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Racial Justice Study:
An Examination of Ticket Citations in the City of Mankato, Minnesota

Applied Sociology
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In Collaboration with ACLU Staff Attorney Ian Bratlie
December 12, 2014

Minnesota State University, Mankato

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Racial profiling has been a well-studied phenomenon in corrections and sociology alike, with most studies findings indicating that race still affects how police issue citations. Many racial profiling studies take place in larger cities, this study adds to the body of knowledge in a unique way by examining a smaller Midwestern city. Mankato is a city of approximately 40,600 people located in southern Minnesota and is populated heavily by whites, with a minority population around ten percent (United States Census Bureau 2014). By examining all traffic ticket citations given for a six-month period in the city of Mankato, Minnesota this study discovered statistically significant findings of over policing of minorities and while minorities represent roughly ten percent the population in Mankato, they make up approximately 22% of the population cited. The study was in collaboration between the University of Minnesota, Mankato and the American Civil Liberties Union of Minnesota (ACLU).

Literature Review

Studies of racial profiling consistently yield results indicating that racial profiling of citizens by police is alive and well (Ibe et al. 2005; Kirk 2008; Regoeczi and Kent 2013; Regoeczi & Kent 2014; Rojek et al. 2012 except see Mosher et al. 2008). Racial profiling can manifest in different ways including higher stop rates of minorities (Regoeczi and Kent 2013 and 2014), increased searches for minorities (Rojek et al. 2012), and higher likelihood of being ticketed for minorities once stopped (Rojek et al. 2012). Minorities are often cited for non-observable (i.e. administrative offenses) at higher rates than whites; suggesting that at time of stop an officer would not have observable evidence of an offense. (Rojek et al. 2012)

Miller's 2008 study highlighted the prevalence of racial profiling by explicitly differentiating legal and extra legal factors. Legal factors can be defined as risky driving, speeding or other traffic violations. Extra legal factors refer to race, class, gender, and other demographic characteristics. Quasi legal factors such as number of driving convictions within the last year, number of miles driven, age of vehicle, and frequency of interstate driving were also included in the study (2008: 134). The results of Miller's study found that even after legal and quasi legal factors were controlled for, racial profiling still existed.

Only a few studies have not found clear evidence of racial profiling. Lange et al. (2005) studied speeders on Lamberth's New Jersey Turnpike. They found that a higher percentage of blacks were ticketed; and a higher amount of blacks were actually found to be speeding. Meaning tickets were proportional to the amount of blacks found to be speeding. They did not, however, conclude that racial profiling was nonexistent. In another study Mosher et al. (2008) did not find enough evidence to support that racial profiling was taking place in traffic stops by the Washington State Patrol (WSP). This article stated that there was "no evidence that members of the WSP are recording more violations, or documenting more serious violations for minorities in order to justify issuing citations to them" (2008: 53). However, this was the sole article to not have findings concurrent with the theory of racial profiling and the dominant theme in the literature points to racial profiling as the norm.

According to one study police officers may justify racial profiling by accrediting it to criminal profiling (Ibe et al. 2012). A 2012 study by Ibe et al. revealed that law officials have been misusing criminal profiling as a way to legitimize racially motivated

profiling. Criminal profiling is a tool that is used by law enforcement for solving crime by narrowing the field of investigation based on characteristics of a potential offender, including race (Ibe 2012). In some cases officers were justifying their racial profiling by attributing it to criminal profiling.

Patterns of racial profiling differ between local police tasks and state patrol police in terms of racial profiling (Mosher et al 2008 and Rojek et al. 2012). State patrol officers were found to participate in racial profiling at lower rates than local police (Mosher et al. 2008 and Rojek et al. 2008). This was explained in several different ways, including that state patrol officers often experience vehicles traveling at faster speeds and therefore are less likely to be able to identify the race of the individuals before making a stop. However, simply because state patrol officers appear to be stopping minorities at lower rates does not mean racial profiling is not occurring. Racial profiling, instead, often manifests itself in search rates and citations vs. warnings. For example, racial minorities may be stopped at an appropriate rate in accordance with their population, however once stopped minorities are more likely to be searched and given citations. In a 2013 study whites were found to be more likely to be let off with a warning than minorities (Regoeczi and Kent. 2014).

Two predominant theories have been used to explain why racial profiling occurs. In Rojek's 2012 study he utilizes the out-of-place phenomenon to help explain both increased racial profiling of minorities in predominately white neighborhoods, and the tendency for whites to be pulled over more often in neighborhoods that have a high minority population. The out-of-place theory, as mentioned, helps to explain the white-on-white policing in predominately black neighborhoods occurs (Rojek et al. 2012: 1017);

indicating that both blacks and whites are considered suspicious if in the “wrong” place. Since people of color within a predominately white neighborhood may seem “out of place” to police officers, police officers may in fact racially profile at higher rates. According to the United States Census Bureau (2014), Mankato’s total population in 2013 was 40, 641, with 89.9% of Mankato’s population identifying as because of this racial disparity the out-of-place theory suggests that we will find evidence of racial profiling among the Mankato police task force.

A second theory suggests that in addition to the citizen’s race the officer’s race is also a variable which affects interaction between officers and citizens. Black defines law as “quantifiable government social control” (Rojek et al. 2012: 194), and states that people’s social position will affect how they impose the law and how the law is imposed on them. His basic argument is that people with high status will invoke the law on people with low status. The more power one has in society the more likely they will use the law (potentially abusively); the less power one has in society the less likely. It is known that the majority of the Mankato Police Department is made up of mostly white police officers; therefore, the Black’s theory of law applies to the expectations of racial profiling found in Mankato. In the 2012 study by Rojek et al. Black’s classic theory of law did indeed hold true; i.e. white officers were more likely to sanction black citizens. In fact it was found that a stop involving a white officer and black citizen resulted in a 5x higher search rate (Rojek et al. 2012: 1009). *Methodology*

Studies have been completed in a wide array of geographical areas. This supports the theory that racial profiling is happening all over the United States, as well as allowing us to compare differences in various locations. Studies of racial profiling often focus

solely on black drivers' experiences compared to white drivers' experiences to help clarify the issue. This study will examine minorities as a collective, and as well as blacks compared to whites and Hispanics compared to whites. Larger cities within the United States are often more racially diverse than smaller cities which are often found to be predominantly white; this holds true in the Midwest. While studies have been completed in multiple settings, most research focuses on larger, more urban areas. This study will examine if this translates to more rural communities. Due to the predominance of white individuals, both citizens and police officers, within Mankato, MN this study may see the out-of-place phenomenon and Blacks theory of law actually increase the likelihood of racial profiling. Black's theory of law suggests if the majority of the police force is white, minority citizens will be punished more harshly due to white officers invoking their social status. The out-of-place theory suggests that due to the large white population in Mankato, minorities may appear to be "out of place".

To assess if racial profiling by law enforcement is present in the city of Mankato, Minnesota a research team of two undergraduate students and one graduate student analyzed written and electronic traffic citations. Data was gathered from traffic citations that were administered by the Mankato Public Safety Department from January to June in the year 2013. This research team was formed in September of 2014 through an Applied Sociology course offered at Minnesota State University (MSU), Mankato.

In addition to the students, the research team included a community partner, Ian Bratlie, who is the Staff Attorney of the American Civil Liberties Union of Minnesota (ACLU) - a nonprofit organization with an office located in Mankato, Minnesota and Carol Glasser, a professor of Sociology at MSU, Mankato who advised students

throughout the research project. Copies of traffic citations were obtained from the Mankato public safety office and received under the Minnesota Governmental Data Practices Act (Minnesota Statutes §13. 01-99). Overall, 602 paper and electronic citations were obtained. Data from the citations was coded and systematically recorded by the student team members.

Of the 602 cases, 18 were removed due to the observed race made by the police officer of the person cited not being recorded. The final data set included 584 individuals with traffic citations. Some of the citations contained more than one offense. In total 77.1 % cited were white, 65.4 % were men, and 34.4 % were women. The average age was 31 years old (sd= 11.7 years)¹. Of those cited, 62.2 % received a ticket for a non-administrative violation, and half received a ticket for an administrative violation. Approximately 12% of those ticketed received both a non-administrative and an administrative violation.

The research team developed a codebook, in order to ensure proper coding practices. See Appendix A for codebook. Generating a codebook entails coding each qualitative variable with a numerical number, insuring coding and data quality, and assembly of a database. Creating a codebook allowed the researchers to effectively translate each data element onto a spreadsheet where it can later be statistically analyzed. In constructing the codebook it was important to be very specific with the rules of every coded variable to ensure researchers' spreadsheets are accurate and consistent. Paper citations were coded by hand and entered into an excel spreadsheet. Each paper citation was coded by one of the lead researchers. A ten percent random sample of paper citations was coded by a fourth coder (Professor Carol Glasser, project advisor). Coder agreement

on key variables of interest ranged from 86 to 100%.¹ Much of the electronic citation information was already in the appropriate format. All members of the research team coded traffic violations for all electronic tickets collectively.²

Data collected from citations obtained include the data enterers' initials, citation number, Incident Crime Report (ICR) number, name of person cited, home address of person cited, date of birth of person cited, gender of person cited, license plate number, offense description, date of citation, time of citation, offense location, police identified race, citing officer badge number; as well as the coding traffic violation as observable or non-observable. It is important to document the date of birth and gender of the person cited due to gender and age range bias in traffic stops, as well as traffic citations. Previous knowledge on this topic suggests that male African American youth are most prone to racial profiling by police (Miller 2008: 139).

Another decision the research team made was to record if the person receiving a citation had a last name that could be interpreted as Hispanic/Latino. Hispanic is not an individually recognized category of race by law enforcement, or by some government agencies. In some cases people who identify, and in this case more importantly who police may identify, as Hispanic or Latino are categorized as white on ticket citations. This affects the accuracy of assessing if racial profiling of Latinos is occurring, since people who police may identify as Latino will be categorized on the ticket citation as white. To help offset this affect, the research team made the decision to document whether the last name on a citation could be interpreted as Hispanic or Latino.

¹ Cronbach's Alpha values ranged from .591 to 1. The reliability of the sample is even greater than this as only 22% of the entire sample relied on multiple coders. The remaining sample was obtained in electronic format and all researchers coded each case together. Intercoder reliability was measured using the online tool ReCal2 (<http://dfreelon.org/recal/recal2.php>).

² Values may not add up to 100 percent due to missing data and rounding.

This is an acceptable practice in other fields, including law. For example, the Southern Poverty Law Center used this method in a study of racial profiling in Huntsville, Alabama (2014). They found that 75 % of vehicles seized and impounded in the city during a traffic citation were taken from drivers with Latino surnames. However, census data of Huntsville shows that Latinos only make up 16 % of the population; indicating racial profiling playing a significant role. Without this extra step our research may have failed to gather the full scope of racial profiling occurring in Mankato, Minnesota. The team recognized some of the negative accuracy implications of this variable, however it is necessary to best understand the amount of racial profiling occurring.

This study also demanded for documentation of whether or not the traffic violation was considered administrative or non-administrative. Traffic citations can be divided into two major categories, non-administrative and administrative. These offenses can also be termed as observable and non-observable offenses, respectively. In other words, observable offenses are classified as non-administrative and non-observable offenses are classified as administrative. Non-administrative citations include speeding, reckless driving, failure to yield, etc. Administrative violations include citations for no insurance, no proof of insurance, driving after suspension, etc. One method used to determine if racial profiling is occurring is to compare the amount of non-administrative (observable) and the amount of administrative (non-observable) traffic violations that prompted a traffic stop. If a higher number of people of color are issued citations for administrative offenses than whites, this may be evidence that racial profiling is occurring within the Mankato police force. Administrative citations suggest that the

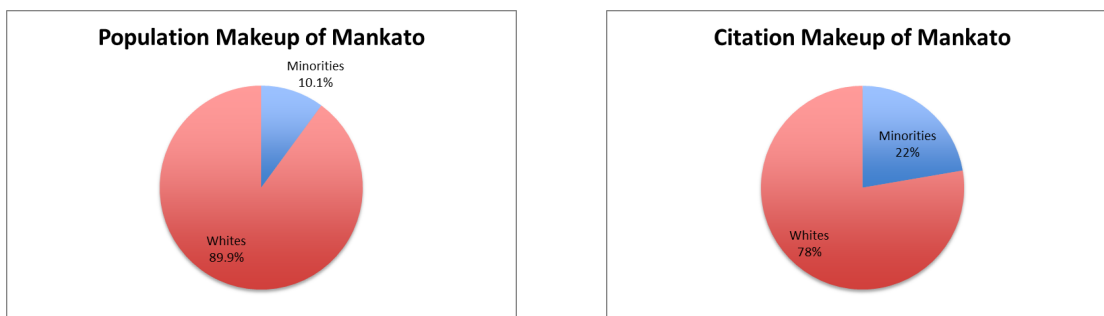
officer was unaware of the offense at the time the citizen was pulled over; it also indicates the officer is taking extra time to search the citizen. If whites are issued significantly more non-administrative tickets, this indicates that the officer is taking less time to search the white citizen, and is simply citing the citizen for the offense they were originally pulled over for. If minorities are issued significantly more non-administrative tickets, this too may indicate racial profiling, as it would suggest more minorities are being pulled over.

Methodological concerns in this study include the possibility of missing information from reports, misidentified race by police officers, misinterpretation of handwriting by data enterers on written police reports, and police errors during documentation of ticket citations. To help mitigate some of these effects, research teams may make the decision in the future to conduct personal surveys of people issued citations by the Mankato Public Safety Department to help corroborate information.

Findings

Findings in this study confirm that racial profiling is occurring in Mankato, MN. Minorities make up approximately 10.1% of the population in Mankato (United States Census Bureau 2014) but 22.3% of people cited in Mankato 2013. This is over twice the percentage of minorities that make up the city population. More in depth, the black community makes up four percent of the population in Mankato, but represents 12.3% of people cited in the traffic citations collected; indicating the black population in Mankato is overrepresented in these traffic citations by over three times the population percentage. (see Table 1).

Table 1. Population makeup of Mankato
Vs.
Citation makeup of Mankato



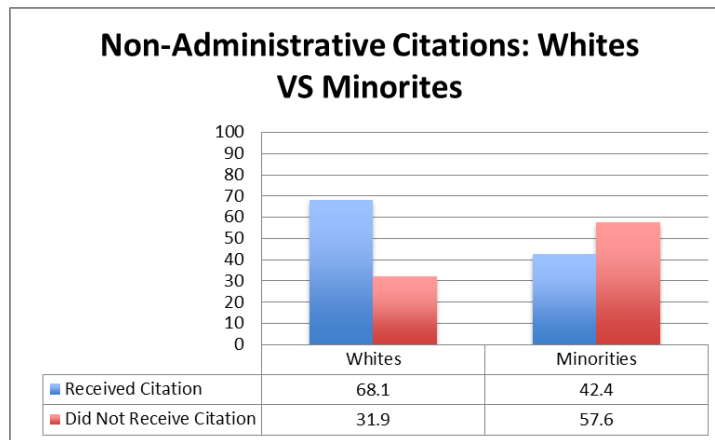
Due to a small minority population in Mankato, this study chose to examine the minority population as a whole compared to whites (instead of examining blacks compared to whites) to increase the statistical power of our analysis. As noted earlier, it is a common practice for police to document Hispanics as whites. They are, however, considered to be a part of minorities in this study. The researchers reviewed the citations, and documented which names could be interpreted as Hispanic. The researchers found that people with Hispanic names represented approximately seven percent of the sample of traffic citations. This is an overrepresentation of more than two times the population makeup of Hispanics in Mankato, which sits at 2.9% of the population (United States Census 2014).

Whites were significantly more likely ($p \leq .001$) to receive non-administrative citations whereas minorities were significantly more likely ($p \leq .001$) to receive administrative citations³. The study found 68.1% of whites received citations for non-administrative (observable), compared to minorities, where 42.4% received citations for

³ Statistical significance was measured using a Pearson Chi test of correlation.

non-administrative (observable) offenses while 57.6% did not. 44% of whites received citations for administrative (non-observable) offenses compared to 72% of minorities. The findings comparing those who received both administrative and non-administrative offenses together were not found to vary significantly by race. (see Table 2).

**Table 2. Non-Administrative Citations:
Whites vs. Minorities**



These findings indicate that whites are more likely to be ticketed for the same reason they were pulled over (i.e. observable offenses), whereas minorities are more likely to receive a citation for something other than the reason they were pulled over (e.g. non-observable citations). This indicates that racial profiling is likely occurring.

Delving further, specific violations were examined as well. This study revealed that citations for not having insurance, or having no proof of insurance (an administrative or non-observable offense), was also of significance ($p \leq .01$). Minorities are more likely to be cited for lack of insurance. Of the whites given citations, 27.4% were ticketed for an offense involving insurance, in comparison to, 40.3% of minorities.

In some studies age was found to affect racial profiling (e.g. Ibe et al. 2012), therefore age was also examined. Within the crosstab evaluations, fourteen age categories were compared against driving after suspension (DAS), driving after revocation (DAR),

and driving after cancellation (DAC) violations; all administrative violations. The findings of this crosstab evaluation were not found to be significant. Neither were they significant for age versus no proof of insurance/no insurance. Significance ($p=.05$), however, was found for between age and speeding offenses. Individuals of the age of 24 or younger were more likely to receive citations for speeding. The age variable was also compared to administrative, non-administrative, and both administrative and non-administrative offenses. Non-administrative and administrative offenses were found to vary significantly ($p \leq .05$) by age.

We were particularly interested in the relationship between race and receiving administrative citations, as this most strongly indicated whether racial profiling is occurring. To make sure that the effects of race exist independently of the effect that age has on receiving such citations, we ran a logistic regression to test for the effects of race while controlling for age. We also controlled for gender because the literature finds women are less likely to be ticketed once stopped (Kirk 2008), and time of day because certain types of offenses, such as possession of small amount of marijuana, may be more common at 1:00 am than 1:00pm.

Controlling for these effects, race remained significantly related ($p \leq .001$) to the likelihood of receiving an administrative citation. See Appendix B for full model. Overall, minorities in the city of Mankato are 2.9 times more likely to be cited for a non-observable (administrative) offense than whites are, even when taking age, gender, and the time of the citation into account. (see Table 3).

Table 3: Odds Ratios of the Likelihood that a Person Who is Ticketed Receives an Administrative (Non-observable) Citation

Minorities (vs. Whites)	2.901	***
Female (vs. Male)	0.678	*
Age	1.183	***
Time of citation	0.999	***
N= 602		
Model X ²	74.211	***
Pseudo R ²	0.16	
*** p≤ .001 * p≤ .05 ** p≤ .01		

Minorities are being pulled over at rates higher of 22% than would be expected from a makeup of ten percent of population. Once pulled over, minorities are about three times more likely to get an administrative ticket than whites, meaning that the police had to search either their record or car in order to administer a ticket.

Recommendations and Conclusions

Results suggest that racial profiling is occurring in the city of Mankato, Minnesota. These findings may be explained by Black’s classic theory of law, the out-of-place phenomenon, or both. The majority of police officers in Mankato are white; as previous studies have suggested when this is the case racial profiling may increase. Black’s law suggests that white officers are more likely to ticket black citizens, as noted in Rojeck et al. 2012 (1009). The out-of-place phenomenon may also explain the level of

racial profiling occurring in the city of Mankato. Since Mankato is a predominately white city, people of color may seem more “out of place” and attract more attention.

Given the size of the minority population in Mankato, ten percent, minorities are being pulled over at a rate of 20% which is higher than expected. Findings around administrative (non-observable) offenses also offer some valuable insight, and further supports that racial profiling contributes to the disproportionate number of people of color being cited in Mankato. Almost three-quarters of minorities who were cited received a citation for an administrative offense, suggesting that police officers are taking extra steps to search minorities once pulled over. This is perhaps the strongest evidence that racial profiling is a factor in the number of minorities ticketed in Mankato.

This study was focused on people who were cited with an offense that doesn't warrant arrest and researchers did not have data on official warnings given, although DWI's were an exception and included in the study. In future studies information on warnings given and citizens taken to jail would be helpful to gain a more complete picture of racial profiling occurring in Mankato. Officer race would also be helpful to establish if Black's law may be having an effect on the number of minorities cited in Mankato. As discussed briefly earlier, surveys of people cited may be helpful to verify information. However, this still has its limitations regarding race. In racial profiling cases how someone racially identifies is not as important as how someone is racially perceived.

This study was limited by its short time span and smaller sample size. If this study continues and becomes a longitudinal study it will help establish a more complete picture. If a large enough sample size is established we may see more solid trends in regards to age and gender as well. Even with this study's limitations traffic citations provide a

robust data set to examine the prevalence of racial profiling. The findings show that minorities in the city of Mankato are about three times as likely to receive an administrative offense. As Mankato continues to expand and grow in diversity this is an issue that will continue to be present. Mankato must be proactive and set up policies and procedures to reduce racial profiling and ensure equal and fair treatment of all citizens.

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Appendix A. Codebook.

CODEBOOK

- ALL CAPSLOCK
- USE ABBREVIATIONS WITH NO PERIODS AT THE END; EX: ST, BLVD, BLK
- DATA ENTERER INITIALS: FIRST AND LAST, NO PERIODS, USE MIDDLE INITIAL IF ANOTHER CODER HAS SAME INITIALS
- CITATION NUMBER: LIST ONLY LAST 5 DIGITS
- ICR: USE DASHES; EXAMPLE: 00-0000
- NAMES: WRITE AS SEEN
- LAST NAME INTERPERTED SPANISH: 1= YES 2= NO
- HOME ADDRESS: WRITE AS SEEN, INCLUDING CITY, STATE, AND ZIPCODE, USING NO COMAS, USE # WHEN APARTMENT OR SUITE NUMBER IS LISTED, USES NUMERICAL NUMBER EG. 8TH STREET, ABBREVIATE NORTH, SOUTH, EAST, WEST BY USING N, S, E, W
NOTE: APPLIES TO CITY NAMES AS WELL, EG N MANKATO
- DATE OF BIRTH: USE SLASHES; EXAMPLE: 00/00/0000
- GENDER: MALE=1 FEMALE=2 UNKNOWN=3
- LICENSE PLATE NUMBER: NO SPACES
- OFFENSE ONE: WRITE IN CODE FOR OFFENSE THAT CORRESPONDS TO THE FIRST OFFENSE WRITTEN ON THE CITATION (SEE CODES BELOW)
- OFFENSE TWO: WRITE IN CODE FOR OFFENSE THAT CORRESPONDS TO THE SECOND OFFENSE WRITTEN ON THE CITATION (SEE CODES BELOW).
IF NO SECOND OFFENSE PRESENT INSERT PERIOD (.)
- OFFENSE THREE: WRITE IN CODE FOR OFFENSE THAT CORRESPONDS TO THE THIRD OFFENSE WRITTEN ON THE CITATION (SEE CODES BELOW).
IF NO SECOND OFFENSE PRESENT INSERT PERIOD (.)
- OFFENSE FOUR: WRITE IN CODE FOR OFFENSE THAT CORRESPONDS TO THE FORTH OFFENSE WRITTEN ON THE CITATION (SEE CODES BELOW).
IF NO SECOND OFFENSE PRESENT INSERT PERIOD (.)
- OFFENSE FIVE: WRITE IN CODE FOR OFFENSE THAT CORRESPONDS TO THE FIFTH OFFENSE WRITTEN ON THE CITATION (SEE CODES BELOW).
IF NO SECOND OFFENSE PRESENT INSERT PERIOD (.)

- OFFENSE/CHARGE DESCRIPTION:
 - 1=VEHICLE REGISTRATION EXPIRED/EXPIRED TABS/REVOKED PLATES -N
 - 2=NO MINNESOTA DRIVERS LICENSE -N
 - 3=NO PROOF OF INSURANCE/NO INSURANCE -N
 - 4=DRIVER AFTER SUSPENSION (DAS)/DRIVING AFTER REVOCATION (DAR)/DRIVING AFTER CANCELLATION (DAC)/DISPLAY REVOKED PLATES -N
 - 5=FAILURE TO YIELD TO SEMAPHOLE -O
 - 6=SPEEDING -O
 - 7=VIOLATE INSTITUTION PERMIT -N
 - 8=LEAVING THE SCENE OF ACCIDENT -O
 - 9=IMPROPER ADDRESS ON DRIVERS LICENSE -N
 - 10=FAILED TO YIELD/FAIL TO OBEY STOP SIGN/FAIL TO YIELD TO RIGHT OF WAY -O
 - 11=RECKLESS DRIVING/CARELESS DRIVING/INATTENTIVE DRIVING/FAILURE TO DRIVE WITH DUE CARE-O
 - 12= SCHOOL ZONE SPEED -O
 - 13=POSSESSION OF DRUG PARAPHENALIA -N
 - 14=THEFT -O
 - 15=POSSESSION OF SYNTHETIC MARIJUANA -N
 - 16=STOP LIGHT VIOLATION -O
 - 17=POSSESSION OF SMALL AMOUNT OF MARIJUANA -N
 - 18=STOP SIGN VIOLATION -O
 - 19=FIRST THROUGH FIFTH DEGREE DUI -O
 - 20=OPEN BOTTLE -N
 - 21=COLLISION WITH UNATTENDED VEHICLE -O
 - 22= DRIVE WITHOUT HEADLIGHTS -O
 - 23= EXHIBITION DRIVING -O
 - 24= FAILURE TO PROVIDE DRIVER INFORMATION -N
 - 25= FAILURE TO STOP AT ACCIDENT WITH PROPERTY -O
 - 26= .08 OR MORE WITHIN 2 HOURS -O
 - 27= POSSESS FIREWORKS -N
 - 28= CONTEMPT OF COURT -N
 - 29=SCHOOL BUS VIOLATION -O
 - 30=VIOLATION OF MOTORCYCLE PERMIT -N
 - 31= IGNITION INTERLOCK VIOLATION
 - 32=FAILURE TO TRANSFER TITLE -N
 - 33=DRIVERS LICENSE SHOWS WRONG ADDRESS -N
 - 34= FAIL TO SIGNAL TURN -O
 - 35=NOT WEARING SEAT BELT/CHILD RESTRAINT -O
 - 36=NO DRIVERS LICENSE IN POSSESSION -N
 - 37= EQUIPMENT VIOLATION -O
 - 38= FAILURE TO PROVIDE ACCIDENT INFORMATION - N
 - 39= TRAFFIC VIOLATION MS/OTHER- O
 - 40= EQUIPMENT VIOLATION- O

41= ILLEGAL PASSING- O
 42= HANIDCAP PARKING - O
 43= IMPROPER SIGNAL/LANE USAGE- O
 44= ALLOW UNLICENSED DRIVER TO DRIVE- N
 45= FAIL TO CHANGE LANE FOR EMERGENCY VEHICLE - O
 46= NO MC ENDORSMENT/ NO MOTORCYCLE ENDORSEMENT-
 N
 47= TEXTING WHLE DRIVING - O
 48= OBSTRUCTED VISION- O
 49= NO FRONT LICENSE PLATE- O
 77= OTHER
 88= UNKNOWN/ILLEGIBLE
 99=MISSING

- DATE OF CITATION: USE SLASHES; EXAMPLE: 00/00/0000
- TIME OF CITATION: USE MILITARY TIME
- OFFENSE LOCATION: NO PUNCUATIONS, USE / IN REPLACEMENT OF AND
- RACE:
 - ASIAN=1
 - BLACK= 2
 - WHITE=3
 - HISPANIC=4
 - OTHER=6
 - NOT LEDGIBLE=66
 - MISSING=99
- IF POLICE IDENTIFIED RACE IS MISSING- DATA ENTERER GUESS OF RACE, USE CODES ABOVE, ENTER (.) IF ALREADY ENTERED
- OFFICER BADGE: WRITE AS SEEN, NOT LEDBIBLE= 66 MISSING = 99
- STATE/ORDINANCE: WRITE AS SEEN, PERIODS INCLUDED
- OBSERVABLE VIOLATION: YES=1 NO=2, EXAMPLES INCLUDE SPEEDING, NO USE OF TURN SIGNAL, DRUNK DRIVING/DUI. NOTE: TABS WILL BE CODED AS NONOBSERVABLE
- NON-OBSERVABLE VIOLATION: YES=1 NO=2, EXAMPLES INCLUDE OPEN BOTTLE, DRUGS, NO PROOF OF INSURANCE. NOTE: TABS WILL BE CODED AS NON-OBSERSVABLE
- BOTH TRAFFIC AND ADMINISTRATIVE VIOLATION: YES=1 NO=2

Appendix B. Annotated Bibliography

Ibe, Patrick, PhD, Charles Ochie PhD and Evaristus Obiyan PhD. 2012. "Racial Misuse of "Criminal Profiling" by Law Enforcement: Intentions and Implications." *African Journal of Criminology and Justice Studies : AJCJS* 6(1/2):177-196.

This article analyzes the rates of racial profiling and seeks to determine what causes differences in rates of citations. Criminal profiling is a tool that is used by law enforcement for solving crime by narrowing the field of investigation. They do this by determining what kind of person is likely to have committed a specific crime based on their behavioral and personal characteristics. The purpose of this article sought to discuss and analyze issues of misuse with criminal profiling, i.e. racial profiling.

Dr. Patrick I. Ibe, Ph.D., is a faculty member in the Criminal Justice department at Albany State University. Dr. Patrick Ibe specializes in Political Science and Criminology. He received his Ph.D. at Clark-Atlanta University (asurams.edu). Dr. Charles O. Ochie, Sr., Ph.D., is also a faculty member in the Criminal Justice Department at Albany State University. Dr. Charles Ochie, Sr. is the chairperson of the department. He specializes in Criminology, Social Deviance, and Corrections. He received his Ph.D. at Oklahoma State University (asurams.edu). Dr. Evaristus O. Obiyan, Ph.D., is an associate professor of Criminology and Criminal Justice at Southern University at New Orleans. He was also the director of the Fort Valley State University's Georgia Center for juvenile Justice for five years (suno.edu).

The people being studied are minorities, African Americans in particular, though.

The article did not specify how many people were interviewed, but the authors used multiple methods in order to gather the data they needed for the study. The methodology of this study was a blend of in-depth interviews, personal observations, secondary data collection, and content analysis. This is a mix of both qualitative and quantitative methods.

There were five major findings from this study. The first finding was that about 32 million Americans have reported that they have been victims of racial profiling. Another finding was that racial profiling has a direct effect on Americans of Asian, Hispanic, Arab, Native, Middle Eastern, Persian, and African descent. This study also found that whites were affected, but only under certain circumstances. Another finding of this study was that about 87 million American citizens are at risk of being victims of racial profiling in their lifetimes. The study also found that racial profiling happens to both genders, across all socioeconomic backgrounds, and in all areas (urban, suburban, rural). The final finding of this study was that, since the attack on 9/11/2001, there has been a substantial increase in racial profiling of citizens and visitors that appear to be of Sikh and Islamic faith.

The authors state that criminal profiling can be used as a legitimate law enforcement tool. However, this study reveals that the tool of criminal profiling, which has been a crime-solving tool for quite some time, has been severely twisted into full-blown racial profiling. This study concludes that there is a racial bias that is used by some police officers throughout the entire country. The authors suggest that efforts should be made by everyone in order to root out racial profiling because it is inhumane, highly illegal, and unethical. The authors claim something must be done because racial profiling

undermines the law enforcement officials as well.

Lange, James E., Mark B. Johnson and Robert B. Voas. 2005. "Testing the Racial Profiling Hypothesis for Seemingly Disparate Traffic Stops on the New Jersey Turnpike." *Justice Quarterly* : 22(2):193-223.

The purpose of this study was to assess racial profiling. The study was meant to produce benchmark values based on the populations of drivers on the New Jersey Turnpike. The goals of this study were to a) assess the ethnicity of driving participants; and b) to compare this to the race/ethnicity of traffic violators to determine if racial profiling is occurring. There was not reliable information about the author, Mark B. Johnson, but there was some valid information on the other two writers of this article. James E. Lange, Ph.D., is the Coordinator of Alcohol and Other Drug Initiatives in the Graduate School of Public Health at San Diego State University (alcoholpolicypanel.org). Dr. Lange is also an adjunct professor of Psychology and Social Work within said university. Robert B. Voas, Ph.D., "is one of the most well-respected and influential traffic safety researchers in the country."

For a study such as this, researchers would typically compare the percentage of people of a specific ethnicity receiving traffic citations to the percentage of that specific ethnicity within the population. If the percentages were not balanced, a profiling issue would be revealed. The authors took a different route than this methodology. The authors first analyzed Lamberth's study on speeding violators based on ethnicity. In Lamberth's study, the researchers used a research vehicle, and drove through the New Jersey

Turnpike going 5 mph over the speed limit. They did this multiple times, and were asked to observe the ethnicity of both drivers that passed the research vehicle, as well as the drivers that the research vehicle passed. Those who passed the research vehicle were categorized as speeding violators.

The authors of this article started off with the same research technique as Lamberth. After the researchers surveyed the population of drivers on the New Jersey Turnpike, they analyzed and generalized each race based on their driving (whether or not they violated speeding laws). This survey became known as the “Tollbooth Survey.” This survey produced a distribution estimate based on race. The authors then contacted 4,656 drivers at the tollbooths of the New Jersey Turnpike. 4,039 agreed to participate. The authors included the nonparticipants in order to reduce the chances of the study having a bias. Participants were asked a series of questions, including what race/ethnicity they claimed. The researchers also observed the license plate, whether or not the vehicle had commercial logos on it, etc. The researchers then collected data on how long it took each driver to drive from one tollbooth to the next (to determine if they were speeding). The researchers then collected police stop data from the New Jersey State Police through New Jersey Open Public Records Act.

This study had major findings in the surveys they ran. When observing the ethnicity of people that both passed the research vehicle and were passed by the research vehicle, they found that both Black and White drivers had similar results. 2.7 percent of Black drivers drove at 80+ mph (15 mph over the speed limit), and 1.4 percent of White drivers drove at 80+ mph. Between the races, the average speed they drove in a 65 mph zone was 66.3 and 66.8 mph.

The results of this study indicate that the distribution of traffic stops does not match the distribution of race in the population, meaning that Black drivers are overrepresented in traffic stops. The authors state that one should not assume that the population percentage of a specific race will completely match the population percentage of that race in traffic citations. The authors recommend that benchmarks for measuring racial profiling should not be based on geographic census. They should, however, be based on estimates of traffic violations.

Miller, Kirk. 2008. "Police Stops, Pretext, and Racial Profiling: Explaining Warning and Ticket Stops Using Citizen Self-Reports." *Journal of Ethnicity in Criminal Justice*. 6(2): 123-149.

This study examines the likelihood of different kinds of traffic stops (i.e. warnings vs. citations) and secondary characteristics, including but not limited to race. Kirk identifies a lack of theoretical grounding within racial profiling research. This article intends to add to the growing body of literature on police traffic stops by examining "legal and extra legal factors thought to be associated with pretextual stops". Pretextual stops can be defined as minor offenses that allow authorities to detain suspects for investigative or other purposes. Pretextual stops are identified as the main tactic police may enlist within racial profiling. Pretextual stops have been sanctioned by the court as allowable, which has in turn sanctioned pretextual stops regardless of the real purpose for the stop. Legal factors can be defined as risky driving, speeding, etc. Extra –legal factors refer to characteristics such as race, gender, age, residential status, etc. Researcher of this study

was Kirk Miller, PhD. No other researchers or research assistants are mentioned. No further information on Kirk Miller is provided.

Sample population was drawn from licensed drivers in North Carolina. North Carolina DMV records were used and were also stratified by race. This method was chosen by researcher due to the fact police may react negatively to an analysis of police reports. Sample was limited to whites and blacks, and no other ethnicities were included. Sample was also limited to white and black residents who had a renewed driver's license within the past year. Total sample was 2620 respondents, 49% black and 51% white. Only white and black respondents were selected to "clarify racial comparisons" and blacks were intentionally oversampled compared to actual population.

Self-reports were chosen as the method. Another study had recently deemed self-reports useful for developing legal and extra-legal factors; which Kirk hopes to study. Participants were sampled via telephone survey. Telematch, a telephone matching process, was used to conduct self-reports. The match rate was 49%. The American Association of Public Opinion Research definitions were used. The response rate for the study was 38.8%, and the cooperation rate was 59.1%. Participants were asked if they had experienced a police-initiated stop in the state of North Carolina within the last 12 months, and what the outcome of the stop was (verbal warning, written warning, or citation). Survey inquired about 3 most recent stops within the 12 month period.

The 20.3% of respondents reported a traffic stop, 10.1% were warning stops (presumably either verbal or written) and 10.2% were cited when stopped. Self-reported warning stops by local police were twice as likely as stops conducted by the state highway patrol. This could support Kirk's theory that local police stop more often for extra-legal

factors, which results in a lower hit rate. The results on extra-legal factors suggested that sex and age were predictors of police focus. A third category was introduced, “quasi-legal” factors. These refer to age of vehicle, amount of miles driven in past year, frequency of interstate driving, and number of past driving offenses. Kirk linked vehicle age with driver’s SES status. SES status may then in turn be linked to increased likelihood of failure to register, lack of license renewal, etc. Legal factors examined included use of turn signals, wearing seat belts, etc. Kirk concluded that Black (race), male (gender), and younger (age) drivers had an increased probability of a local (police) warning stop. Vehicle’s age also increased this. Black drivers were also more likely to report a warning stop from state level police than white drivers.

The results support the expectation that different stop types (warning and citation stops) conducted by local police agencies support the driving while black phenomenon even after legal and quasi-legal factors are considered. Warning stops increase with vehicle age (which relates to SES and sometimes race) on a local level as well. On a state level warning and ticket stops were not found to be associated with race, however older vehicles are still at an increased risk on state level. Kirk concludes police organization is an important factor when examining racial profiling and states it is often under-examined. Kirk identifies organizations as shaping views on what constitutes pretextual claim. Kirk acknowledges a number of limitations within his study, including only white and black participants, and only sampled from one state. Sampling method sets significant limits as well. In conclusion Kirk states that type of traffic stop and type of police organization have “important consequences for the collection of extra-legal and legal factors

associated with stop likelihood.” Findings support the importance of examining organizational practices on traffic stops.

Mosher, Clayton, J. M. Pickerill, Travis Pratt and Nicholas Lovrich.

2008. "The Importance of Context in Understanding Biased Policing: State Patrol Citations in Washington State." *Police Practice & Research* 9(1):43-57.

The purpose of this study was to discover if being a minority had an effect on the probability of receiving a traffic citation. Clayton J. Mosher, Ph.D., is a Sociology professor at Washington State University. He specializes in Criminology and Delinquency, Deviant Behavior, and Law and Society. Nicholas Lovrich, Ph.D., is a Regents Professor Emeritus in the School of Politics, Philosophy, and Public Affairs at Washington State University. J. Mitchell Pickerill, Ph.D., is a professor in the Department of Political Science at Northern Illinois University. He specializes in American Government and Public Law. Travis Pratt, Ph.D., is an Assistant Professor in the Department of Political Science/Criminal Justice at Washington State University. He specializes in crime/delinquency and correctional policy.

The methodology of this study was to look over every traffic stop made by Washington State Police from May 2000 to October 2002, and compare them to the stops made by local police throughout the state of Washington. This study analyzes approximately 1.6 million traffic stops by the Washington State Patrol, and examines the rates of citations for minorities. The researchers examined the date/time of the traffic stop; the location of the stop; the type of traffic violation; the ethnicity, gender, and age

of the driver; the sex, rank, jurisdiction, and experience of the Washington State Police officer; and whether the driver received a written warning or citation from the officer.

The study discovered that, “the initial effects of race on the probability of receiving a citation are greatly attenuated and reduced to (statistical) non-significance in most APAs of the Washington State Patrol for Blacks, Native-Americans, and Hispanics.” (Mosher et al. 2008). The study also found that Washington State Police are more probable to give a citation to young Asian drivers for speeding. This being said, there were no findings that indicated systematic racial profiling by the Washington State Patrol, but more so by the police force on a local level.

This study states that the authors did not find significant enough data to confirm that there is, in fact, racial profiling going on with the Washington State Patrol. They did find that the percentage of the citations studied were given out to minorities did not match the population percentage of said minorities. That being said, the percentage difference was not significant enough to report as an issue. The writers conclude their data by implying that we must, “consider the impact of legal variables and contextual factors in analyzing biased policing.” (Mosher et al. 2008).

Mosher, Clayton, Mitchell Pickerill, and Travis Pratt. 2009. “Search and Seizure, Racial Profiling, and Traffic Stops. A Disparate Impact Framework.” *Law and Policy*. 31(1): 1-30.

The purpose of the study is to determine if acts of discrimination made by police officers against racial minorities is a major concern for law enforcement agencies, public

watchdog groups, and academic researchers. The researchers have looked further into the police “stop decision” collecting data on the racial demographics of motorcyclists whom have been stopped by police. It has been recognized by scholars that most of the police discretion has been observed to take place after the victim has been stopped. The approach taken for this research began by assessing if police officers were purposely choosing racial minority motorcyclists compared to the motorcyclists whom were white. In order to do so, the researchers had analyzed data that had been collected by the Washington State Patrol where they have a recording of every stop made from March 2002 through October 2002.

Observations were made by the researchers of the interactions between the police and the citizen who had been stopped. The researchers have done earlier studies and had come to a conclusion that the citizen’s demeanor has a big impact on whether they receive a ticket or a warning. Mosher, Pickerill, and Pratt (2009), though, argue that when it comes to minorities being searched it is an intentional racial decision made by the police officers.

The method used for this study was to collect trafficking stop Washington State Patrol data since the year 2000. Between March 2002 and October 2002, they have a total of 677,514 observational data sheets made by the state troopers who have been in contact with the motorists that they had stopped. It is to be notified that “the method of data collection is the only realistic way of compiling quantitative datasets on police contacts.” The advantages of using this type of method are that the data comes with very detailed information on the race of both the police officer and the driver. It also gives very

detailed information of the type of search that had been conducted as well as given details about the environmental surroundings when the driver had been stopped.

The findings in this study consist of the total of Whites who have been stopped is 569,652. Of the 569,652 White drivers who had been stopped, .4 % of them had a high-discretion search, 2.6 % had a low discretion search, and 97 % did not get searched at all. The total of Black drivers that had been stopped is 23,245 drivers. The total percent of Black drivers that received high discretion search was 1 percent, a low discretion search is 2.6 , and 92.4 % of Black drivers who had been stopped did not get searched. A total of Native Americans who have been stopped was 3,895 and 2.1 % of Native American received high discretion search, 12.9 % received low discretion search, and only 84.9 % of Native Americans received no search whatsoever. Total of Asian Americans who had been stopped is a total of 20,590. The population of Asian Americans who had high discretion search was .3 percent, a low discretion search was 2.2 %, and no search was 97.5 %. Lastly, a total of Hispanic drivers who have been stopped were a total of 664,035. A total of high discretion search for the Hispanic race was .9 percent, a low discretion search was 5.7 %, and no search at all was 93.4 %.

In conclusion, racial minorities are more subjected to searches in traffic stops on Washington highways. From the data collected from the Washing State Patrol, it is believed that race is a factor related to the likelihood of being searched. The three variables that affect the likelihood of being searched according to the data collected are race, gender, and age. Another factor that may play a role in the likelihood of being searched or ticketed is the behavior of the citizen whom had been stopped. Overall, the

results have shown that Blacks, Hispanics, and Native Americans are more likely to get searched than Whites.

Regoeczi, Wendy C., Stephany Kent. 2013. "Race, Poverty, and the Traffic Ticket Cycle." *Department of Sociology and Criminology, Cleveland State University, Cleveland, Ohio, USA*

The purpose of the study is to investigate whether race influence whether someone receives a traffic violation ticket versus a warning from a police officer. The researchers explored demeanor and appearances of the victim who was stopped by a police officer and if they had received a ticket or a warning based on those factors. To further understand the influencing factors between races receiving tickets or warnings, the researchers also focused on the context of the situation that would be any indicator of the likelihood of receiving a ticket versus a warning.

Wendy C. Regoeczi is professionally affiliated with the American Society of Criminology, American Sociological Association, and the Homicide Research Working Group. Wendy is a professor at Cleveland State University. Her interests include criminology, interpersonal violence, homicide, domestic violence, and quantitative methods. Stephany Kent is also a professor at Cleveland State University. She is professionally affiliated with American Sociological Association Professional Organization, Section on Law and Society, as well as Section on Crime. At the University she teaches Crime, Delinquency, Criminal Justice, and Research Methods.

Those who were involved in the studies were police officers whom were open to let the researchers do ride-alongs as well as those who were victims of getting pulled over by the police officers. The researchers only studied the context and interactions between

the police officers and those who were white or black citizens. Geographically, the study had been done in the Cuyahoga County, Ohio. The researchers had chosen the Cleveland Police Department because of their large proportion of cases they manage in the Cuyahoga County criminal justice system. For the methodology, the researchers collected data during the police ride-alongs using a sample frame of a minimum of 1,000 residents. The thirteen trained researchers who assisted in the study did a total of 140 ride-alongs. Observations were made over a stretch of 65 weekends and 75 weekdays. The observers had used three types of data collection forms in order to record their information during the observed ride-alongs. First type of data collected measured the demographic characteristics of the officers. This included the officers age, race, gender, number of years they have been a part of the department, and where they had been assigned. The second type of data being collected was the officer's attitude before and after being observed by the researcher. The last form of observational data being collected would be how the officer interacted with the citizen. This form included observational data about the citizen, where the interaction between the police officer and the citizen took place, and the decision making process of the police officer of either giving a ticket or a warning.

The findings of the research included a total of 312 interactions between police officers and citizens of Cuyahoga County, Ohio. Police officers initiated interactions with citizens an average of four times per shift. The policemen's attitudes were mostly positive and examined no effects on their attitude when it came to different race or male citizens. The most common outcome the researchers observed were warnings, 53 %, compared to tickets, 34 %, 1.7 % of citizens getting arrested, and 1.6 % of citizens' car getting towed.

The researcher's observations overall included 66 % of females whom were stopped by officers received a warning compared to 59 % of males whom received warnings. Those who have received a ticket contained a total of 31 % of white citizens, 53 % of black citizens, and 20 % of Latino citizens. Those who were non-white were less likely to receive a warning compared to those who are white.

In conclusion, the researchers had discovered that, overall, black citizens are more likely to be ticketed than white citizens. Whites are more commonly to be ticketed after speeding, running a stop sign, or running a stop light. Blacks are more likely to receive a ticket after being stopped for an illegal turn or headlight violation. The citizen's behavior had a significant impact on the likelihood of them receiving a ticket or a warning. It had been observed that black citizens had displayed more negative behavior and this may be because of the distrust towards the law enforcement. For future research, the researchers would like to explore a larger geographical range, a variety of communities, as well as other economically disadvantage groups.

Regoeczi, Wendy C. and Stephanie Kent. 2014. "Race, Poverty, and the Traffic Ticket Cycle: Exploring the Situational Context of the application of police discretion." *Policing: An International Journal of Police Strategies and Management*. 37(1): 190-205.

This study examines what factors differ between individuals who receive warnings and individuals who receive citations from law enforcement, and if identified factors vary by race. Three main categories of extra-legal factors are examined in this study, which

coincide with extra-legal factors dating back to the 1930s appearing in criminological literature reviews. These three categories are: citizen demeanor, citizen characteristics, and officer characteristics. Citizen demeanor has been linked with influencing the officer's response; demeanor can either increase or decrease the sanction. Citizen characteristics including race have been related to the likelihood of citations, arrests, searches, etc. regardless of actual behavior. Officer demographics have also been assumed to affect policing styles, for example younger officers are less likely to issue tickets and are thought to be less coercive than older officers with more experience. Lead researchers for this study were Wendy C. Regoeczi and Stephanie Kent, from the Department of Sociology and Criminology at Cleveland State University in Cleveland, OH. There were also 13 trained research assistants who worked on the project.

Subjects in study were from suburbs of Cleveland: Brook Park, Shaker Heights, and Westlake; as well as a few from Cleveland itself. Sampling frame was limited to suburbs with a population of at least 1000 people. Subjects came into contact with researchers during ride-a-longs with police officers, and were therefore observed on scene. A total of 312 police-citizen interactions were observed during over 140 shifts. Approximately 30% occurring in each of the three suburbs, and the remaining 6.4% observed within Cleveland. Of observed interactions 63.7% of citizens were white, 31.5% of citizens were black, and 1.9% were Latino. These were officer-identified ethnicities. Due to nature of study, officer characteristics are also important. 86.2% of the officers observed were white, 3.7% were black, and 10.1% were Latino.

Direct field observation was chosen as the main method, followed by immediate officer debriefing. Observers used three standardized forms of data collection: 1.)

measured the demographics of officers including race, gender, age, years in the department, and whether they were assigned to a particular route. 2.) At conclusion of each observation, officers' general demeanor before and after incident were recorded. 3.) Officer's decision to initiate or not initiate contact with citizen was also recorded. The Cleveland Police Department was chosen due to its large percentage of cases within selected county; this helped to ensure of a representative sample. A team of 13 trained research assistants completed a total of 140 observations. Observations ranged from 4-10 hours. These included 65 weekend observations and 75 weekday observations. Second shifts were intentionally oversampled since they are typically the busiest.

Average amount of time police made contact with a citizen was four times per shift. 48% of police initiated contact occurred in commercial areas, the rest occurring in residential. 53% of all stops resulted in a warning. Educational background of police officer seemed to have little bearing on outcome of interactions as far as ticket citation vs. warning. 66% of females stopped were given a warning, compared to 59% of males. 53% of blacks were ticketed, 20% of Latinos, and 31% of whites. This suggests that blacks are less likely to receive a warning than whites or Latinos. Having a headlight violation (relating back to SES) was one of the most common reasons blacks were stopped. Black drivers were more commonly cited for administrative offenses (suspension of license) and whites more common for traffic offenses (speeding). Despite previous studies suggesting that bystanders affect ticketing patterns, this study failed to show that. Results indicate that officers are less likely to ticket someone who has a "positive demeanor" than neutral or negative demeanors—however only 55% of blacks who had a positive

demeanor received a warning whereas a 74% of white citizens did. Black citizens were found two and half times more likely to receive a ticket than non-black citizens.

The authors overall conclusion was officers initiate contact with a citizen based on actions of the citizens, and not characteristics. They therefore concluded that it is unlikely the officers are profiling when deciding to stop a citizen. Authors also point out that majority of stops were made at night, furthering that officers could not stop a citizen due to their race because they could not see the citizen. Most officer interactions resulted in a warning. Study found that white officers are more likely to classify citizens as disrespectful and also more likely to search. Black citizens were more likely to be ticketed than white citizens once stopped, however. This may be related to the fact that blacks were more often cited with administrative tickets, which can become a vicious cycle to keep up once started. Future recommendations to help break this cycle include encouraging the adoptions of programs that specialize in breaking the cycle and creating clear and consistent protocols on administrative citations to reduce stereotyping that may occur due to discretion of the police officer. Limitations included not being able to control sampling by race, observation bias, and small sample location.

Rojek, Jeff, Richard Rosenfeld, and Scott Decker. 2012. "Policing Race: The Racial Stratification of Searches in Police Traffic Stops." *Criminology*. 50(4): 993-1023.

This study examines if Black's theory of law held true when examining racial profiling in traffic citations, specifically in relation to officer race and citizen race. Authors also mention that much research on racial profiling has lacked theory. Black defines law as

“quantifiable government social control”, and states that people’s social position will affect how they impose the law and how the law is imposed on them. His basic argument is that people with high status will invoke the law on people with low status. The more power one has in society the more likely they will use the law, the less power one has in society the less likely. There is downward application of law (higher status person imposes law on lower status person) and upward application (lower status person imposes law on higher status person). Downward application is much more likely than upward according to Black. Study will examine if theory holds true. The researchers include Jeff Rojek from the Department of Criminology and Criminal Justice at the University of South Carolina, Richard Rosenfeld from the department of Criminology and Criminal Justice at the University of Missouri-St. Louis, and Scott Decker from the School of Criminology and Criminal Justice at Arizona State University. No other researchers mentioned.

The data in the study was extracted from records of traffic stops made in 2007 by the St. Louis Police Department, the sample size was 69, 543. In the city of St. Louis the population is roughly half black and half white. Other racial groups make up less than 5% of the total population. Data was retrieved via content analysis from traffic records of St. Louis resident’s violations in 2007. Missouri statutes require that police officers document certain characteristics such as race and gender each time they stop a motorist. This information is then compiled by law enforcement and submitted in an annual report. The St. Louis Police Department has a two-step process to ensure the accuracy of this data. Officers who stop motorists of a particular race at a much higher rate than that in the general population are “yellow” flagged.

The authors conclude that results support the predictions from Black's theory of law. Stops involving a white officer and black citizen were most likely to result in searches and stops involving a black officer and white citizen were least likely to result in searches. In a stop involving a black citizen and a white officer it is 5x more likely a search will occur. Reasons given for searches include detection of drugs or alcohol odors, fear for their safety, or a consent granted search. The majority of officers who conducted traffic stops were white (57%), male (85%), older than 30 (75%), and had not completed a 4 year degree (75%). Most drivers stopped were black (59%), male (76%), older than 30 (56%), and residing outside the city (57%). Most stops were conducted on city streets (87%) and during the daytime hours of 6a-6p (65%). Half the stops were performed by patrol officers and 22% were performed by the Traffic Safety division. The rest of the stops were conducted by Mobile Reserve, Crime Suppression, Detectives, etc. Most stops had both a black and white officer present (50%), with 25% being exclusively black and the other 25% being exclusively white. There is one notable contradiction noted with Black's theory of downward application of law. In predominately black neighborhoods white officers were more likely to arrest white citizens. An alternative explanation for this phenomenon may be the "out-of-place" policing strategy in which folks who seem out of place are policed at higher rates.

The authors concluded that their study supports the theory that race plays a role in police searches and black citizens "continue to receive disparate treatment from police". Black's theory is generally supported, in a society where racial differences also mark noticeable class and status differences the group that has power will receive favored treatment from the police. The out-of-place theory helps to explain the white-on-white

policing in predominately black neighborhoods; indicating that both blacks and whites are considered suspicious if in the “wrong” place. The authors state it will be difficult to overcome out-of-place policing. Some limits to this study include data entry error on part of the police department, officer omission, and not being able to know driver’s demeanor during stop.