Lansing Police Department
MATS Data
Six Month Analysis

October 2001

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ANALYSIS OF THE LANSING POLICE DEPARTMENT MATS DATA: A SIX MONTH STATUS REPORT

A Report Submitted to

CHIEF MARK ALLEY
LANSING, MICHIGAN POLICE DEPARTMENT

October 8, 2001

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In response to a national debate, the Lansing Police Department (LPD) began a voluntary and comprehensive process of ensuring LPD officers did not practice what has become known as "racial profiling". In order to place the issues in proper perspective, some background information is warranted.

BACKGROUND

As a result of incidents around the country—most notably involving the New Jersey Highway Patrol—it was learned that some police officers were using race and ethnicity as a primary factor of "suspicion" that certain people may be involved in crime. There are several historical factors that contributed to this:

1. **Cultural Distinction**. The idea of "cultural distinction" influences the behavior of all people; not just police officers. People tend to draw conclusions about members of different cultures based on erroneous assumptions and misinterpretations of the culture. If someone is "different", this may seem "unnatural" or "suspicious". Perhaps the best contemporary example—as this is written shortly after the terrorist attacks of September 11, 2001—is the reaction directed toward Muslims and people perceived to be from the Middle East, regardless of their religion. There have been cases where Arab-American Muslim businessmen were denied passage on airlines because their appearance—and the assumption they could be a terrorist—made passengers and/or flight crew nervous. This cultural distinction, makes people of one race/ethnicity suspicious of others, thereby causing stereotyped conclusions—this is a form of "racial profiling" that is a social-psychological reaction experienced by virtually everyone at one time or another.

2. **Police Training Legacy**. In past generations, officers were taught in training that if, while on patrol, they observed a person "who did not fit the area" it was "good police work" to stop the individual "to find out what they are up to". In, practice, this usually meant that a Black or Hispanic person driving an older vehicle in a predominantly White middle- or upper-class area would be stopped for questioning under the assumption that the "suspect" was planning a burglary, auto theft, or burglary of a vehicle. On the other hand, a White driver in an expensive vehicle driving slowing through a predominantly disadvantaged minority community would come under suspicion as

well. Importantly, the only criteria was that "the person did not fit the area"; a factor that does not meet the test of lawful criminal procedure. While this practice is no longer taught to new police officers, the practice still remains to an extent, informally passed between generations of officers, under the guise that "it's good police work."

3. **Operation Pipeline**. In order to respond to drug trafficking and distribution in the U.S., the Drug Enforcement Administration (DEA) and Arizona Highway Patrol, jointly developed a lengthy protocol designed to "profile" drug couriers. The protocol gave officers a wide range of variables to look for which, in combination, suggested that the person possessing those variables was a probable drug trafficker. When employed correctly, the protocol identified drug traffickers with a reasonable degree of consistency. However, the process was time consuming and awkward to employ, particularly if an officer was following a target and attempting to assess variables in the protocol while traveling down the road. In the allegations of profiling by the New Jersey Highway Patrol (NJHP), it was alleged that NJHP officers would select variables such as a young black male driving a rental car as a person to stop as a probable drug courier. Even though the protocol may include these variables, the protocol would include additional variables such as location, time, furtive conduct, position of the car (suggesting weight), and other factors. These were essentially ignored, hence many innocent people were stopped by the police, largely as a result of their race or ethnicity.

Even though officers may have become suspicious of a person largely as a result of their race or ethnicity, it was understood that there had to be probable cause to stop the vehicle. Thus, officers would typically use some form of traffic violation—e.g., improper lane usage, license expiration, vision obstruction, etc.—as the legal reason to stop the vehicle. This is known as a "pretext stop" because the motivating reason to stop the vehicle was for the officer to question the "suspicious driver", it was not primarily traffic law enforcement. The traffic violation becomes the means, not the end. Interestingly, the United States Supreme Court has affirmed that the use of a pretext stop is lawful.[1] The subsequent debate has been whether police officers use pretext stops with greater frequency involving non-White drivers than they do with White drivers.

This allegation—disproportional use of pretext traffic stops involving racial and ethnic minority drivers—fueled a response among policy makers. With support from Civil Rights leaders, both policy pronouncements and

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[1] *Whren v. U.S.*, 517 U.S. 806, (1996).

legislation began to mandate that police departments collect data on the demographic characteristics of drivers stopped for traffic violations, as well as, the circumstances surrounding the stop. The intent was to find a measure which would indicate the *unjustified* demographic disproportionality of drivers stopped for traffic violations. Note that demographic disproportionality of drivers stopped by the police is not a problem, per se. Rather, the issue is whether that disproportionality is based on legally justifiable criteria (i.e., no profiling) or whether that stop was the product of an officer's conclusions about the driver based on the driver's race or ethnicity (i.e., racial profiling).

There are some important concerns about the simple review of data reporting the demographic proportionality of drivers stopped by officers. First, it is virtually impossible to determine if an officer's behavior is motivated by lawful actions or unjustified pretext stops, without confirmation by the officer him/herself. Assumptions cannot be made about an officer's motivation by simply reviewing the demographic data of traffic stops. For example, it is unlikely that an officer is "profiling" when s/he stops a demographically disproportionate number of drivers for speeding as a result of radar speed measurement.

Other factors contribute to the equation in trying to determine if an officer's demographically disproportionate traffic stops—including pretext stops—are justified or not. For example, if a police officer has received a crime analysis report about a burglary trend with evidence that the burglars may be young, Black males committing daytime burglaries, then the officer would be justified in using pretext stops in the burglary areas to target individuals meeting the characteristics of the burglars. With this information, the officer is acting on reasonable grounds with explicit criteria for the stop related to known crimes. Race/ethnicity may become one of these factors if there is reliable evidence, such as a witness. The officer is not acting on mere suspicion because of race. In this illustration, there is demographic disproportionality in traffic stops, but it is legally and ethically justifiable based on the crime data.

The important aspect to note is that this is not a simple process of comparing traffic stops to census demographics. There is no universal standard of comparison to determine if officers are "racial profiling" or not. Similarly, a conclusive judgment cannot be made about an officer's motivations simply by looking at his/her "numbers". Rather, the data serve as a barometer to suggest if there are policies or practices which should be examined more closely to ensure that there is no discrimination.

Finally, this report is an analysis of aggregate data trends—not an assessment of individual officers' behaviors. Once again, data cannot be reviewed on the stops of an individual officer to draw conclusions about whether or not the officer has "racially profiled" drivers. The process is far more complicated. If an officer works in an area where the residents are predominantly minorities, it is reasonable to assume most drivers encountered by the officer will be minority drivers. The determination of whether an individual officer is "profiling" is not found in the numbers of persons stopped by the officer nor the demographic characteristics of the drivers. Rather, it is found in the reasons used by the officer to make the traffic stops. Thus, the responsibility for monitoring this comes largely from the officer's immediate supervisor, not a data analysis.

THE LANSING MODEL

It is recognized that data alone—particularly when there is no conclusive standard of comparison—does not necessarily provide the most accurate picture of the existence, or lack thereof, of racial profiling problems. Most importantly is the organizational culture in the police department, the quality of supervision, and leadership. The unique aspect of the Lansing Police Department's approach to this issue is that the department did not rush into a traffic stop data collection study, just to "get the numbers". Instead, under the leadership of Chief Mark Alley, the department took a comprehensive view of the issues associated with racial profiling and sought to implement a plan for organizational change.

This approach is certainly more time-consuming than the approaches taken by other police departments—it is also more effective. In summary form, what has become known as "The Lansing Model" contains the following elements:

Philosophy: Racial profiling must be operationally defined and empirically measured to determine its character and existence in the department. Whatever form the practice may take—and it may take multiple forms—it cannot be remedied by simple mandate nor controlled through monitoring demographic data of traffic stops. Rather, there must be substantive change in the organizational culture. As such, the are four philosophical tenets to the LPD Management Analysis of Traffic Stops (MATS) initiative.

1. To address police profiling of minorities, we must fully understand the concept of racial profiling; social-psychological dynamics of both officer and community behavior; legal issues; implications of police procedure; and

the interactive behavioral dynamics of the police and community in such incidents.

2. There must be a mechanism to document such incidents, assess any discernible trends, and identify and investigate individual improprieties.
3. If overt, insidious cases of racial profiling are identified, the disciplinary process must be imposed.
4. Prevention and remedial strategies for improper institutionalized behavior requires changes in organizational attitudes, values and beliefs.

Protocol: In order to operationalize this philosophy, a multi-stage protocol has been developed.

1. The first step was to create an Implementation Team which included management personnel who were critically involved in policy implementation; representatives of the police collective bargaining units; the city Human Relations Director, and external advisors. Using a participatory management style, the Committee's role was to provide guidance for the total implementation process.
2. Research was conducted on national issues and trends related to police profiling of minorities.
3. Focus groups of uniformed personnel were conducted representing all shifts and geographic assignments to determine issues and concerns as well as gain practical information on accountability models/processes.
4. Community meetings were held to gain insight on how citizens explicitly view racial profiling in the city and gain insight on issues and processes which must be addressed from the perspective of citizens.
5. A White Paper on Policy was prepared which discussed both the broad national issues and those specific to Lansing. This paper served as a learning document for both the police and community providing a foundation for:
   a. Policy and procedures
   b. Organization change
   c. Police training
   d. Community education
6. A data collection form, policy and procedure were developed to serve as the mechanism to monitor demographic trends in traffic stops.
7. Training was provided to all uniformed personnel on:

    a. The issue of racial profiling, generally.
    b. Current law and policy associated with officer behavior that has led to profiling allegations.
    c. Perceptions, relations, and interactions with minority communities.
    d. Use of the LPD MATS data collection form and related procedures.
8. Training was provided to uniformed supervisors concerning their responsibilities specifically related to the racial profiling issue and the new MATS process.
9. Community education sessions were held to discuss police procedure and minority relations and the racial profiling issue.
10. Evaluation includes:
    a. Processes used in the MATS program
    b. Institutional (aggregate) accountability outcomes
    c. Individual accountability

In sum, the Lansing Model attempted to mold the organizational culture so that officers could understand and adhere to both policy and law. As noted in the original LPD Racial Profiling Paper[2], when racial profiling by the police occurs it is typically a subconscious act. This model is to bring awareness to the forefront in order to ensure that unacceptable practices do not occur.

METHODOLOGY

Beginning February 12, 2001, following the developmental steps described above, uniformed LPD officers working in marked units were required to complete a MATS data form describing the driver's demographic characteristics and the circumstances related to each officer-initiated traffic stop and for each traffic accident to which they were dispatched. Since there is difficulty in establishing a standard of comparison, one idea was to compare the demographic characteristics of drivers stopped for traffic violations to those drivers involved in accidents. This experiment was to determine if this was a useful standard by which comparisons could be made.

By the end of each shift, officers submitted completed MATS forms to their supervisor who, in turn, reviewed and "signed off" on completed forms and forwarded them for processing. Part of the supervisors' responsibility is to monitor officers' behaviors and be alert to any potentially anomalous problems.

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[2] The paper is available on the Lansing Police web site at http://www.lansingpolice.com, under the menu item "Special Projects" followed by "Profiling Project".

OVERALL RESULTS

This report reflects the results of the first six months of data collection (all stops through midnight on September 12, 2001). During the course of this six-month period, LPD officers used MATS forms to report data for 19,353 traffic stops. Of these encounters, 15,509 (80.1%) were non-accident related (traffic stops not initiated because of a traffic accident). The remaining 3844 (19.9%) encounters were accident-related (traffic stops pursuant to the investigation of a traffic accident). It should be noted that officers completed multiple MATS forms for the majority of these accident-related encounters. Typically, officers would complete a MATS form detailing their interactions with the occupants of all vehicles involved in a traffic accident. Thus, the actual number of traffic accidents investigated by LPD officers during this six-month period is likely to be lower than the number of accident-related MATS forms.

Across the timeframe of the study, there was variation in the rate of traffic stops initiated per day. Table 1 presents the rate of stops *per day* from February through August of 2001, both overall and by the type of stop. After peaking in March, the rate of traffic stops per day declined to a level that remained stable through mid-August; greater fluctuation can be observed in the rates of accident and non-accident related stops.

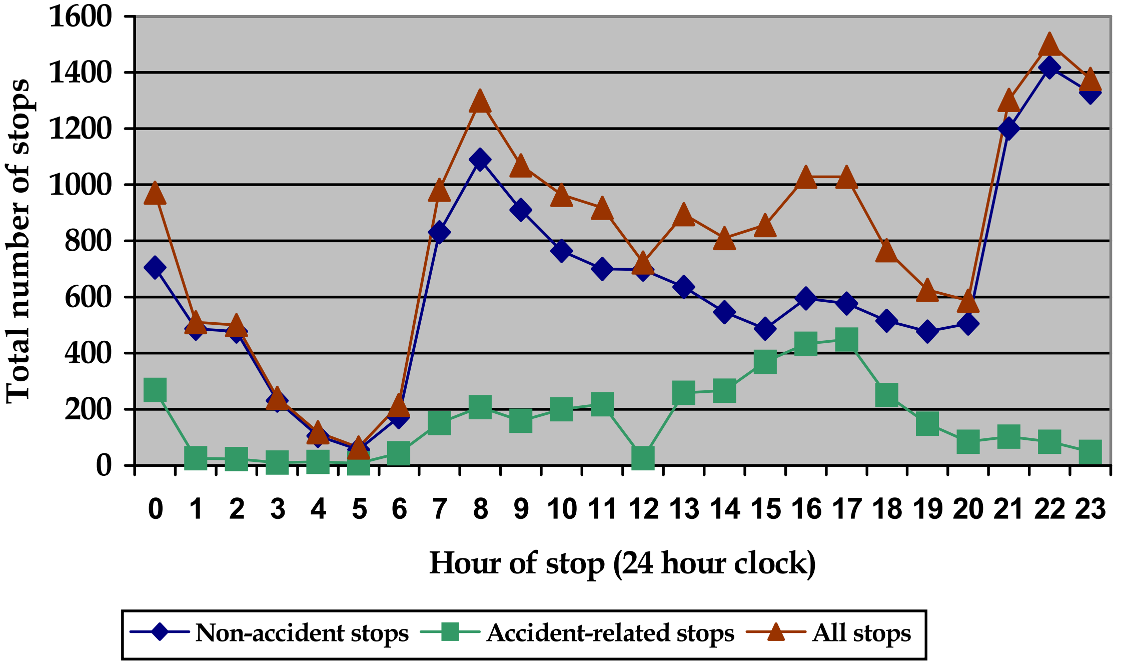
Table 1: Rate of Traffic Stops Per Day*

	ALL TRAFFIC STOPS (N=19,353)	NON-ACCIDENT RELATED TRAFFIC STOPS (N=15509)	ACCIDENT-RELATED TRAFFIC CALLS (N=3844)
February	87.1	72.1	14.9
March	122.8	103.0	19.8
April	109.7	86.0	23.7
May	102.7	79.8	22.9
June	100.3	76.1	24.2
July	103.1	83.7	19.4
August	108.1	90.3	17.8

*Rates for February and August are adjusted to reflect less than a full month of data collection

Variation is also noted in the time of day during which traffic stops occurred. Figure 1 displays the total number of traffic stops for each hour of the day by the type of stop (accident or non-accident related). The frequency of all types of stops tended to be lowest during the early morning hours. Frequencies rapidly rose between 5:00 AM and 8:00 AM, before declining from the late morning through the early evening (with a noticeable mid-afternoon plateau). The frequency of stops rose dramatically during the early evening hours (after 8:00 PM), reaching their highest levels during the hour of 10:00 PM before declining into the early morning hours.

Figure 1: Total Stops by Time and Type of Stop



The total traffic stops by day, as well as the variation in the total stops by time and type of stop, appear normal and reflect what one would expect. Thus, there is no indication of abnormality that would raise a question about the reliability of the data interpreted in this report.

The demographic characteristics for drivers are reported in Table 2. A certain amount of variation is observed based upon the reason for a traffic stop (accident or non-accident related). While the drivers in non-accident related traffic stops tended to be male (62.7%), the proportion of male drivers in accident related stops was less skewed (55.6%). Across all types of stops, drivers were most frequently white (62.9%). In should be noted that the only racial groups seen to vary by type of stop are White and Black citizens; the distribution by race is not observed to vary for other racial or ethnic groups. Black drivers were more prevalent in non-accident related stops than in accident related stops. Age also varied based upon the type of traffic stop. The average age of drivers in non-accident related stops was more than 4 years less than that of drivers in accident related stops (32.86 years and 37.04 years, respectively).

Direct comparison of traffic stop data to Census data is inherently problematic. Traffic stops include transient traffic representing drivers of all demographic characteristics who live in other communities but commute into Lansing for work, shopping, school, or other services which may be offered by the government or private business. To make appropriate comparisons to the driving public in Lansing, it would be necessary to do a comprehensive driver census of major roadways in the city, stratified by time of day and day of the week. While possible, this is an extremely labor-intensive process and costly. Having stated this, readers still typically want to see a demographic comparison of traffic stops to the Census. Recognizing that fact, this is not comparing "apples to oranges"; rather it is comparing a whole apple (the known traffic stop data) to a partial apple (the unknown demographic characteristics to an unknown number of drivers.)

Table 2: Demographic Characteristics of Drivers (expressed as column percentages)

	All Stops (n=19,353)	Non-Accident Related Stops (n-15,509)	Accident Related Stops (n=3844)	2000 Census Characteristics (Percentages)
Gender				
Male	61.3	62.7	55.6	46.2
Female	38.7	37.3	44.4	53.8
Race				
Black	25.1	27.1	17.0	21.9
Asian-Pacific Islander	1.9	1.9	2.2	2.9
Hispanic	6.6	6.8	5.7	10.0
White	62.9	60.6	72.1	65.3
Other	1.6	1.6	1.5	9.9
Not Apparent	2.0	2.1	1.5	--
Age Bracket				
10-19	10.8	10.9	10.2	Data Categories And Statistics On Different Scales, Thus Not Comparable
20-29	35.8	37.5	29.0	
30-39	23.4	23.9	21.3	
40-49	16.5	16.1	18.1	
50-59	8.8	7.9	12.3	
60-69	2.9	2.4	5.1	
70-79	1.5	1.1	3.1	
80-89	0.3	0.2	0.9	
90-99	0.0	0.0	0.1	
Average Age (in years)	33.69	32.86	37.04	31.4

A simple comparison of the Census data to the traffic stop data (also in Table 2) shows that the variation of traffic stops from the Census demography of the City of Lansing for the three largest race/ethnic groups—Blacks, Hispanics, Whites—varies only around 5%. This is typically within an acceptable range for most statistics. That is, given the previous caveats, these data do not point to any serious problem and suggests that the variation (i.e., differences) are within accepted statistical parameters as being "normal"

Additional analysis was conducted on the traffic stops that were non-accident related. This project was initiated to help the Department develop a better understanding of how officers used their discretion. Although there are discretionary elements in accident related traffic stops, these encounters have a non-discretionary beginning. For the purpose of this report, the authors believe it is most appropriate to focus on non-accident related stops because these encounters allow officers to exercise the most discretion.

Table 3: Reason for Non-Accident Related Traffic Stops

	FREQUENCY	PERCENT
Moving Violation	10590	68.3
Equipment Violation	2101	13.5
Registration	1351	8.7
Other	1467	9.5

Officers reported the reasons that led them to initiate non-accident related traffic stops. Table 3 presents this information. The majority of these stops were initiated because an officer observed some form of moving violation. The number of stops for "Equipment Violations" and "Registration" violations appear to be somewhat lower than found in other jurisdictions. This lends credence to the idea that there may be fewer pretext stops in Lansing than experienced by other communities. The reader is cautioned that this conclusion is based on experience of the authors, but has not been empirically measured to test this assumption.

Table 4: Disposition of Non-Accident Related Traffic Stops*

	FREQUENCY	PERCENT
Citation issued	9277	59.8%
Arrest made	1123	7.2%
Warning issued	5424	35.0%
Report written	249	1.6%

*Disposition categories are not mutually exclusive. Officers could use more than one option in a given traffic enforcement encounter.

Most non-accident stops resulted in an officer issuing a citation, although warnings were also very common. Table 4 provides the dispositions of all non-accident related traffic stops showing that citations were issued in 59.8% of the stops. The findings suggest that Lansing officers are comparatively benevolent with respect to traffic citations—in many jurisdictions the citation rate would be around 70%. Interestingly, the percentage of written warnings is significantly higher than found in other communities. This is evidence that officers are working and making traffic stops, however, the dispositions are less punitive than one may find elsewhere.

STOPS WITH SEARCHES

Searches were conducted in a relatively small proportion of all non-accident traffic stops. During the sixth month time frame covered in this analysis, officers reported 1418 searches (9.1% of all non-accident stops). Table 5 indicates who was the subject of such searches. Because officers could conduct multiple searches during a single traffic enforcement encounter, these search categories are not mutually exclusive; that is, in one traffic stop it is possible to

(a) search the driver; (b) search a passenger(s); and (c) search a vehicle. As such, the frequency in Table 5 adds to more than 1418. In addition, no data were collected concerning passenger demography, so further analysis of these variables and their relationship with searches is not possible.

Table 5: Searches During Non-Accident Related Traffic Stops

	FREQUENCY	PERCENT OF NON-ACCIDENT STOPS	PERCENT OF NON-ACCIDENT STOPS WITH SEARCHES
Driver searched	975	6.3	68.8
Passenger(s) searched	211	1.4	14.9
Vehicle searched	873	5.6	61.6

*Categories are not mutually exclusive. An officer could conduct a search of any three of these possible outcomes. Frequencies and percentages reflect the proportion of all non-accident related stops that involved this form of search.

The MATS form required officers to report the legal authority to conduct a search during the course of a traffic stop. This information is reflected in Table 6. The information in this table indicates, among other things, that officers rarely used their own discretion to conduct a search. The majority of all searches (81.2%) were "searches incident to arrest"[3]. In such situations, officers are explicitly performing a search pursuant to criminal procedure (and departmental policy) rather than exercising discretion. Thus, in all searches conducted incidental to an arrest, the driver was taken into police custody. Several other categories would also suggest searches made out of procedure, rather than from discretion (e.g., tow inventory and plain view). This significant majority of cases wherein searches of drivers were non-discretionary searches clearly indicates officer behavior tended to be based on law and departmental procedure, not an extraneous reason, such as "profiling".

Table 6: Authority for Searches in Non-Accident Related Traffic Stops*

	FREQUENCY	PERCENT OF NON-ACCIDENT STOPS	PERCENT OF NON-ACCIDENT STOPS WITH SEARCHES
Consent	128	0.8	9.0
Incident to arrest	1152	7.4	81.2
Terry cursory	74	0.5	5.2
Tow inventory	27	0.2	1.9
Plain view	27	0.2	1.9
Probation/parole	2	0.0	0.1

*Authority categories are not mutually exclusive. Because an officer could conduct multiple searches during the course of a traffic stop encounter, there could be multiple authorities for such searches.

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[3] The U.S. Supreme Court has held that when a police officer places a person under a custodial arrest, the officer may search the person of the arrestee and the area where the arrestee may reach or leap to obtain a weapon or destroy evidence. In cases where the arrestee is a driver, the Court has stated the area which may be searched includes the interior of the car.

Items were discovered and/or seized during 246 searches in non-accident related traffic stops. This represents 1.6% of all non-accident related stops and 17.3% of such stops involving some type of search. Table 7 presents the types of items that were discovered/seized in the course of these searches. Many of these items were relatively innocuous; alcohol and drugs were the most commonly seized forms of contraband. Weapons were discovered in only 1.3% of the searches. It should be noted that a relatively substantial number of stops producing contraband involved items falling outside of the response categories listed on the MATS form.

Table 7: Items discovered/seized through searches in non-accident related traffic stops*

	FREQUENCY	PERCENT OF NON-ACCIDENT STOPS	PERCENT OF NON-ACCIDENT STOPS WITH SEARCHES	PERCENT OF ALL SEARCHES PRODUCING CONTRABAND
Weapons	19	0.1	1.3	7.7
Vehicles	33	0.2	2.3	13.4
Drugs	76	0.5	5.4	30.9
Alcohol	107	0.7	7.5	43.5
Cash	22	0.1	1.6	8.9
Other property	49	0.3	3.5	19.9

*Item categories are not mutually exclusive. Multiple items could be discovered and/or seized during the course of a search.

Tables 8, 9 and 10 provide alternative perspectives on the data by displaying stops, searches and contraband discoveries/seizures based upon the driver's race, gender and age bracket. The reader is reminded that this study's unit of analysis is the individual traffic stop, not the driver. The fact that a search was conducted does not mean that the driver was actually the subject of such a search. These tables also do not reflect the characteristics of passengers who may have been the subject of searches since the issue for this data collection is whether there was racial profiling of drivers.

Table 8: Driver's Race by Non-Accident Stops, Searches, and Contraband Discoveries/Seizures

DRIVER'S RACE	NUMBER OF STOPS (% OF ALL STOPS)	NUMBER OF SEARCHES (% OF ALL SEARCHES)	NUMBER OF DISCOVERIES (% OF ALL DISCOVERIES)
Asian-American	290 (1.9%)	12 (0.8%)	3 (1.2%)
Black	4201 (27.1%)	606 (42.7%)	101 (41.4%)
Hispanic	1052 (6.8%)	146 (10.3%)	28 (11.4%)
White	9400 (60.6%)	622 (43.9%)	107 (43.5%)
Other	244 (1.6%)	10 (0.7%)	4 (1.6%)
Not Apparent	322 (2.1%)	22 (1.6%)	3 (1.2%)

Table 9: Driver's Gender by Non-Accident Stops, Searches, and Contraband Discoveries/Seizures

DRIVER'S GENDER	NUMBER OF STOPS (% OF ALL STOPS)	NUMBER OF SEARCHES (% OF ALL SEARCHES)	NUMBER OF DISCOVERIES (% OF ALL DISCOVERIES)
Female	5780 (37.3%)	309 (21.8%)	57 (23.2%)
Male	9729 (62.7%)	1109 (78.2%)	189 (76.8%)

Table 10: Drivers' Age Bracket by Non-Accident Stops, Searches, and Contraband Discoveries/Seizures*

DRIVER'S AGE	NUMBER OF STOPS (% OF ALL STOPS)	NUMBER OF SEARCHES (% OF ALL SEARCHES)	NUMBER OF DISCOVERIES (% OF ALL DISCOVERIES)
10-19	1697 (10.9%)	198 (14.0%)	43 (17.5%)
20-29	5809 (37.5%)	592 (41.7%)	112 (45.5%)
30-39	3714 (23.9%)	348 (24.5%)	48 (19.5%)
40-49	2495 (16.1%)	202 (14.2%)	31 (12.6%)
50-59	1228 (7.9%)	60 (4.2%)	8 (3.3%)
60-69	371 (2.4%)	16 (1.1%)	3 (1.2%)
70-79	165 (1.1%)	2 (0.1%)	1 (0.4%)
80--89	30 (0.2%)	0 (0.0%)	0 (0.0%)

*Mean age of driver = 32.86 years.

RACE, GENDER AND SEARCHES

A key impetus for this data collection was to understand the role of various demographic factors in traffic enforcement encounters. Table 11 presents the race and gender of all drivers involved in non-accident traffic stops. The first column lists the possible race and gender combinations for drivers involved in non-accident traffic stops during the study time frame. The second column reports the number of stops involving each race and gender combination. The third, fourth and fifth columns reflect the percent of drivers within various classifications (e.g., 25.6% of female drivers were Black, 35.3% of Black drivers were female, 9.5% of all drivers were Black females). The final column indicates the odds of a driver being searched in the course of a non-accident related traffic stop. For example, when the driver was a Black female, a search was conducted in 7.02 out of 100 non-accident stops.

Table 11: Drivers by Gender and Race/Ethnicity for Non-Accident Related Traffic Stops

	Column A	Column B	Column C	Column D	Column E
	FREQUENCY	% OF DRIVERS WITHIN GENDER CLASS	% OF DRIVERS WITHIN RACIAL CLASS	% OF ALL DRIVERS	ODDS IN 100 OF SEARCH
Asian American Female*	94	1.6	32.4	0.6	2.13
Black Female	1481	25.6	35.3	9.5	7.02
Hispanic Female	339	5.9	32.2	2.2	8.85
White Female	3701	64.0	39.4	23.9	4.57
Other Female*	44	0.8	18.0	0.3	2.27
Not Apparent Female*	121	2.1	37.6	0.8	2.48
Asian American Male*	196	2.0	67.6	1.3	5.10
Black Male	2720	28.0	64.7	17.5	18.46
Hispanic Male	713	7.3	67.8	4.6	16.27
White Male	5699	58.6	60.6	36.7	7.95
Other Male	200	2.1	82.0	1.3	4.50
Not Apparent Male*	201	2.1	62.4	1.3	9.45

*Dataset contains 10 or fewer non-accident stops where the driver had this race/gender composition.

As indicated in Column D of Table 11, of all traffic stops, the highest proportion of drivers stopped are white males—over twice the proportion of Black males—followed by white females. With respect to searches, the odds are highest that Black males followed, by Hispanic males, that the driver will be searched. The reader is reminded of the previous discussion of legal authority to search; the data indicate the significant proportion of searches were based on non-discretionary factors, notably search incident to arrest.

Table 12 reflects the odds that various forms of contraband were found when searches were conducted during non-accident traffic stops. The odds are reported based upon the race and gender of the driver. The reader should note that several rows in this table are highlighted to reflect that a very small number of searches were conducted with drivers of the respective race and gender combination. *These small numbers may dramatically skew the odds in these cases*. It must also be noted that the discovery and/or seizure of any form of contraband does not necessarily mean that the driver was in possession of such items—a passenger may have been in possession of the items or the seized property may have been in the car without the driver's knowledge. The unit of analysis for the MATS form is an individual traffic stop. Officers reported driver demographics and search outcomes. The data do not allow for the discovery of contraband to be linked to a particular individual in a vehicle.

Table 12: Odds (in 100) of Contraband Being Discovery and/or Seizures by Driver Race and Gender

	Weapon	Vehicle	Drugs	Alcohol	Cash	Other Property	Any Contraband†	Nothing
Black Female	0.96	--	2.88	6.73	0.96	0.96	10.58	89.42
Asian American Female*	--	50.0	--	--	--	--	50.00	50.00
Hispanic Female	--	3.33	10.00	10.0	--	--	23.33	76.77
White Female	0.59	4.14	2.96	11.83	--	5.33	20.71	79.29
Other Female*	--	--	100.0	--	100.0	--	100.0	0.00
Not Apparent Female*	--	--	33.33	--	--	33.33	66.67	33.33
Black Male	1.20	1.99	6.18	7.37	2.39	3.59	17.93	82.07
Asian American Male*	--	10.0	--	--	--	20.00	20.00	80.00
Hispanic Male	2.59	2.59	5.17	9.48	1.72	2.59	24.14	75.86
White Male	1.77	1.99	5.30	6.40	1.10	3.09	15.89	84.11
Other Male*	--	11.11	22.22	--	--	--	33.33	66.67
Not Apparent Male	--	--	--	--	5.26	--	5.26	94.74

*Dataset contains 10 or fewer non-accident stops where the driver had this race/gender composition..

†Because officers could seize multiple forms of contraband on a single stop, the various categories are not mutually exclusive and the values in the columns to the left do not necessarily sum to the value appearing in this column..

In examining the odds of being searched by race and gender, it is crucial to examine the legal authority that allowed an officer to conduct a search. The odds of various legal authorities legitimating an officer's search (when there were searches) are presented in Table 13 by driver race and gender. For example, when searches were conducted during non-accident traffic stops with Black female drivers, the legal authority for 7.69/100 searches was the driver's consent; 86.54/100 were searches incident to arrest. Once again, the high proportion of searches incidental to arrest (as well as tow inventory searches) are non-discretionary, hence the probability of profiling is virtually eliminated. Because an officer could have multiple legal authorities justifying multiple searches in a single stop, these columns are not mutually exclusive.

Of key importance in this table are the differential patterns that emerge among the various authorities. For example, minority male drivers tended to be involved in search situations that were not discretionary. When an officer conducts a search that is incident to an arrest or for a tow inventory, that officer is following policy and procedure more than discretion. When an officer seeks a driver's consent or conducts a Terry search[4], that officer is exercising more

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[4] Based on the U.S. Supreme Court case of *Terry v. Ohio*, when a police officer has reasonable grounds to believe that a person has committed, is committing, or is about to commit a crime, the officer may stop the person for an interview, detain the person, and frisk the person for weapons.

discretion. Among male drivers, it was more common for discretionary searches (consent and Terry cursory) to be made when the driver was white. Minority drivers were more likely to be involved in searches that were more a matter of policy/procedure than officer discretion.

Table 13: Odds (in 100) of Various Legal Authorities for Search by Driver Race and Gender

	CONSENT	INCIDENT TO ARREST	TERRY CURSORY	TOW INVENTORY	PLAIN VIEW	PROBATION/ PAROLE
Black Female	7.69	86.54	2.88	1.92	1.92	--
Asian American Female*	--	50.00	50.00	--	--	--
Hispanic Female	3.33	90.00	6.67	--	6.67	--
White Female	7.69	82.25	4.14	2.37	2.37	--
Other Female*	--	100.00	--	--	--	--
Not Apparent Female*	33.33	33.33	--	--	--	--
Black Male	6.18	84.86	5.78	1.79	2.19	0.40
Asian American Male*	10.0	90.00	--	10.0	--	--
Hispanic Male	6.03	86.21	3.45	4.31	1.72	--
White Male	13.91	74.17	5.96	1.32	1.32	--
Other Male*	11.11	88.89	--	--	--	--
Not Apparent Male	10.53	73.68	5.26	--	--	--

*Dataset contains 10 or fewer non-accident stops where the driver had this race/gender composition.

The outcomes of all non-accident traffic stops are presented in Table 14 by the driver's race and gender. The table reports the percent of stops for drivers of each race and gender combination that resulted in the various outcomes (e.g., in stops involving Black female drivers, citations were issues in 59.96%, arrests were made in 6.28%, warnings were given in 35.79% and reports were made in 1.01%). The reader is reminded that multiple outcomes are possible for a single stop, therefore these columns are not mutually exclusive. In addition, a specific outcome may not relate to the vehicle's driver (e.g., a passenger could have been the party cited, arrested or warned). Both arrests and warnings were more commonly noted in stops involving minority drivers, while citations were more commonly observed in stops involving white drivers.

Table 14: Outcome of All Non-Accident Related Traffic Stops by Driver Race and Gender

	CITATION	ARREST	WARNING	REPORT
Black Female	59.96	6.28	35.79	1.01
Asian American Female	65.96	1.06	34.04	--
Hispanic Female	67.55	7.08	26.84	2.06
White Female	64.14	3.67	32.99	1.57
Other Female	77.27	2.27	22.73	2.27
Not Apparent Female	65.29	1.65	34.71	0.83

Table 14: (concluded) Outcome of All Non-Accident Related Traffic Stops by Driver Race and Gender

	CITATION	ARREST	WARNING	REPORT
Black Male	50.77	14.96	38.68	2.39
Asian American Male	64.29	5.10	32.14	0.51
Hispanic Male	57.50	13.32	32.40	2.81
White Male	60.90	5.86	34.81	1.39
Other Male	54.50	3.50	43.00	1.00
Not Apparent Male	56.72	6.47	40.80	--

CONCLUSIONS

Based on the first six month data analysis of the MATS data collection, there were no trend data which suggested Lansing police officers stopped demographically disproportionate drivers without legal justification. A slightly higher proportion of Black and Hispanic drivers were stopped by police officers compared to the demographic proportions reported in the 2000 Census for Lansing. The differences (approximately 5%) do not appear to be significant because (1) Census data do not account for transient drivers who do not live within the city and (2) police officers are deployed more densely to areas within the city which have higher call and service demands for the police. These areas in Lansing tend to have a disproportionately higher number of minority residents, hence the probability of officers stopping minority drivers increases. With respect to the issue of "racial profiling", it was found that both arrests and warnings were more commonly noted in stops involving minority drivers, while citations were more commonly observed in stops involving white drivers. Moreover, an important finding was that in over 80% of traffic stops where a search was involved, the legal authority was a "search incident to arrest", indicating little discretion for the search by the officer. As discretion for officers' actions decreases, so does the probability of profiling.