “the great variability among law enforcement policies and practices across jurisdictions” (14).

Variation was found in the rates at which officers of the agencies reported knowing the drivers’ race/ethnicity prior to stopping them. A pattern in “yes” rates that would suggest an enforcement-related reason for this variation was not found. On average, the “yes” rates were higher during the daylight period. However, nine of the 65 agencies recorded higher “yes” rates during the nighttime period. There was no indication that responses varied based on the race/ethnicity of the driver.

It is stated that “these patterns suggest a strong likelihood that racial/ethnic bias plays a role in traffic stop policies and practices in Minnesota. The same is true for the searches that result from these stops. Taken together, these patterns warrant serious examination” (2). It is added that, “while the magnitude of relative differences varies across jurisdictional types, the pattern is fairly consistent” (12), and not necessarily isolated to the participating jurisdictions.

Any Data from Oregon? No

Web Link: <http://www1.umn.edu/irp/racialprof/aggregate%20report%2092303.pdf>

Additional Web Links: To access individual reports for each jurisdiction, visit:

<http://www1.umn.edu/irp/mnrpreport.html>

Notes:

In 2001, the Minnesota Legislature enacted a statute providing for a racial profiling study. Minnesota law enforcement agencies were given the option of participating in the study. Those that did participate were at least partially compensated for the cost of participation and received additional state money for the purchase and installation of video cameras in their police vehicles. The statute specified data elements to be recorded for each traffic stop.

Suggestions for data collection include: use of scanable data collection forms; inclusion of residence of the stopped driver so that the data collected and the driving population baseline are more compatible; creation of categories of “reason for stop” and “authority of search” that more clearly delineate high and low discretion decisions; inclusion of whether or not an arrest warrant was involved; more information on passenger searches; correlation of the data with the particular officers, or at least unit or district, making the stops; and inclusion of an effective and independent auditing mechanism to insure the accuracy of the data.

Community Relations

Issues Addressed: Terminology, communication and involvement with community

It is noted that the National Organization of Black Law Enforcement Executives (NOBLE) suggests that “bias-based policing” is a more accurate term for the scope of activities commonly referred to as racial profiling (see page seven). The Police Executive Research Forum (PERF) recommends the term “racially biased policing.”

It is stated that it is critical that public officials engage the community, particularly communities of color, in constructive conversation in order to better understand and possibly augment the issues raised in the report. Several recommendations for all jurisdictions in the state are offered, including:

- Involve the community, especially communities of color, in sustained participation in the review of the study and the fair and effective identification of problem areas
- Involve local elected officials
- Hold community forums
- Examine departmental policies and practices
- Examine the wide variances in practices relating to stops and searches
- Provide state-level leadership and assistance
- Provide ongoing and improved statewide data collection, which generate periodic individual reports for each jurisdiction.

Amount of space devoted to community relations issues: Approximately three and a half pages

IOWA

Title: “An Examination of Iowa State Patrol Traffic Stops 10/00 – 3/03”

Authors: Dick Moore, Director of the Iowa Division of Criminal and Juvenile Justice Planning (CJJP)

Research Affiliation: Iowa Division of CJJP

Time Period Covered: October 1, 2000 through March 30, 2002

Geographical Scope: Fifteen Posts throughout the State of Iowa

Population Studied: Drivers stopped by Iowa State Patrol (ISP) Troopers, of which there were approximately 435

Data Collection Methods: ISP designed the methodology for this study. The data collection methods were not explicitly described. However, it was mentioned that ISP vehicles are equipped with in-car audio/visual apparatus due to policies that require the recording of all contact with the driving public.

Events Studied: Traffic stops made by ISP Troopers: race/ethnicity of driver (African-American, Asian, Caucasian, Hispanic/Latino, Native American, Other, Unknown), road type (interstate, other, unknown), vehicle registration (Iowa, Non-Iowa), reason for traffic stop, contact outcome (arrest, citation, no action, warning, unknown), whether or not a search was conducted, type of search conducted (arrest, consent, officer safety, probable cause, none, unknown), whether or not contraband was seized

Data Analysis Methods:

- Compared number of stopped drivers of different races in vehicles registered in Iowa to the number of people of such races aged 16 and older within the general population of Iowa, according to the US Census (year of Census not provided)
- Compared number of stopped drivers of different races in vehicles registered in states other than Iowa to the number of people of such races aged 16 and older within the general population of the US, according to the US Census
- Cross-tabulated the following variables:
 - o Race, Reason for contact
 - o Race, Vehicle registration
 - o Race, Road type, Search
 - o Race, Road Type, Type of search conducted
 - o Race, Search, Percent with found contraband
 - o Race, Road type, Contact outcome

Conclusions about Nature or Extent of Racial Profiling:

It is emphasized that, due to data shortcomings, the data contained in the report cannot provide clear or statistically significant evidence for or against the existence of

racial profiling. The number of traffic stops of people of “unknown” race exceeds the number in each race category except for “Caucasian,” which makes conclusions difficult to draw. It is concluded that the data provides “an indication that Iowans are not more or less likely to be stopped by ISP troopers because of their race” (8), and also that the data seem to indicate that race/ethnicity may have sometimes influenced troopers’ decisions to conduct a search or issue a warning versus a formal sanction.

All people driving vehicles registered in Iowa seemed to be similarly likely to be stopped by the ISP regardless of their race or ethnicity. All, except Caucasians (who were overrepresented), driving vehicles registered in states other than Iowa also seemed to be similarly likely to be stopped.

While people of all races were usually stopped for a traffic offense, Caucasians were the most likely to be stopped for such a reason. Hispanics/Latinos were stopped for equipment violations more than other groups. African-Americans, Native Americans and, to a somewhat lesser extent, Hispanics/Latinos experienced contacts with troopers offering roadside assistance more than other groups. The data indicate little difference among races regarding traffic stops initiated as a result of complaints or inquiries of the public. The reason for contact was “unknown” for Native Americans at almost double the rate as for many other groups.

Caucasians received warnings at the highest rate and were arrested or issued a citation following the stops at one of the lowest rates. African-Americans, Hispanics/Latinos and Native Americans were arrested as the result of stops at the highest rates. Although the data indicate that relatively few people (three percent) stopped by the ISP were searched, Hispanics/Latinos were searched the most, followed by African-Americans and Native Americans. People of these races were searched more than twice as much as Caucasians or Asians. However, it is stated that this does not necessarily lead to the conclusion that race/ethnicity was the reason for such a difference. Few officer safety searches were performed, which was seen as a positive sign.

Contraband was seized in approximately 40 percent of the cases in which a search was conducted. While Caucasians may have been the least likely to be searched, the searches of Caucasians were the most likely to have found contraband. In contrast, while Hispanics/Latinos may have been the most likely to be searched, contraband was found in a significantly smaller percentage of their cases than in the cases of Caucasians or African Americans. No clear conclusions were drawn as to the reasons for such differences.

Any Data from Oregon? No

Web Link: http://www.state.ia.us/government/dps/isp/Stop_Data.pdf

Additional Web Links:

- An article published in 2001 that looks forward to this effort can be found at: <http://www.press-citizen.com/opinion/pceditorials/staffedit032101.htm>
- “A Resource Guide on Racial Profiling Data Collection Systems – Promising Practices and Lessons Learned,” issued by the U.S Department of Justice (DOJ) in 2000: <http://www.ncjrs.org/pdffiles1/bja/184768.pdf>
- “How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation

- Depends on it!" issued by the U.S. DOJ, Office of Community Oriented Policing Services in 2002: <http://www.cops.usdoj.gov/default.asp?Open=True&Item=770>
- "Characteristics of Drivers Stopped by Police, 1999" issued March 2002 by the Bureau of Justice Statistics: <http://www.ojp.usdoj.gov/bjs/abstract/cdsp99.htm>
 - "Traffic Stop Data Collection Policies for State Police, 2001" issued December 2001 by the Bureau of Justice Statistics: <http://www.ojp.usdoj.gov/bjs/abstract/tsdcp01.htm>
 - "Racially Biased Policing: A Principled Response" issued in 2001 by the Police Executive Research Forum: <http://www.policeforum.org/racial.html>
 - Online copy of CJPJ report along with Colonel Robert O. Garrison's initial thoughts upon release: www.iowastatepatrol.org

Notes:

- The ISP voluntarily decided to collect this data
- Included with the report are:
 - o A letter from Colonel Robert Garrison, Chief of ISP, as well as several pages from his presentation outlining the Department of Public Safety's commitment to investigating complaints of racial profiling brought by motorists, which includes an overview of complaints from October 2000 to April 29, 2003.
 - o A one-page comparison between the International Association Chief's of Police Model to Eliminate Racial Profiling Within Police Agencies and the Iowa State Patrol Policy and Practices
 - o A document explaining the ISP procedures for receiving and investigating complaints

Community Relations

Issues addressed: Guidelines and Practices, training

The ISP Guidelines and Practices is included in the report. There was a Memorandum in February 2000 which strengthened prohibition of racial profiling. ISP requires each trooper to attend a 20-week basic academy along with annual in-service training, which includes the topics suggested by the International Association Chiefs of Police (IACP). ISP troopers are trained in Verbal Judo and receive annual training related to search and seizure. ISP continually monitors troopers' activities through supervisory "ride-a-longs" and review of their investigative reports. Troopers are instructed to issue a formal written warning or citation to document each contact. ISP vehicles are equipped with in-car audio/visual recording equipment in order to record all contact with the motoring public.

Amount of space devoted to community relations issues: Approximately half of a page.

MISSOURI

Title: “Executive Summary on 2003 Missouri Traffic Stops”

Authors: Jay Nixon

Research Affiliation: Missouri Attorney General

Time Period Covered: 2003

Geographical Scope: The State of Missouri – 616 law enforcement agencies in Missouri reported.

Population Studied: Drivers in Missouri.

Data Collection Methods: Each peace officer in Missouri is required to report information including a driver’s race for each traffic stop he or she makes in the state. Law enforcement agencies are required to report the data to the Attorney General’s Office by March 1 of each year and the Attorney General is required to compile the data in a report for the Governor by June 1 of each year. The Governor may withhold state funds for agencies that don’t comply with these procedures.

Events Studied: Traffic stops.

Data Analysis Methods: 2000 census statistics were used to establish population estimates for The State of Missouri. A “disparity index” was used to relate each race/ethnic group’s proportion of total traffic stops to its proportion of the population age 16 and older. A disparity index value of 1 indicates that a group’s proportion of traffic stops is equal to its proportion of the population. Index values greater than 1 indicate over-representation and index values under 1 suggest under-representation. Second, disparities in “search rates” were analyzed by dividing the number of searches by the number of stops for each race. The third method of analysis was determining the contraband hit rate for each race and the fourth analysis involved determining arrest rates by race.

Conclusions about Nature or Extent of Racial Profiling: The disparity index for whites was .97 and was 1.36 for African-Americans. Asians, American Indians, and individuals of mixed or unknown race had a disparity index below 1, while Hispanics had an index value slightly over 1. Asians were searched at rates below the state average of 7.78%. African-Americans, Hispanics, and American Indians were searched at rates above the average. Results showed that searches of African-Americans and Hispanics produced less contraband, on average, than searches of whites. Approximately 9% of African-American and Hispanic stops resulted in an arrest, while only 5% of white stops resulted in an arrest.

The author concludes that the 2003 data show disparities in stop and search rates but also notes that statistical disproportion does not necessarily prove that officers are stopping motorists based on race or ethnicity.

Web Link: <http://www.ago.mo.gov/racialprofiling/2003/racialprofiling2003.htm>

Additional Web Links: <http://www.ago.mo.gov/racialprofiling/2003/report1.pdf>
<http://www.ago.mo.gov/racialprofiling/2003/report2.pdf>

Mention of Oregon: No mention.

Additional Information: State law Section 590.650, RSMo(2000) was enacted on August 28, 2000, requiring that all peace officers in Missouri report information including a driver's race, for every traffic stop made.

Title: "2000 Annual Report to the Attorney General"

Authors: Unknown

Research Affiliation: Unknown

Time Period Covered: Used for reporting stops from August 28, 2000 – December 31, 2000.

Geographical Scope: Missouri

Population Studied: Drivers

Data Collection Methods: Unknown

Events Studied: Traffic stops.

Data Analysis Methods: Unknown

Conclusions about Nature or Extent of Racial Profiling: This is an example of the form used to report traffic stop data to the Missouri Attorney General's Office.

Web Link: <http://www.mopca.com/profiling/reports.htm>

Additional Web Links: Instructions that address each individual question on the form can be found at <http://www.mopca.com/profiling/instructions.htm>

Mention of Oregon: No mention.

Additional Information: None.

Title: “Racial Profiling: How Many is Too Many?”

Authors: David W. Stockburger

Research Affiliation: Southwest Missouri State University, Psychology Department

Time Period Covered: NA

Geographical Scope: NA

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: With potential punitive action pending, the statistics used to examine individual peace officers’ actions becomes very important. The author cites the following example. For a city with a minority population of 10%, proportional stops would suggest that 10 out of every 100 cars pulled over by an officer would have a minority driver. What if an officer pulled over 12 minority drivers out of that 100? Or 15? The author asks, “At what point is the number of minority stops unlikely?” The author suggests using a statistical model in the form of the binomial distribution to answer such questions. The binomial calculator is included on this article’s webpage. It will automatically calculate the probability of making a specific number of minority vehicle stops out of a total number of stops for a given minority population percentage. Two issues to consider in the use of this model are the point at which the line is drawn between chance occurrence and real effects, and how to accurately identify the target population.

Conclusions about Nature or Extent of Racial Profiling: NA

Web Link: Racial Profiling: How Many is Too Many

<http://www.psychstat.smsu.edu/pdf/racialprofiling.htm>

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: The Missouri Legislature passed a statute in 2000 requiring peace officers to collect vehicle stop data, including the driver’s race. It also required each agency to “(a) Determine whether any peace officer of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and” “(b) If the review reveals a pattern,

require an investigation to determine whether any peace officers of the law enforcement routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;” “(c) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review”.

MICHIGAN

Title: “Ann Arbor Police Department Traffic Stop Data Collection Methods and Analysis Study”

Authors: Dr. John C. Lamberth

Research Affiliation: Lamberth Consulting

Time Period Covered: Stop data were collected January 2003 – September 2003.

Geographical Scope: The City of Ann Arbor, Michigan.

Population Studied: Drivers.

Data Collection Methods: Stop data were collected by Ann Arbor police officers. Officers were required to capture each traffic stop on the AAPD CAD system. At the end of their shifts, they were required to submit a Scantron form to their individual shift command officer for each traffic stop they made. Benchmark data were collected through stationary traffic surveys at 9 locations throughout the city of Anne Arbor by trained surveyors over a 7-week period at randomly selected days and times. Drivers’ race/ethnicity and gender were captured.

Events Studied: Each traffic stop conducted by an Ann Arbor police officer.

Data Analysis Methods: The major analysis reported is an odds-ratio of being stopped if the motorist is Black versus if they are not Black. Odds-ratios between 1.0 and 1.5 are considered benign. Ratios between 1.5 and 2.0 suggest that targeting of Black motorists may be occurring. Ratios over 2.0 warrant serious review by the police department. Chi-square analysis was used to analyze the difference between the benchmark percentage of Blacks and the actual stop percentage of Blacks. A .05 probability was used to determine the statistical significance.

Conclusions about Nature or Extent of Racial Profiling: 2 benchmark locations did not have enough stops in the database for reliable measurement so only 7 benchmarks were reported on. 5 of the 7 odds-ratios were in the benign range and 2 were slightly above 1.5. The overall odds-ratio is 1.5. The author cites this as an indication that no profiling in the stops of Black motorists was occurring overall in the benchmark areas studied. The author recommends that the AAPD further consider the 2 locations that were

above 1.5.

Web Link: http://www.ci.ann-arbor.mi.us/SafetyServices/Police/Racial%20Profiling%20Report%20A2_FinalReport_012204_v6co.pdf

Additional Web Links: None.

Mention of Oregon: No.

Additional Information: The AAPD started collecting stop data following an Ann Arbor City Council Resolution passed in February 2000.

Author cites the need for future research of driving behaviors among different racial and ethnic groups.

Lamberth Consulting provided the “Collecting Stop Data Training: Training for Trainers” course to 128 AAPD officers.

Title: “Results from the 2001 Traffic Enforcement Citizen Survey”

Authors: Michael D. Reisig, Ph.D.

Research Affiliation: Dr. David L. Carter and Dr. Andra J. Katz-Bannister (private consultants)

Time Period Covered: August 2001

Geographical Scope: N/A

Population Studied: Citizens who received a traffic citation from the Lansing Police Department (LPD)

Data Collection Methods:

The 2001 Traffic Encounter Survey was an updated version of a survey conducted in 1999. The objective of the 2001 Survey was to determine whether the quality of traffic encounters had improved since 1999.

Samples for both the 1999 and 2001 Surveys were selected from LPD records. 1,500 citizens from all walks of life were randomly selected from each time period. All those selected to participate were mailed pre-survey postcards describing the project and requesting cooperation. The postcards also helped to identify bad addresses. Shortly thereafter, the questionnaire was mailed to each participant along with a prepaid return envelope. Two additional waves of surveys were distributed to nonrespondents. The

overall response rate for the 2001 sample was 37 percent.

Events Studied: Over 500 returned surveys: respondent's sex, age, and race/ethnicity (Caucasian/White, Native American, Black/African American, Hispanic/Latino, Asian American, Other). The sections of the survey were as follows:

1. Citizen Expectations: Respondents were asked if they expected LPD officers to perform the following tasks:
 - Inform them as to why they were stopped
 - Ask to see their registration and proof of insurance
 - Provide them with information as to how to take care of the traffic violation
 - Complete the encounter in a reasonable amount of time
 - Answer questions regarding the stop
2. Police Service: Respondents were asked whether the officers "actually" provided any of the five service-oriented elements listed in Section 1, above.
3. Expectancy Confirmation: Citizen Expectations (Section 1) – Police Service (Section 2) = Expectancy Confirmation
4. Police Behavior: Respondents were asked if the officer was courteous, sarcastic, business-like and/or friendly, and if s/he took time to listen during the encounter.
5. Encounter-Level Satisfaction: Each motorist was asked how satisfied they were with the way the LPD handled their most recent traffic stop. This survey item featured a 4-point response, ranging from "very dissatisfied" to "very satisfied."
6. General Satisfaction with the LPD: Respondents were asked how satisfied they were in general with the LDP. This item featured the same 4-point response as item five, above.
7. Additional Findings: Respondents were asked if they believe that the officer stopped and cited them because the LPD is concerned with preventing traffic accidents. If the respondent answered "no," s/he was directed to check all that apply of the following reasons they believed were responsible for the stop and citation:
 - To generate money
 - To meet a quota
 - Your age
 - Your race
 - Your sex
 - The car you were driving
 - The neighborhood you were traveling through
 - Other: (specify)

Data Analysis Methods:

Information from this survey was compared with the 1999 Survey.

In each section, results from the full samples and from different social groupings (i.e., race/ethnicity, age, and gender) are reported and presented in tables and graphs.

Conclusions about nature or extent of racial profiling:

An overwhelming majority of respondents in 1999 and 2001 expected LPD officers to perform all of the tasks listed under Section 1, above. Overall, differences between the

1999 and 2001 Surveys regarding expectations of police service were almost nonexistent, and expectations appeared to be fairly consistent across different social groupings.

For Caucasians, significant improvements in police service were reported nearly across the board, especially in officers answering questions regarding the stop. For African Americans, improvements in police service were also seen, *except* in the officer answering questions regarding the stop. For Non-Black Minorities, all aspects of police service improved. African Americans were, relatively, much less likely to report that officers took the time to answer their questions when compared to Caucasians and Non-Black Minorities.

Except in the area of registration & insurance, LPD officers reduced the level of disparity between citizens' expectations and actual police service. Improvements in expectancy confirmation among African Americans were comparatively modest. Nevertheless, officers did do a better job at completing encounters with African Americans in a reasonable amount of time.

Caucasian motorists rated all categories of police behavior in more positive terms in the 2001 Survey. Evaluations of police behavior improved among Non-Black Minorities as well. African American evaluations of police behavior remained fairly consistent over the two time periods.

In 2001, encounter-level satisfaction was significantly higher for Caucasians and Non-Black Minorities. The only change for African Americans in this category was a decline in the percentage of those that were "very dissatisfied." Although the majority of responses from each racial/ethnic group signified some level of satisfaction with the encounter, a significant gap of approximately 23 percent, was observed between Caucasians and African Americans in 2001.

General satisfaction with the LPD was significantly higher in 2001 for Caucasians and Non-Black Minorities. Although the largest increase in general satisfaction was observed among African Americans, they still report the lowest levels of general satisfaction. Nevertheless, a majority of respondents from all racial/ethnic groups indicated some level of general satisfaction.

The percentage of African Americans that reported the reason for the stop/citation to be their race decreased. The most common reason given, other than "to prevent traffic accidents," was "to meet a quota." The percentage of Non-Black Minorities that believed they were stopped and cited in order to "prevent traffic accidents" jumped by nearly 14 percent in 2001. The percentage of African Americans believing this remained about the same.

Any Data from Oregon? No

Web Link: <http://www.lansingpolice.com/site/profile/2001%20Traffic%20Report.pdf>

Community Relations

Issues Addressed: Very brief description of general plan for community involvement.

Carter and Katz-Bannister developed “a multi-stage protocol” which featured, among other things, focus groups with uniformed personnel, community meetings and officer training on how to conduct a proper traffic stop.

Amount of space devoted to community relations issues: One small paragraph.

Title: “Racial Profiling: Issues and Responses for the Lansing, Michigan Police Department. Prepared as a Foundation for Policy Implementation and Training”

Authors: David L. Carter, Ph.D. and Andra J. Katz-Bannister, Ph.D.

Research Affiliation: Not mentioned.

Time Period Covered: NA – published in December 2000

Geographical Scope: Policy development for the City of Lansing, Michigan.

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions About Nature or Extent of Racial Profiling: The authors define racial profiling as, “any police-initiated action that relies upon the race, ethnicity, or national origin of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.” They examine the concept of law enforcement profiling in its development from the FBI’s Behavioral Sciences Services Unit (BSSU). The BSSU team conducted research that taught investigators how to survey a crime scene and develop a list of traits and behaviors specific to the offender – the profile. They note that offender profiling is not improper, however, it is often improperly applied when officers use selected variables from the profile rather than the entire profile to target individuals.

The authors highlight views on racial profiling obtained from focus groups of officers and citizens in the community. Both groups displayed stereotyped views about the other that were at the heart of the conflict between them. Oftentimes, the stereotypes were based on anecdotal experiences and unsubstantiated word of mouth rather than empirical evidence.

Web Link: <http://www.lansingpolice.com/site/profile/policy%20paper.pdf>

Additional Web Links: <http://www.domelights.com/racprof1.htm>

Mention of Oregon: No mention.

Additional Information: Includes quotes from community members and law enforcement on each page that illustrates the various perspectives on racial profiling.

Authors state that legislation from Missouri is often noted as the model for police data collection.

Authors address police opposition to stop data collection. The primary reasons are:

- 1.) monitoring policies suggest that all officers profile minorities
- 2.) officers are concerned that the interpretation of the data by statisticians will not accurately reflect the realities of the situations.

The authors suggest a multi-faceted approach to addressing racial disparities in the Lansing Police Department including provisions for leadership, data collection, training/changing the organizational culture, training the community, supervision, evaluation, and technology.

OHIO

Title: “Police Vehicle Stops in Cincinnati: July 1 – December 31, 2001”

Authors: John E. Eck, Ph.D. (University of Cincinnati, Division of Criminal Justice), Lin Liu, Ph.D. (University of Cincinnati, Department of Geography), Lisa Growette Bostaph, M.A. (Boise State University, Department of Criminal Justice).

Research Affiliation: See above.

Time Period Covered: July 1, 2001 – December 31, 2001

Geographical Scope: The City of Cincinnati, Ohio.

Population Studied: Motor vehicle drivers and their passengers.

Data Collection Methods: Cincinnati police officers completed a contact card after each vehicle stop. Police data entry personnel manually entered completed cards into computer files. The police provided the external analysis team with the computer files and copies of the original cards. Data were divided into three linked databases: the first described the stops, the second described the occupants, and the third described the outcomes.

Events Studied: After a vehicle stop, officers enter information on the contact card including:

- race, gender, and age of the driver
- race, gender, and age of occupants
- location of the stop
- time of day
- reason for the stop
- how long the stop took
- whether a ticket/citation was issued
- whether an arrest was made
- whether the officer searched an occupant or vehicle

Data Analysis Methods: Stops were examined by race, gender, age, repeat stops, time of stop, reason for the stop, number of occupants in the vehicle, duration, and result of stop. Geo-coding was used to examine where stops were concentrated throughout the city. 2000 Census statistics were used to determine the driving population “base rate”. A modified disproportionality index (using vehicle miles by race rather than drivers by race) was used to determine the disproportionality of African-American stops to White stops.

Conclusions about Nature or Extent of Racial Profiling: Cincinnati police officers stopped Whites as often as African-Americans. However, since there are more Whites living in the city, this creates a disproportionate rate at which African-Americans were stopped. Using the modified disproportionality index, 9 neighborhoods had index numbers below the neutral interval, 2 neighborhoods had an index of 0, and 34 neighborhoods had numbers above the neutral interval. This method again indicates a disproportionate stopping of African-Americans. The group of African-Americans stopped during the research period, tended to contain more males and was younger than the group of Whites stopped during the same time frame. There were more repeat stops of African-American drivers as well. White drivers were more likely to be stopped during the day than were stops of African-Americans. Vehicles driven by African-American drivers were more likely to have multiple occupants. Both African-American and White drivers were most often stopped for moving violations, however, more African-American drivers were stopped for crime-related reasons. From these results, the authors conclude that African-Americans and Whites may have been engaged in different behaviors before being stopped. In terms of outcome of the stop, African-American drivers were more likely to be arrested, searched, or receive no sanction than their White counterparts leaving the authors to ask, “Why are a greater proportion of the African-Americans who are stopped given no-sanction than is the case with White drivers being stopped?” and “Why is the probability of an African-American being searched when no arrest has taken place two times greater than that of a comparable White?” African-Americans also had longer average stop duration times. The authors’ analysis of searches did not uncover any noticeable differences between African-Americans and Whites. They had almost identical search time durations, no meaningful difference in the type of search, and similar probabilities that the searches would turn up contraband. The authors conclude that if officer bias is involved anywhere in the stopping process, the results indicate it may be

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after the stop has been made rather than in the initial decision to make the stop.

Web Link: http://www.cincinnati-oh.gov/police/downloads/police_pdf6937.pdf

Additional Web Links: No.

Mention of Oregon: No mention.

Additional Information: In March of 2001, the Cincinnati City Council passed an ordinance requiring police to collect the race of individuals in the vehicles they stop and required the data to be analyzed by outside experts.

Title: “Monitor’s Report on University of Cincinnati Police Vehicle Stop Study”

Authors: Saul Green (Monitor) and Richard Jerome (Deputy Monitor)

Research Affiliation: See above.

Time Period Covered: July 1, 2001 – December 31, 2001

Geographical Scope: The City of Cincinnati, Ohio

Population Studied: Critiqued the research study by the University of Cincinnati on motor vehicle drivers and passengers that were stopped by Cincinnati Police Officers.

Data Collection Methods: Commented on the data collection methods of the Cincinnati Police Department – a contact card completed after each vehicle stop.

Events Studied: Vehicle stops and the disposition of the stop.

Data Analysis Methods: The authors examined the final report by The University of Cincinnati team. They note the most difficult and controversial aspect of these studies is establishing an accurate “benchmark” to compare vehicle stop data against. The Monitor concluded that the University of Cincinnati Research team developed a “reasonable” way to create a benchmark for their disproportionality analysis. They suggested variables that may have impacted the overall accuracy of the benchmarking and made suggestions for improvement.

Conclusions About Nature or Extent of Racial Profiling: The Monitor agrees with the overall conclusion in the University of Cincinnati report that, while there are disparities between the rates at which Black and White drivers were stopped, none of the hypotheses explaining disproportionality can be eliminated. The Monitor does state, however, that there are “indications that some of the disproportion may be the result of officers’ heightened suspicions of black drivers.” They advocate for police departments openly

discussing deployment decisions so their “actions do not lead to increased complaints about police activity from the very same communities that are seeking greater police presence.” The Monitor acknowledges the limitations of vehicle stop data in addressing other concerns of minority groups in Cincinnati such as arrests, use of force, jail sentencing, and the overall racial disparities in the criminal justice system.

Web Link: http://www.cincinnati-oh.gov/police/downloads/police_pdf6925.pdf

Additional Web Links: www.racialprofilinganalysis.neu.edu

Mention of Oregon: No mention.

Additional Information: The City of Cincinnati joined a Collaborative Agreement with police and other community stakeholders to address the issue of racial profiling. The goal of the agreement is to improve relations between members of the community and the police department. Data collection regarding police vehicle stops is one piece of that effort. The results of the data collection effort are reported by the Monitor to evaluate whether or not the goals of the Collaborative Agreement are being accomplished. The authors point out that collecting race data for vehicle stops will not provide definitive answers about the existence of biased policing. Rather, the data is useful in examining the allocation of police resources, raising questions about police strategies, and leading to a public discussion of how policing should be conducted in their community. After the external evaluation team at The University of Cincinnati completed their report, members of the Collaborative Agreement were granted an opportunity to work with the City to add input before the study was released.

TENNESSEE

Title: “Vehicle Stops and Race: A Study and Report in Response to Public Chapter 910 of 2000”

Authors: John G. Morgan, Tennessee Comptroller of the Treasury

Research Affiliation: Tennessee Comptroller of the Treasury Office of Research (Ethel Detch, Director; Douglas W. Wright, Assistant Director); Dr. Dan Cohen-Vogel, Principal Legislative Research Analyst; Brian Doss, Associate Legislative Research Analyst

Time Period Covered: January 1, 2001 through December 31, 2001

Geographical Scope: Within 44 participating Tennessee law enforcement jurisdictions

Population Studied: Drivers and passengers stopped by officers of 44 participating law enforcement agencies (including six county sheriffs’ departments, one university police department, and 37 municipal police departments)

Data Collection Methods:

Officers filled out data forms, either written/scannable or electronic, developed by the Comptroller. Data were submitted monthly to the Comptroller. Office of Research staff communicated with participating agencies regarding drastic changes in reported stops and other anomalies. Agencies' explanations varied from policy changes to data collection problems. A pre-test was conducted with the Franklin Police Department, one of the participating agencies, prior to beginning statewide data collection.

Events Studied:

All vehicle stops submitted by officers of the 44 participating agencies (322,954 paper forms and 127,623 electronic records):

- Of Driver (based on officer's individual judgment): race/ethnicity (Asian, African-American, Hispanic, Other (not apparent), White), gender, age (under 16, 16-25, 26-35, 36-45, 46-60, 61-70, over 70)
- Of Officer: Agency's ORI number, officer ID number
- Of Stop: location (beat, district, sector, tract, zone), time (military), date, reason (criminal, moving violation, vehicle equipment violation), disposition (verbal warning, written warning, citation, arrest, citation and arrest), who action was taken against (driver, passenger(s)), whether or not a search was conducted
- Of Search (if one occurred): type (vehicle, personal effects, driver, passengers), legal basis (consent, probable cause, incident to arrest, warrant, inventory, plain view), whether or not any contraband was discovered or property seized, type of contraband (weapon(s), drugs, other)

Data Analysis Methods:

2000 Census data (age 18 and over), as well as driving population data from the Tennessee Department of Safety were used as comparison data, although the report includes a lengthy discussion of the limitations of these sources. It is recommended that, if the General Assembly wishes to continue studying vehicle stops, the Department of Safety should develop a licensed driver database that contains uniformly collected and geographically referenced data. It is stated that factors that may skew the results of their comparison include licensed drivers, commuting patterns, tourism, higher education institutions, modes of transportation used, little or no representation and law enforcement deployment. Each of these is described in detail on pages 10-12 of the report.

It is important to note that the following groups represent less than one-half of one percent of the populations in areas served by participating agencies:

- Asians in the areas served by 21 agencies
- African-Americans in the areas served by three agencies
- Hispanics in the areas served by six agencies
- "Other" groups in the areas served by three agencies

The percentage of all stops of each racial group by agency were shown for each reason for stop, each disposition, each search status, and each type of evidence seized. Statewide summaries of the above were also shown, as well as summaries of the

statewide percentage of all stops of each racial group according to the following:

- both reason for and disposition of stop;
- both reason for the stop and whether officers conducted a search;
- both disposition of the stop and whether officers conducted a search;
- evidence seized as a percentage of all searches

Maps, which compared city and zip code boundaries, were included. In addition, maps of various types of crimes in Davidson County in 2001 were included in Appendix four of the report.

Conclusions about nature or extent of racial profiling:

Law enforcement officers stopped drivers in proportions different than drivers' racial representative in the overall population. For example, African-Americans represented 31.0 percent of the population (over 18 years of age) and 39.1 percent of all stops. Whites represent 63.1 percent of the population and 55.3 percent of all stops.

Officers' reasons for stopping vehicles, as well as the dispositions of stops, varied significantly by race. However, the differences in the reasons officers reported for stopping vehicles did not appear to explain all of the racial variation in dispositions of stops. For example, although officers gave the highest percentage of verbal warnings to Hispanic drivers overall, officers gave the highest percentage of verbal warnings to "Other" drivers when the stop was for criminal reason and to Asian drivers when the stop was for a moving or vehicle equipment violation.

Rates of search subsequent to stops varied by race. However, the differences in neither the reasons for stopping vehicles nor the disposition of stops appeared to explain all of this racial variation in the rates of search. Statewide, officers searched 16.8 percent of Hispanics stopped, followed by African-Americans (8.1 percent) and then Whites (5.8 percent).

The incidences of evidence seized and the types of evidence seized as a result of searches varied by race. Differences in the rate of search did not appear to explain all of the racial variation in evidence seized. For example, instances in which officers did not seize evidence after a search were most common among Hispanics (86.9 percent), and least common among Whites (73.9 percent).

Possible mitigating factors, including the following, are described in detail:

- Neither statute nor case law clearly defines the appropriate place of race in law enforcement decisions
- Potential data form recording errors, including:
 - o the form combined race and ethnicity in one item and did not give officers the option of choosing more than one
 - o the form primarily concerned the driver of the vehicle and did not reflect instances in which passengers' profiles contributed to the vehicle stop or subsequent officer actions
- Officers' fear of liability (see pages 4-5 of the report)
- Administrative inconsistencies, such as training and turnover, and lack of

- collection or submission of data
- Potential data processing errors (staff discovered and corrected numerous data entry errors)

Any Data from Oregon? No, but Meredith Bliss of the Oregon Criminal Justice Commission is listed in “Appendix 2: Contacts and Participants” (23).

Web Link: <http://www.comptroller.state.tn.us/orea/reports/racialprofiling.pdf>

Additional Web Links:

- Department of Law, Colorado Peace Officer Standards and Training Commission, Anti-Bias Training Program: <http://www.ago.state.co.us/post/anitbiasprog.html>

Notes:

- This study was a pilot project, required by Public Chapter 910 of 2000, in which law enforcement agencies could participate voluntarily. A copy of Public Chapter 910 of 2000 is included on pages 21-22 of the report.
- A copy of the traffic stop data form is included in Appendix 3 of the report.
- Definitions of each of the race/ethnicity categories offered on the traffic stop data form were provided in the form’s instructions (see pages 27-28 of the report).

Community Relations

Issues addressed: Building relationships with law enforcement, community outreach, training, policies (all briefly)

The researchers collected additional information through discussions with the sponsors of Public Chapter 910, representatives of the participating law enforcement agencies, ACLU, law enforcement agencies in other states, and researchers with expertise in the area of racial profiling. They also attended Tennessee Association of Chiefs of Police and Tennessee Sheriffs’ Association meetings.

Some examples of community outreach programs at some agencies in Tennessee include citizen police academies, civilian oversight committees and quality-of-service questionnaires. Some agencies in the state have implemented policies that define racial profiling and provide guidelines to prevent it.

The Tennessee Peace Officer Standards and Training (POST) Commission requires minimum curriculum standards in areas such as criminal and constitutional law and procedures as well as human relations. Other academies in the state explicitly address racial profiling through training.

It is stated that “The General Assembly may wish to define statutorily the appropriate consideration of race in search and seizure” (20). They also may wish to require policies and procedures specifically related to profiling, such as ongoing data collection and analysis and formal public input, in all state and local law enforcement agencies.

Amount of space devoted to community relations issues: Approximately one page

NORTH CAROLINA

Title: “The North Carolina Highway Traffic Study: Final Report to the National Institute of Justice, U.S. Department of Justice” (The Executive Summary)

Authors: W.R. Smith, D. Tomaskovic-Devey, M.T. Zingraff, H.M. Mason, P.Y. Warren, and C.P. Wright of North Carolina State University and H. McMurray, and C.R. Fenlon of North Carolina Central University.

Research Affiliation: See above.

Time Period Covered: Project began in 1999
June 22, 2000 – March 20, 2001 for citizen survey data
June, 2001 for NCSHP focus group data

Geographical Scope: The State of North Carolina – divided into 53 NCSHP districts.

Population Studied: Drivers in North Carolina and NCSHP troopers.

Data Collection Methods: Information was provided by the NCSHP and included data sets on vehicle stops, citations, written warnings, and searches.

The North Carolina Driver Survey was created to supplement the statistical data described above. A telephone survey of a stratified random sample of current North Carolina licensed drivers was conducted.

Themes and patterns of police-citizen encounters for both African Americans and whites were collected during citizen focus groups.

A random selection process was used to create 6 NCSHP focus groups. Groups consisted of 6-9 troopers and lasted approximately 2 hours. Members of the research team facilitated the sessions.

Events Studied: The project combines demographic analyses, traffic observations, citizen surveys, and focus groups of drivers and of North Carolina State Highway Patrol troopers to estimate racial disparity in traffic stops and identify perceptions of biased policing.

Data Analysis Methods: Baseline comparisons were produced from available records (i.e. licensed drivers within each county), calculations of drivers driving within NCSHP districts, observation of vehicles and drivers on the highway, and accident rates. Observations of drivers at 14 sites (each site consisting of between 10 and 15 miles of highway) were used to establish a baseline of the racial composition of speeding

motorists. Data on the residency of drivers cited outside of their county of residency were used to create a baseline of “drivers driving” in a specific area. The third baseline was created from data on the racial composition of drivers involved in accidents.

Regression models were used to analyze individual trooper behavior.

Conclusions about Nature or Extent of Racial Profiling: African Americans are more often involved in objectively measured behaviors such as speeding or failure to wear a seatbelt than in subjectively measured behaviors such as failure to yield or driving too close. The authors suggest that variations in driving behaviors may be the most important factor in whether or not an individual is cited for a traffic violation.

Racial disparity in written warnings was greater than in citations.

Differences in speeding-behaviors were found by race.

There were several districts with a disproportionately high number of citations given to African Americans. There were also districts with a disproportionately low number of citations given to African Americans. Districts identified as “over-representing” or “under-representing” varied according to which baseline estimates were used. The researchers used this to rule out any widespread racial bias by the NCSHP across districts.

Approximately 18 individual troopers were identified as over-citing African Americans while slightly more were identified as under-citing African Americans.

In the telephone survey, African American drivers were significantly more likely to report a traffic stop in North Carolina than were white drivers. Local police may stop African Americans at two times the rate as whites. The disparity in stops by the NCSHP was much smaller but still significantly significant. Differences in experiences following a stop, were much less pronounced. African Americans were slightly more likely to report that they were treated disrespectfully and to have been informed that the stop was for a discretionary reason. There were no racial differences in self-reported rates of citations, written warnings, and verbal warnings.

Results of the citizen focus groups indicate that African American drivers have a generally positive view of the job that police do while, at the same time, have very little trust in individual police officers. African American drivers viewed lack of respect during an encounter as an indication of racial bias. Troopers with the NCSHP were generally viewed as more respectful and professional than local police officers. In contrast, white drivers tended to view all stops as discretionary and evaluated the police more harshly in many ways. Differences were also apparent in views on racial profiling in general. African American drivers saw it as another example of the continual bias they face on a daily basis. White focus groups tended to accept racial profiling as “understandable” and “justifiable”.

During the NCSHP focus groups, troopers stated it was not possible to determine the race of a driver on the interstate or at night, before a stop is made. They reported focusing on the behavior of the vehicle in making a stop decision. Some troopers still attributed likely traffic violations to certain segments of the community, however.

Web Link: http://www.chass.ncsu.edu/justice/reports/hwy_traffic_study_03.htm

Additional Web Links: None.

Mention of Oregon: No.

Additional Information: The North Carolina State legislature mandated that law enforcement agencies in the state begin data collection efforts on the race of individuals stopped by police.

In a survey of adult, North Carolina-licensed drivers, 30% of whites and 80% of African Americans believed that African Americans were pulled over by police at a higher rate.

PENNSYLVANIA

Title: “Analysis of Police Stops and Searches: City of Erie, PA”

Authors: Not mentioned specifically. The research team established by Mercyhurst College to conduct the analysis included:

- Professors Thomas Gamble and Peter Benekos (principal investigators)
- Former Millcreek PD Officer Bill Hale (liaison with the City of Erie Bureau of Police)
- Paul Gambill of Central City Neighborhood Watch (liaison to the minority community)
- Julie Bush-Miller, Karel Exner, and J.D. Haltigan (background researchers)
- Amy Danzer (database management)

Research Affiliation: The Civic Institute at Mercyhurst College

Time Period Covered: September 1, 2001 – February 28, 2002

Geographical Scope: Erie, PA

Population Studied: Drivers and pedestrians stopped by City of Erie Police Officers.

Data Collection Methods: Officers completed a machine-scannable form following each vehicle or pedestrian stop they made. The forms were then scanned into a database and electronically transferred to the Civic Institute at Mercyhurst College for analysis. Benchmark data was obtained from the *2000 United States Census Tract Data*.

Events Studied: Officer-initiated vehicle and pedestrian stops and searches.

Data Analysis Methods: The city was divided into 12 zones for a more precise analysis of race stop data. The more detailed analysis was thought to control for crime rate differences and police surveillance differences in various areas of the city. For vehicle stops, Census data was used to calculate individuals age 16 and older for each zone and then separated by race/ethnicity. For pedestrian stops, Census data was used to calculate individuals age 10 and older for each zone and then separated by race/ethnicity. Statistical significance was calculated using chi-square.

Conclusions about Nature or Extent of Racial Profiling: Results show that while whites are 83% of the driving-age population in Erie, they represented 67% of the stops. While blacks are 12% of the driving-age population, they represented 25% of the stops. These differences were statistically significant. 9 of the 12 zones examined showed statistically significant disparities in stop rates by race. 2 zones had higher levels of disparity than the citywide numbers but many had less disparity. This indicates that some of the disparity may have been the result of police deployment practices in different geographical areas of the city. There was no significant difference in arrests or citations by race. There was, however, a statistically significant difference in individuals stopped in high discretion situations by race and in the likelihood of being searched following a stop. There was no statistical difference between groups searched following a high discretion stop or in the likelihood that contraband was found subsequent to a search. The authors concluded that “there seems to be sufficient evidence of racial and ethnic disparity to suggest that the City of Erie and the Bureau of Police may wish to consider the following recommendations in their attempts to improve relations between the police and the minority communities.” The authors did note, however, that they did not interpret the disparities as evidence of explicit racial bias in determining who to stop and search.

Web Link: <http://civicinstitute.mercyhurst.edu/PDF/RP%20report%20apr2002.pdf>

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: The City of Erie, PA and the Bureau of Police voluntarily collected data on police stops and searches.

The local chapter of the NAACP created a discussion forum to address racial profiling issues and the local media covered alleged cases of racial profiling in Erie. In addition, the Erie Concerned African American Clergy (Concerned Clergy) brought their concerns about racial profiling by the Erie Police Department to the mayor during regularly scheduled meetings. A coalition was formed to address the issue of racial profiling which included the Mayor’s office, the Erie Police Department, the NAACP local chapter, and the Concerned Clergy. The coalition was termed “The Alliance”.

The Civic Institute's Research Team met with individuals from the Bureau of Police and the Mayor's office to discuss the specific variables to collect for the study and to precisely define each variable. The Civic Institute then presented its recommendations to The Alliance (mentioned above) and obtained their agreement to the recommendations. Next, the Institute worked with the Bureau of Police and Scanning Systems of Columbus, Ohio to develop the machine-scannable data form and the electronic database. When the form was finalized, the Institute developed a training manual and provided training sessions for all City of Erie Police Department employees.

NEW YORK

Title: "Police Practices and Civil Rights in New York City": "Letter of Transmittal," "Executive Summary" and "Chapter 1: Introduction"

Authors: Staff of the U.S. Commission on Civil Rights

Research Affiliation: The U.S. Commission on Civil Rights

Time Period Covered: The exact time period is unclear.

Geographical Scope: New York City, NY

Population Studied: The police officers and those stopped by police officers in New York City

Data Collection Methods: The U.S. Commission on Civil Rights conducted a fact-finding hearing in New York City on May 26, 1999 to examine police practices and their impact on civil rights in the community at large. Witnesses included the city's mayor, the police commissioner, the chair of the Civilian Complaint Review Board, other public officials, religious leaders, representatives of civic and civil rights advocacy groups, New York Police Department (NYPD) officers, and individuals describing personal encounters with the NYPD.

Events Studied:

- Facts secured from the sworn testimony of witnesses who appeared before the Commission at its public hearing
- More than 32,000 pages of subpoenaed documents from the agencies that testified at the hearing, including:
 - o Orders concerning the Internal Affairs Bureau of the police department
 - o Reports on complaints substantiated by the Citizen Complaint Review Board (CCRB)
 - o Forms used to process civilian complaints
 - o Documents concerning officers with excessive CCRB complaints and the use of performance monitoring systems to address the use of excessive force

- All complaint procedures and practices
- Police officer training and recruitment materials
- Information on cultural diversity training
- Use of force curricula
- All dispositions by the CCRB
- Statements, memos and instructions generated by the NYPD concerning crime reduction strategies
- Thousands of individual UF-250 forms, which are designed to record descriptions of “stop and frisk” encounters, from the year 1998
- A statistical overlay presented with charts and graphs reflecting information contained in more than 100,000 individual records regarding “stop and frisk” encounters stored on CD-ROM by NYPD officials
- New York City’s policies and programs for police recruitment, training cadets and officers and the treatment of African American and Latino officers

Data Analysis Methods: Documents were reviewed and analyzed.

Conclusions about nature or extent of racial profiling:

As a result of the research, the Commission made several findings of fact and recommendations concerning police practices in New York City.

Some findings include the following:

1. Recruitment:
 - The NYPD does not reflect the diverse population of New York City, and most NYPD officers live outside of the five boroughs.
 - The department also does not utilize a number of community organizations and leaders who are willing to help in recruitment.
 - CCRB data show that police with less than an associate degree are more likely to have substantiated misconduct complaints.
2. Training:
 - Cadets may not receive enough training time and experience, especially on topics of diversity and sexual harassment.
 - The NYPD uses training materials with offensive racial, ethnic, religious, sexual and gender stereotypes.
 - High-level officials do not involve themselves in training.
3. Police-Community Relations:
 - The NYPD has not involved affected communities sufficiently in planning and implementation of strategies that could reduce tensions while controlling crime.
4. The CCRB and Internal Affairs Bureau:
 - There is often a racial or ethnic component to police misconduct complaints in the city, with many incidents also fueled by language barriers and miscommunication.
 - The NYPD’s “48-hour rule” impedes investigations by the CCRB.
 - The low number of substantiated complaints upon which the NYPD and the police commissioner have acted contributes to the pervasive public

perception that the CCRB is an ineffective mechanism to control police abuse of authority.

- CCRB semiannual reports on their own operations include major weaknesses.
 - NYPD officers testified that no one ever asks or rewards them for enforcing the law while maintaining a record of no complaints filed and being a protector of civil rights.
5. “Stop and Frisk”:
- Testimony at the Commission’s hearing indicated that perhaps only one out of 30 stop and frisk encounters resulted in the filing of the required UF-250 form.
 - Everywhere, African-Americans were stopped far out of proportion.
 - Hispanics were also stopped out of proportion, but at somewhat reduced levels.
 - Whites and Asians were stopped at far below their representations of the population in each area policed.
 - While the mayor and police commissioner attributed these disparities to suspects’ profiles as reported by crime victims, this claim is belied by police testimony that the Street Crime Unit and other specialized units root out crime by scouring neighborhoods and making stops with no complaints and no victim.
6. There is a perception among some city residents that police misconduct cases place a tremendous strain on local government prosecutors who rely routinely on the police to provide the evidence to prosecute criminal violations.
7. The NYPD’s use of “pattern descriptions” of alleged suspects is a possible indicator of racial profiling.
8. An investigation by New York State Attorney General Elliot Spitzer in 1999 preliminarily concluded that there is a strong statistical correlation between race and likelihood of being stopped, and that, in one out of seven stops conducted by the NYPD, the facts articulated for making the stop failed to meet the legal threshold of reasonable suspicion.

Some recommendations include the following:

1. Recruitment:
 - The NYPD should revise its recruitment plans in order to attract more applicants and cadets from communities of color.
 - The NYPD should require all police officers to live in New York City, or at least increase the preference points for applicants from the city and add incentives for officers to move into one of the five boroughs.
 - The NYPD should encourage new officers to have a baccalaureate degree and give officers time off to work on college credits to help professionalize the force.
2. Training:
 - The NYPD should enhance its training at the borough and precinct levels and include local community members in the development of courses.
 - The NYPD should enhance their “Courtesy, Professionalism and Respect”

training by placing more emphasis on diversity, conflict resolution and interpersonal relations.

- Negative stereotypes embedded within training materials should be eliminated.
3. Police-Community Relations:
 - The NYPD should develop aggressive outreach programs to involve increased numbers of neighborhood residents in training and policy development.
 - The mayor and police commissioner need to release specific information to the public on compliance with the Mayor's Task Force on Community Relations recommendations.
 4. The CCRB and Internal Affairs Bureau:
 - The NYPD should eliminate the 48-hour rule.
 - The NYPD should provide explanations regarding the department's decision not to impose disciplinary measures in particular cases.
 - CCRB should conduct more regular outreach, town hall meeting and forums. High-level officers should be required to attend.
 - The CCRB semiannual reports should include the officer's command in order to make it possible to monitor specific problem areas in the city.
 - There should be monitoring by an independent watchdog that will review and report on NYPD disposition of substantiated complaints.
 - In evaluation of officers, complaint avoidance should be rewarded.
 5. "Stop and Frisk":
 - The NYPD should involve local organizations to begin or expand its efforts to educate local residents regarding the legal guidelines for a legitimate stop, search or frisk.
 6. The City Council should appoint an independent prosecutor in cases alleging serious police misconduct.
 7. The NYPD should adopt and implement a written policy that carefully defines, expressly prohibits, and stiffly penalizes racial profiling as the sole motivation in the stopping and searching of individuals.

Any Data from Oregon? No

Web Link:

- Letter of Transmittal: <http://www.usccr.gov/pubs/nypolice/tran.htm>
- Executive Summary: <http://www.usccr.gov/pubs/nypolice/exsum.htm>
- Chapter 1: <http://www.usccr.gov/pubs/nypolice/ch1.htm>

Additional Web Links:

- Appendix A, which provides an update on the status of the Task Force on Police/Community Relations' 91 recommendations made in 1997 :
<http://www.usccr.gov/pubs/nypolice/appa.htm>

Notes:

- The Commission plans to use this information, as well as other information it continues to gather, to update its 1981 publication, *Who Is Guarding the*

- Guardians? A Report on Police Practices*, in a national report.
- Chapter One includes a lengthy discussion of the history of investigations into NYPD practices in regards to civil rights.

Community Relations: Issues related to community relations are the sole focus of these documents.

MASSACHUSETTS

Title: “Massachusetts Racial and Gender Profiling Study”

Authors: Dr. Amy Farrell, Dean Jack McDevitt, Lisa Bailey, Carsten Andresen, Erica Pierce

Research Affiliation: Institute of Race and Justice, Northeastern University

Time Period Covered: April 1, 2001 through June 30, 2003. However, due to budget constraints, the Registry of Motor Vehicles (RMV) initially computerized written warnings data only from April 1, 2001 through May 31, 2001. With an additional \$150,000 that was appropriated by the legislature, the RMV computerized a sample of 200,000 additional written warnings issued throughout the full study period.

Geographical Scope: The State of Massachusetts, which includes over 366 law enforcement agencies

Population Studied: Drivers that received a citation or written warning from a Massachusetts law enforcement agency.

Data Collection Methods: Law enforcement officers self-reported the race and gender of drivers on the Massachusetts Uniform Citation. The Massachusetts State Police also conducted a rolling observation survey protocol on the roadways of each State Police Troop (excluding Troop F, Logan Airport) in order to record the racial demographics of drivers observed.

Events Studied: Drivers receiving a written warning or citation: race (White, Black, Hispanic, Asian, Native American or Middle Eastern), gender, search status, number of mph above speed limit (for those cited or warned due to speeding violation). Approx. 1.6 million citations were issued and recorded by the RMV.

Data Analysis Methods: A preliminary report was released in January 2004 so that police departments and community members could review the information, and comment at meetings/presentations and/or through writing on the analytic approach and sources of data. The four main areas of analysis were the following:

- Disparities in traffic citations given to residents: Compared racial demographics of town residents who were cited to demographics of the residential community,

based on the 2000 U.S. Census Bureau statistics of 18 individuals who are 18 years old and older. Findings that rose above positive statewide median were seen as indicative of substantial disparity

- Disparities in traffic citations given to all drivers: Compared the race of all citations to an estimate of the racial breakdown of the driving population for each community. The Driving Population Estimate (DPE) was calculated using a sophisticated model that was designed using principles from transportation planning and economic literature. The steps to creating a DPE are outlined on pages 12-13 of the report. Also compared traffic citations of the Massachusetts State Police to the findings of the rolling observation survey. Findings that rose above positive statewide median were seen as indicative of substantial disparity.
- Racial disparities in the likelihood of being searched once cited: Analyzed all citations and performed test of statistical significance. Analyzed distribution of racial disparity in searches across city types. Analyzed racial disparities in searches whose citations did not have a corresponding arrest.
- Racial disparities in receiving a citation versus a written warning: The 200,000 additional warnings (see “Time Period Covered”) were matched by date with citations from the original RMV database. However, the analysts were able to conduct reliable estimates of this disparity for only 142 of the 366 agencies in Massachusetts. Proportions of drivers receiving a warning or citation were compared by race. Analysis was also performed of race of drivers cited for speeding violations 15 mph or less over speed limit, and race of those cited for speeding violations more than 15 mph over speed limit. Utilized test of statistical significance.
- Once disparities were tabulated across all four of the above summary measures, they identified the total number of summary areas in which each community had disparities.
- Racial demographics of citations by year are included in the technical report

Conclusions about Nature or Extent of Racial Profiling:

- Racial disparity in traffic citations given to residents: Disparities in this measure that rose above the statewide positive median were found in 141 (38 percent) of communities. Eighteen communities had extreme levels (above ten percent) of this disparity.
- Racial disparities in traffic citations given to all drivers: Disparities in this measure that rose above the statewide positive median were found in 201 (56 percent) of communities. This suggests that racial disparities in traffic stops affect out-of-town drivers more than residents.

- Racial disparities in likelihood of being searched once cited: Statewide non-white drivers were more likely to be searched following a citation than white drivers. Some level of racial disparity was found in 208 jurisdictions, across all types of communities. All communities with large populations had racial disparities in searches, and 45 percent of jurisdictions with populations of less than 10,000 had racial disparities in searches. Out of citations that did not have a corresponding arrest, non-white drivers were still significantly more likely to be searched than white drivers in 26 communities. It was concluded that some discussion should take place among law enforcement leaders and community representatives about the optimal criteria for conducting searches.
- Racial disparities in receiving a citation versus a written warning: Out of the 142 communities included in this sample, non-white drivers were significantly more likely than white drivers to receive a citation in 83 (58 percent) of the communities. It is stated that differential behavior patterns do not appear to explain away these racial differences.
- In summary, 249 agencies were identified as having substantial racial disparity in one or more of the four above measures that fell above specified threshold, 92 agencies were identified as having minimal or no disparities, and no measure of disparity could be calculated in 25 of the agencies.

Any Data from Oregon? No

Web Link: http://www.racialprofilinganalysis.neu.edu/IRJsite_docs/finalreport.pdf

Additional Web Links:

Notes: The RMV was required by the Massachusetts legislature to collect data on traffic citations issued in the Commonwealth

Community Relations

Issues Addressed: Feedback to preliminary report, community meetings, searches (very briefly)

A preliminary report was released in order to begin a statewide dialogue about racial profiling. It is stated that “[t]his represents the most extensive public discussion and comment process that has been attempted in any racial profiling study to date” (21). The preliminary report was posted on the Institute on Race and Justice website along with a comment box that allowed general readers to provide feedback. Community members and law enforcement officials were invited to send written comments on the report and the concerns of their particular communities. Copies of these letters and a list of changes can be found in the technical report.

Six community meetings were conducted, with the goals of bringing police and community members together to discuss the report and offer feedback. The technical report contains an in-depth discussion of the community meeting organizational process

and feedback. The report was also presented to members of the Massachusetts Chiefs of Police Association, as well as regularly scheduled community meetings and special forums on racial profiling in specific communities. The themes that appeared in these discussions were described.

It is stated that “some discussion should take place among law enforcement leaders and community representatives about the optimal criteria for conducting searches as we move forward” (27).

Amount of space devoted to community relations issues: 2 – 2.5 pages

MULTIPLE STATES

Title: Assessing Measurement Techniques for Identifying Race, Ethnicity, and Gender: Observation-Based Data Collection in Airports and at Immigration

Authors: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics

Research Affiliation: U.S. Department of Justice

Time Period Covered: January 10, 2002-January 13, 2002 for Immigration Data
January 31, 2002 – February 2, 2002 for Airport Data

Geographical Scope: 1.) Immigration and Naturalization Services (INS) Border Patrol Checkpoint on I-5 in San Clemente, California and 2.) Detroit Metropolitan Airport

Population Studied: 1.) Drivers passing through the Border Patrol Checkpoint in San Clemente, California and 2.) Passengers in the Northwest Airlines main terminal and in the Northwest International departure area – both at the Detroit Metropolitan Airport.

Data Collection Methods: Humanalysis, Inc. of Orlando, Florida was contracted to conduct observational studies at the two locations. Data collected at the two sites implemented the combined race/ethnicity format using the following categories:

- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic or Latino
- Native Hawaiian or Other Pacific Islander
- White

At the Border Checkpoint, 4 observers rotated through observation sessions in pairs. Data were collected on a form containing columns for date, time, vehicle identification, window tint, driver and passenger race/ethnicity and gender, and indicators for observational certainty. As the observations began, observers could not see the license

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plates nor did they have time to complete the data surety fields (low, medium, high surety) for each race/ethnic assignment. Time only permitted the collection of race/ethnicity and gender of the drivers and their passengers.

At the Detroit Metropolitan Airport, 2 observers collected observational data. The observers recorded the data on survey forms containing columns for date, time, sampling location, passenger race/ethnicity, gender, age (adult/child), type and number of carry-ons, whether the passenger was traveling alone, and observational surety. The close viewing range at the airport made identification surety high so it was ignored for subsequent observations.

Events Studied: See above.

Data Analysis Methods: For the Border Checkpoint, the frequency and percent distribution of the total driver observations were summarized for each observation session. For the Detroit Airport, the frequencies and percents of the total observations for each race/ethnic and gender classification were summarized for each session.

Conclusions About Nature or Extent of Racial Profiling: The main goal of this study was to test whether baseline data could be practically collected using the observational method. The degree of inter-rater reliability for driver race/ethnicity classification was 77%. The airport observers had an inter-rater reliability of 97%. The report calls for additional data based on subject self-report of race/ethnicity to assess the validity of observational classifications. It indicates that an actual border crossing where cars are stopped may be a suitable site to do this. The authors also advocate for conducting studies in airports with various layouts to undertake a comparison of sampling designs and to collect demographics from the airport users themselves.

Web Link:

Additional Web Links: http://www.lamberthconsulting.com/research_articles.asp

Mention of Oregon: No.

Additional Information: The major issues that presented themselves were gaining access to a site and finding an unobtrusive observational area within the site.

Title: “Theory and racial profiling: Shortcomings and Future Directions in Research”

Authors: Engel, Calnon, and Bernard

Research Affiliation: University of Cincinnati (Engel) and Penn. State University (Calnon & Bernard)

Time Period Covered: Reviewed 13 studies that each covered different time periods.

Geographical Scope: Reviewed studies in MD, NJ (2), TX, CN, OH, NC, Philadelphia,

San Diego, San Jose, Washington DC, New York City, and Richmond.

Population Studied: Not stated in article.

Data Collection Methods: Not stated in article.

Events Studied: Events studied varied for each study reviewed. 8 studies examined initial stops and subsequent dispositions (see Table 1).

Data Analysis Methods: Not stated in article.

Conclusions About Nature or Extent of Racial Profiling: This article reviews and critiques 13 prior research studies examining racial profiling. Although all 13 studies found disparities in stops between whites and non-whites, the authors argue that one cannot simply attribute the disparities to discriminatory practices. The authors support the need for theory-driven research in this field as opposed to the current descriptive studies. They also discuss the difficulties in determining the “base rate” (i.e. the expected rate of stops of specific drivers assuming no racial prejudice by police officers) on which to base conclusions

Web Link: None.

Additional Web Links: None.

Mention of Oregon: No.

NATIONAL

Title: “Early Warning Systems: Responding to the Problem Police Officer”

Authors: S. Walker, G.P. Alpert, and D.J. Kenney

Research Affiliation: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice

Time Period Covered: Not mentioned.

Geographical Scope: 832 law enforcement agencies nationally and Miami-Dade County, Minneapolis, and New Orleans specifically.

Population Studied: Law enforcement agencies.

Data Collection Methods: The Police Executive Research Forum surveyed 832 sheriffs’ offices and police departments serving populations of 50,000 or more. 571 agencies submitted useable responses.

Three police-departments, with early warning systems that had been operating for at least 4 years, were chosen for case-studies: Miami-Dade County, Minneapolis, and New Orleans.

Events Studied: Early warning systems to detect problematic behaviors on the level of the individual police officer.

Data Analysis Methods: In the case-study analysis, records were divided into two groups: officers identified by the early warning system and officers not identifies. Performance records of the early warning group were examined for a 2-year period before and after the intervention took place. This was done in an effort to determine the impact of the intervention on behavior. The analysis controlled for assignments to various patrol duties.

Conclusions About Early Warning Systems: 27% of the surveyed agencies had early warning systems in place by 1999. Larger agencies were more likely to use early warning systems than smaller agencies. Regardless of differences in their early warning systems, Miami's, Minneapolis', and New Orleans' programs all significantly reduced problematic behaviors. The early warning systems studied, appeared to change the behaviors of both officers and their supervisors.

Web Link: <http://www.ojp.usdoj.gov/nij>

Additional Web Links: None.

Mention of Oregon: No mention.

Additional Information: In 1981, the U.S. Commission on Civil Rights recommended that police departments create early warning systems to identify officers with problematic behaviors. In 1999, 39% of municipal and county law enforcement agencies serving populations over 50,000, had an early warning system or had plans to develop one.

Early warning systems work in three phases: officer selection, intervention, and post-intervention monitoring.

Performance indicators have been suggested to identify officers with problematic behaviors: citizen complaints, firearm-discharge and use-of-force reports, civil litigation, resisting-arrest incidents, and high-speed pursuits, and vehicular damage.

The authors state that traffic stop data can be incorporated into an early warning system to identify officers who make disproportionate numbers of stops of minorities.

Title: "Racial Profiling in an Age of Terrorism"

Authors: Peter Siggins

Research Affiliation: Chief Deputy Attorney General for Legal Affairs in California

Time Period Covered: Presented this talk to the Markkula Center for Applied Ethics at Santa Clara University on March 12, 2002.

Geographical Scope: National.

Population Studied: NA

Data Collection Methods: NA

Events Studied: NA

Data Analysis Methods: NA

Conclusions About Nature or Extent of Racial Profiling: The author examines The Patriot Act in terms of past Supreme Court decisions and Constitutional Amendments Four and Fourteen. He likens today's environment to the one following the attack on Pearl Harbor in which Japanese individuals faced interment. The question of how to balance freedom and security is raised. He advocates for restrictions that effect the population as a whole as opposed to singling out individuals based on nationality.

Web Link: <http://www.scu.edu/ethics/publications/ethicalperspectives/profiling.html>

Additional Web Links: No.

Mention of Oregon: No mention.

Additional Information: No.

Title: "Contacts Between Police and the Public: Findings from the 1999 National Survey"

Authors: P.A. Langan, L.A. Greenfeld, S.K. Smith, M.R. Durose, D.J. Levin

Research Affiliation: Bureau of Justice Statistics Statisticians

Time Period Covered: Conducted from July 1, 1999 – December 31, 1999.

Geographical Scope: A national sample.

Population Studied: Respondents included all National Crime Victimization Survey

(NCVC) respondents age 16 and older. The sample consisted of 94,717 individuals. Of this sample, 80,543 individuals were interviewed for a response rate of 85%. Distributions by age, gender, race, and ethnicity parallel the resident population as projected by the U.S. Census Bureau.

Data Collection Methods: U.S. Census Bureau staff finalized the questionnaire, managed the field data collection, processed the data, and provided estimation specifications. 31% of the interviews were conducted in person and 69% were by telephone.

Events Studied: Events studies were categorized under 3 main headings: 1.) Incidence and prevalence of police-public contact 2.) Traffic stops and 3.) Police use of force. Multiple events were analyzed under each heading. Please see report for details.

Data Analysis Methods: Differences in the report were considered significant at a .05-level unless otherwise noted.

Conclusions About Nature or Extent of Racial Profiling: Highlighted findings include:

- 21% of U.S. residents had a contact with police
- 52% of contacts were in traffic stops
- 19% of contacts were to report a crime
- <1% of contacts involved police use of force
- 10% of white drivers were stopped
- 12% of black drivers were stopped
- 9% of Hispanic drivers were stopped
- 84% of drivers considered the stop legitimate

Web Link: <http://www.ojp.usdoj.gov/bjs/>

Additional Web Links: <http://www.ojp.usdoj.gov>
http://www.census.gov/population/projections/nation/detail/d1999_00.pdf

Mention of Oregon: No.

Appendix C:

The Oregon Annual Social Indicators Survey (OASIS):

- A multi-agency public opinion telephone survey of adults (18 and over) conducted by the Oregon Survey Research Laboratory at the University of Oregon.
- Selection of respondents was by randomly selected phone numbers (with follow-up when there was no response). As such, some bias was introduced into the survey by excluding Oregonians who do not have a telephone, which might be expected to discriminate against disadvantaged socio-economic groups. It should be noted that Whites and women are over represented, while racial/ethnic minorities and males are under represented.
- In 2002, 806 respondents completed interviews:
 - Most respondents were White (717 or 89%, compared to 84% of the total population according to Census2000)
 - The average age was 47.3 years old (compared to an estimate of 45.7 for the total adult population).
 - There were 6 Blacks (less than 1%, compared to 2% of the total population), 24 Hispanic (3%, compared to 8% of the total population), 11 Asian, 9 Native American, 25 other races
 - Most were licensed drivers (747 or 93%)
 - 98% were U.S. citizens
 - 64% were employed, 20% retired, 6% “keeping house”
 - 71% had at least some college education
 - Almost all Oregon counties were represented: 18% from Multnomah County, 12% from Washington, 11% from Clackamas, 9% from Lane, 6% from Marion, 5% from Jackson County, and the remainder from every other county but Wheeler
 - 41% were male, 59% female (compared to 49% and 51% for the total population)
 - 33% were urban, 34% suburban, 31% rural

Demographics during subsequent years were similar, though in the more recent surveys respondents were more frequently female and somewhat older.

Appendix D:

Questions from the 2005 OASIS Survey from which the data presented were derived:

1. Now I need to ask you about Oregon police officers. By Oregon police officers, I am talking about Oregon state troopers, county sheriff's deputies, and city police officers, but not federal officers, such as FBI or immigration officers. Overall, when you think about Oregon police officers, are your feelings generally positive, generally negative, or are they neutral?
2. The next questions have to do with whether police allow their perceptions of a person's race, ethnicity, or national origin to unfairly influence their decision to stop and question a person about a suspected traffic violation or suspected crime. How often, if at all, do you believe Oregon police officers allow race, ethnicity, or national origin to unfairly influence their decision to stop someone - never, rarely, sometimes, often, or always?
3. In the last twelve months, do you believe Oregon police officers overall have been more fair, less fair, or about the same in whether they allow race, ethnicity, or national origin to unfairly influence their decision to stop someone?
4. How often do you think that there are situations when it is appropriate for police officers to stop a vehicle based solely on the race of the driver -- never, rarely, sometimes, or frequently?
5. In the past 12 months, how many times have you been stopped by an Oregon police officer?
6. Out of the ___ times you were stopped by a police officer in the past 12 months, how many of these stops occurred when you were driving a car, truck, van, or motorcycle?
7. How many times did an officer search your vehicle [out of the times you have been stopped] [in the past 12 months]?
8. Did you ever believe that the real reason you were stopped was different than the reason the officer gave you?
9. Next, I would like to ask you some questions about your driving habits. Do you currently have a drivers' license?
10. Have you driven a car, truck, van, or motorcycle at all in the past 12 months?
11. On average, how many miles do you drive each week in Oregon?